A Collection in English, of the Statuts now in force, continued from the beginning of MAGNA CHARTA, *made in the 9. yeere of the raigne of King H. 3.* Vntill the end of the parliament holden in the 35. yere of the raigne *of our gratious Queene Elizabeth, vnder Titles placed by order of Al-*phabet: wherein is performed (touching the Statutes wherewith Iustices of the *Peace haue to deale) so much as was promised in the Booke of their office late-*ly published. For which purpose also the Statutes concerning those Iustices haue this marke ☞ at the beginning, and this marke * at the ende of them, noted in the margent ouer against the same.

Hereunto is added two Tables: the one at the beginning of the Book, declaring vnder titles by order of alphabet the substance of such referments as stoode at the end of eche Title in the first Collection *of Statutes, set forth by Master Iustice* RASTAL. *And in this Table, the title* of Iustices of the peace is speciallie perused and amended, for their more easie finding of matters in this Booke, concerning their authoritie.

In the other Table (being at the ende of this booke) are set downe by order of the kings raigns, the seuerall times of their Parliaments, together with *the sundry Chapters and intitulings of the particular Statutes in euerie of the same: wher-*by the Reader may easilie finde vnder what Title, and in what leafe of this Booke, any of these Statutes be placed: and may also (by helpe of certaine hands prefixed to diuers of them) readilie see, what, and how manie Statutes in eche Kings raigne, do concern the Iustices of peace, and in what leafe of this Booke to find them.

Imprinted at London by Charles Yetsweirt Esq.

Cum priuilegio Regiæ Maiestatis.
Anno 1595.

15

Iohn. E. C. S.

William Raſtall Serieant

at Law, to the gentle Reader.

Ere haue ye (gentle Readers) a Collection of the Statutes of Engl̃ad (from the beginning of MAGNA CHARTA, vnto this preſent time) which were before this yeere imprinted, and which be now in force and effect.

The printed Statutes, expired, or repealed, or cõcerning priuate perſons, or ſome priuate places, I haue (for the moſt parte) left out of this worke, ſauing that of them I haue made in their apt titles (as I think) a briefe remembrance.

The reſidue of the Statutes imprinted, haue I put in this worke (as I ſuppoſe) in their apt titles, word for word, as they be in the great Statutes: only leauing out, as well certaine ſuperfluous wordes, as alſo the moſt parte of the preambles, for that I feared, that if I ſhould haue put in all the preambles, this booke would haue growen ſo bigge, and ſo thicke, that it would not haue been contained in this volume. Neuertheleſſe I haue (I truſt) put in thoſe preambles, without which the body of the Statutes cannot be well perceiued.

But yet truſt not, that all the Statutes that I haue put at large in this booke, doe ſtand in force: for percaſe ſome of them be repealed by other Statutes made after, by ſpeciall or generall wordes, which for lacke of leaſure I could not throughly conſider. I haue noted in the Margent of euerie Statute certaine words, and that for three cauſes.

The firſt, for that, that many of the ſtatutes be long, and containe manie ſeuerall matters (of which percaſe you would manie times gladly, ſhortlie finde out ſome one, without tedious ſpending of the time in reading ouer the whole ſtatute) therefore by peruſing the wordes in the margent, ye may quickly conceiue, what matters be in that ſtatute, whereby ye may readilie finde out the matter that you would reade of in that Statute.

The ſecond cauſe is, that the wordes in the Margent well conſidered, ſhall ſtand you in as good ſteede, as ſhould a ſpeciall Calender.

The third cauſe is, becauſe that manie Statutes containe diuers matters, that neceſſarilie were to be put in diuers ſeuerall Titles apt for thoſe ſeuerall matters, and ſo ſhould diuers matters aptly bee put in this Booke

twiſe or thriſe, or percaſe in moe places in their diuers apt Titles, were it not that then this booke would haue been too bigge, therefore the words in the Margent, do ſhortly ſhew you thoſe ſeuerall matters apte for other titles.

Note that the wordes in the different letter within the Parentheſes () be not the wordes of the Statute, but my words planted in there, for the better vnderſtanding of the Statute.

And although I haue put the Statutes here at large, yet wil I aduiſe euerie ſuch of you, as ſhall haue anie matter of importance, concerning anie ſtatute in this booke, not to truſt altogether to this booke: But reade you ouer diligentlie the Acte with the Preamble thereof, in the great bookes of ſtatutes, out of which I tooke this. This aduice I giue you for two cauſes: The one, for that, that reading the Preamble with the Statute, it ſhall many times giue you much light for the true vnderſtanding of the Statute: where if yee reade the Statute in this booke without the Preamble, the vnderſtanding of the Statute may be to you oft time confuſed. The other cauſe is, for that, that perhaps diuers faultes be eſcaped in this worke, ſome for lacke of diligence of the Printer, and ſome by my default, for lacke of laiſure to conſider, and aduiſedly to peruſe and ouerſee this worke after I had finiſhed it.

Note alſo that in the end of euery referment of the two Tables, you ſhall find the one of theſe foure letters, A. B. C. D. which doe ſignifie, the firſt, ſecond, third, and fourth Columne of euery leafe. VALE.

A Table (in order of Alphabet) for the readie finding of the seuerall titles conteyned in this volume: whereunto are added the substance of such references as stand at the end of each title in the collections of the Statutes before this time published.

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Iustices of either bench shall enquire of the defaults of shirifes, and diuers other, &c. 428.b
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Justices of either bench shall direct all maner of procesle to the officers in the countie of Monmouth, &c. 497.b

¶ Justices of gaole deliuerie.

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Lord Chancellor &c. shal nominate and appoint Justices of O. for the counties of Chester, Flint. &c. 57.c

Justices of O. shall enquire for the false making of leather. 73.a

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Justices of O. shall enquire of those that write or tell seditious newes. 309.b

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Justices of O. shall enquire of the defaults of Shirifes, in gathering wages for the knights of the Parliament. 317.a

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Justices of O. shall enquire of such as commit or procure perjury. 336.a

Justices of O. shall enquire whether shooting be vsed according to the statute. 343.a

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Justices of O. shall enquire of those that transport line sheepe. 424.a

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¶ Justices of Oier and terminer.

Justices of Oier and Terminer shall enquire of the vnlawfull taking of fish. 181.a

Justices of Oier and Terminer shall enquire of the vnlawfull taking of Deere, Hawkes, and Hawkes egges. 182.a

Justices of Oier and Terminer, shall enquire of forgers of false deeds. 190.b

Justices of Oier and Terminer shall enquire of the execution of the statute for husbandry, &c. 227.a

Justices of Oier and Terminer shall enquire of the breach of the statute for labourers, &c. 254.a

Justices of Oier and Terminer shall enquire of deceitfull makers of linnen cloth. 267.b

Justices of Oier and Terminer shall enquire of those that write or tell seditious newes. 309.b

Justices of Oier and Terminer shall enquire of the defaults of shirifes in collecting wages for knights of the parliament. 317.b

Justices of Oier and Terminer shall enquire of prophecies. 353.a

Justices of Oier and Terminer shall send their records and procesle determined into the Eschequer. 370.c

Justices of Oier & Terminer shal enquire of those that transport line sheepe. 424.a

Justices of Oier and Terminer shall enquire of such as lend money to vsury. 491.b

Justices of Oier and Terminer shall enquire, heare, &c. of such as speake any slanderous words by the Queenes Maiestie, &c. 309.b

¶ Iustices of peace.

Abiuration. 5. Power is giuen vnto them in certeine causes there expressed to commit sanctuary persons offenders to prison, and in some other causes to examine them, and thereupon to allow of their purgation.

Alehouses. 2. Power is giuen vnto them to licence and also to suppresse Alehouse keeping, and Tippling houses, and that they may punish the offenders therein, and the maner how.

Apparell. 5. and 6. That they may punish such as offend in the wearing of excesse and prohibited apparell, and the maner how.

Armour. 4. 5. & 7. That they may punish such as ho ride or go armed offensively, and the maner how.

Armour. 6. That the names of labourers and seruants to husbandrie and to artificers, and vitailers, and their vnlawfull weapons seized by constables and others, are to be presented vnto them, and when and where.

Armour. 8. That they may make searche how men obserue the lawe, in hauing horses, armour, and weapons, and the maner how.

Armour. ibidem. That they may punish such as keepe not horses and armour according to the statute, and how.

Armour. ibidem. That they be to be put in Commission for the view of Armour, and for the appointing, what common armour and weapons Townes shall maintaine, and their quotie therein.

Arrow heads. 1. That they may punish the euill making of Arrow heads, and how.

Artificers. 3. That they may punish certeine kindes of vitailers there mentioned, for conspiring not to sell their vitaile vnder a price agreed vpon among themselues.

Attorneyes. 13. That they in Norfolke, Suffolke, and Norwich, may punish such Attorneyes as practise that trade there without sufficient warrant. But learne if this stand still in force.

Bouchers. 1. A maner of punishment to bee layed vpon Butchers for selling of naughtie flesh. Which they may put in execution by their commission.

Bowes. 1. 3. and 8. Penalties which be to be layed vpon merchants for not bringing in the number of Bowestaues appointed by the Statutes. Which they may put in execution by warrant of the Statute of 33. H. 8. cap. 10.

Bridges. 1. That they may punish the defaultes of such as ought to maintaine Bridges, and the maner how.

Bridges. 1. and 3. That they may take men towardes the reparation of Bridges, in case it be not knowen who ought to repaire them, and how they are to deale therein.

Bridges. 4. That they of the citie of Rochelle are to ioyne with the Alderman, Sheriffes and Maior in the appointing of Surueyours for the amending of the bridges and wayes neere there about.

Bridges. 5. That the reparation of Carmarthe bridges in Wales is to be looked vnto by those and of them thereabout.

Butter. 3. A penalty to be layd vpon such as bee prohibited to buy Butter and Cheese to sell againe, otherwhere then by retayle in open shop, market, or faire, which they may put in execution against regrators by their commission.

Calues. 1. That they may punish such as kill sucking Calues falling within a certaine season of the yeere, prohibited by the statute, and how.

Calues. 2. That they may punish such as kill weaning Calues vnder a certayne age there mentioned, to the intent to sell the same, and the manner and forme how.

Calues. 4. That they may punish the defaults of such as keepe not much kine, nor reare vp Calues according to the rate of their sheepe and great beasts, and the maner how.

Captaines. 4. and 6. That they may enquire of, heare, and determine the felonies of Souldiours in not going ouer Sea with their Captaines, or in returning or departing without sufficient licence.

Captaines. 6. That they may commit to prison Souldiours that haue wilfully made away their masters horse or harnesse, and the maner how.

Captaines and Souldiours. 7. They are to appoint parishes, for contribution towarde the relefe of maymed Souldiours.

Captaines and Souldiours. Ibid. That they are to bee treasurers of money collected for relefe of maymed souldiours, and to accompt for it.

Certificate. 1. Power is giuen vnto them to write to the Clerke of the Crowne for the names and causes of persons outlawed, and of Clerkes conuict or attaynted, whereof he hath any transcript.

Champertie. 1. 2. 3. 4. and 5. The punishmentes whiche are to bee layed vpon Champertours, and who be Champertours: but learne if they haue to deale with them otherwise then as against maintainers by force of the statute of 33. Hen. 8. cap. 10.

Chester. 3. That there shall be some appointed in the county palant ne of Chester, and in Northwales and Southwales, as in England.

Clergie. 28. The carnall knowing of a woman childe vnder the age of tenne yeeres is made felony, and Clergie taken away, which they may punish accordingly by their commission.

Clerke of the market. 1. The punishment which is to be layde vpon the Clerke of the market for extortion concerning his office, which they may put in execution by warrant of the commission.

Coniuration. 1. Coniuration and inuocation of euill spirits, witchcraft, inchantment, Charming and Sorcery, stretching to the killing of any person is made felonie, which they may punish accordingly by their commission.

Conspiracie. 1. A definition of certaine conspirators, which offenders in respect that it is maintenynence, they haue authority to punish by the statute of 33. Hen. 8. cap. 10.

Cordiners. 17. The penaltie which is to be imposed vpon vnlawfull regrators of leather, which they may put in execution by the generall word of regratories in their commision.

Cordiners. 21. Power giuen vnto them to reprefse and to punish sundry abuses about

bout Leather, and the killing of Dke at vnseasonable times, and of Butchers killing Calues vnder fiue weekes olde, and the maner how.

Corne. 7. Authoritie giuen vnto them to licence Ingroners, and Badgers, and buyers of corne, butter and cheese, and the maner, forme and place thereof.

Corne. ibidem. That they may punish Ingroners, badgers, and others that take other licences, or doe contrary to the statute, and howe they are to proceede therein.

Corne. 8. Power giuen vnto them in some sort to alter the order set downe by the Iustices of Assise for the libertie or restraint of transporting of graine, and the maner and forme thereof.

Coroners. 1. and 7. and Murder. 2. That they may punish the negligence and extortion of coroners about the enquirie of a person dead by misaduenture, or otherwise, and the maner how.

Cottages. That they shall haue full power and authoritie to enquire of, and determine all offences contrary to the statute. 31. Eliz.

Counterfeitors of letters. 1. That they may punish Counterfeiters of letters, and prime tokens to get other mens goods into their hands, and the maner how they are to proceede and deale therein.

Coupers. 1. and 2. Power giuen vnto them to set the price and rate how vessels of beere and ale and sope shall be solde, and where they shall doe it.

Coupers. ibidem. The penalties which are to bee layde vpon Coupers and Sopemakers for offending in the quantitie of their vessels of beere, ale, and sope, which they may deale with, by reason that it concerneth measures.

Crosbowes. 2. and 3. That they may punish such as offend in shooting or in keeping or carrying of Crosbowes or handgunnes, &c. and the maner and forme how and where.

Crosbowes. 3. That they ought to record the names of such as doe present their names vnto them frō shooters in handgunnes, and where and why.

Crowne. 6. and 10. Such as maintene the Ecclesiasticall authoritie of any forreine potentate within this realme, and their abbettors, &c. may bee indicted before them within the yeere and day.

Crowne. 8. and 10. Such as extoll the Bishop of Rome his authoritie within this realme, and their abbettors, &c. may be indicted before them within the yeere and day, and how they ought to certifie such indictments.

Crowne. 9. and 10. Such as offend concerning bulles of absolution, reconciliation, Agnus Dei, or such superstitious things, and their abbettors, &c. may be indicted before them within the yeere and day.

Crowne. 9. Their duetie when an Agnus Dei, or other such superstitious thing is brought vnto them.

Crowne. 10. Such as put in practise to absolue or withdraw a subiect from his obedience, and they that shall be so absolued, withdrawen or reconciled, & their abbettors, &c. may bee indicted before them within the yeere and day.

Crowne. 10. They may punish such as say or heare Masse, and such as repaire not to the Church as they ought to doe, and all prohibited schoolemasters, and the keepers of them, and the maner and forme how.

Crowne. ibid. and Seruices. Such as preach or speake against any part of the booke of Common prayer, or doe maintaine any other open prayer or administration of Sacraments, or vnlawfully interrupt any Minister to say the Common prayer, may be indicted before them within the yeere and day.

Crowne. 13. They haue power to take othe of abiuration of popish recusants.

Crowne. 14. They haue power to take othe for abiuration of those that offend the lawes in not comming to Church.

Custos Rotulorum. 1. That the Custos Rotulorum shall haue the appointment of the clerke of the peace.

Custos Rotulorum. 2. That the Lord Chancellor shall haue the appointment of the Custos Rotulorum.

Discontinuance of processe. 1. That pleas depending before them shall not be discontinued by new Commissions of the peace made vnto others.

Discontinuance of processe. 2. They being made Dukes, &c. shall remaine Iustices of peace still, their old commission continuing.

Draperie. 52. That they may punish such as offend in stretching, dying, making, stuffing, rowing, selling, pressing, ouersteing, or searching of woollen cloth, and the maner and forme how.

Draperie. ibidem. Power is giuen vnto the to appoint ouerseers of woollen cloth, and how they are to deale and proceede therein.

Draperie. 53. Power is giuen vnto them to cutte in pieces faultie cloth in the length, breadth, or weight set downe in the Statute, and how they are to deale therein.

Draperie. 67 That they may burne a certeine stuffe deceitfully died for dying, called Logge woad or Blocke woade.

Egyptians. 1. Authoritie is giue vnto them to seise the goods of outlandish counterfeite Egyptians, and what they are to doe therewith.

Egypcians. 2. and 3. Counterfeit Egyptians continuing together by the space of one moneth bee made felons, which they may punish accordingly by their commission.

Escape. 3. Escapes of persons arrested for felonie bee made inquirable before them.

Eschequer. 1. and Estreates. That all commissioners ought to certifie their Estreates yerely at Michaelmas, wherein they seeme to be comprehended.

Eschetours. 10. That they may punish such as take vpon them the office of Eschetour or the deputation thereof, or doe sell or let it, or deale with it otherwise then they ought, and how to proceede therein.

Eschetours. 14. The fees of Eschetours set downe, which if they exceede, they may bee punished by them for extortion by their commission.

Estreates. 3. That they may punish Shirifes that leaue the Greene wax, and do not charge themselues therewith, and the maner and forme thereof.

Execution of statutes. 3. and 4. That they may punish all offences against the statutes made before, and in the Parliament of An. 33. H. 8. yet in force, which any wayes touch Retaintings, giuing of Liueries or Badges, Maintenance, Imbracery, Bowstaues, and Archery, vnlawfull games, forestallers, and regrators, victaile, victailers or inholders, and the offences of seruing men, husbandmen, labourers and artificers, concerning apparell, and the maner and forme thereof.

Extortion all, and Fees all. They may punish all Extortion by wordes in their Commission, and therefore see in this Table the title of Extortion and of Fees.

Faires. 6. and 7. That they may punish the keepers of markets and faires, for not appointing of an open place for the sale of horses, and of a booke keeper, and certaine faults also of the booke keeper, and the maner how.

Felonies. 2. The breaking of prison by him that is committed for felonie is made felonie, which they may punish accordingly by their commission.

Felonies. 3. Multiplying of gold and siluer is made felonie, which they may punish accordingly by their commission.

Felonies. 4. Cutting out of tongues, & putting out of eyes of malice prepensed, is made felonie, which they may punish accordingly by their commission.

Felonies. 7. Power is giuen vnto euery of them vpon Information to make warrants for the arresting and bringing of such before him as bee suspected to haue hunted vnlawfully by night, or with painted faces in Forests, Parkes, or Warrens, and to examine them thereof.

Felonies. ibidem. The denyall of such forestayde hunting vpon their examination, and also rescous made against such forestayde warrants is made felonie, which they may punish accordingly by their commission.

Felonies. 8. The taking away of maiden, widow, or wife hauing lands or goods, or being heire apparant vnto any, against her will vnlawfully, and the procuring, &c. is made felony, which they may punish accordingly.

Felonies. 10. For a seruant to goe away with, or to conuert to his owne vse, his masters goods, of the value of fortie shillings deliuered vnto him to keepe, is made felony, which they may punish accordingly by their commission.

Felonie. 11. The vnlawfull breaking vp of the newe pondke in Parkhlande, or of Dnesfelde Dike in the Isle of Elie is made felonie, and power is giuen vnto them to punish the same accordingly.

Felonie. 13. and Horses. 9. The vnlawfull conueying of Hoyle, Gelding, or Mare, into Scotland to the vse of any Scot, is made felonie, and power giuen vnto them to punish the same accordingly.

Felonie. 14. Buggerie is made felony, and power giuen vnto them to punish the same accordingly.

Felonie. 21. Wilfull poysoning of any person is declared to be wilfull murder, which they may punish accordingly by their commission.

Felonie. 30. Vnlawfull conspiring and deuising to set at libertie any prisoner indicted of treason cōcerning the Queenes person, if he vtter the same, is made felonie, which they may punish accordingly by their commission.

Fezants. 1. and 2. That they may punish such as vnlawfully take Fezants and Partridges, and how they are to proceede and deale therein.

Fezants. 1. That they may punish such as take certaine kindes of Hawkes egges, or Swannes eggs out of the neast, and those that take such Hawkes, or bring them from their couers, and the maner how.

Fezants. 2. That they may punish such as hawke vnlawfully in other mens corne, and the maner how.

Fighting. 1. That they may punish such as draw weapon to strike in Church or Churchyard, and the maner how.

Fishers. 1. and Hauens. 1. A forme of penaltie appointed against such as take Salmons at time there prohibited, or doe destroy yong Salmons at mill pooles, which they may put in execution accordingly being conseruators of riuers.

Fishers. 16. That they may punish the

vnlawfull and prohibited taking of Fish, and the destroying of the frie of Fish, and the time, maner, and forme thereof.

Fishers. 17. That they may punish such as cut out the heads of other mens seuerall stewes, or doe fish there vnlawfully, and how they are to proceede and deale therein.

Fishers. ibidem. That they may punish such as hunt or kill Deere in other mens seuerall inclosed groundes, or doe take Hawkes, or their egges in other mens groundes, and how they are to proceede and deale therein.

Fishers. ibidem. Power giuen vnto them in a speciall case there mentioned, to discharge a recognisance of good abearing taken of such as bee conuicted of the offences last aforesaid.

Flaxe. 1. and Shippes. 13. That they may punish such as sowe not flaxe or hempe according as it is appointed, and how they are to proceede and deale therein.

Forcible entrie. 1. A penaltie which is to be layd vpon such as make vnlawfull or forcible entries into landes, which they may put in execution being a special trespasse.

Forcible entrie. 2. and 3. Power giuen vnto them to remoue a force made in Landes or Tenements, and to punish the offenders in cases there set downe to make restitution to the partie grieued, and how they are to deale and to proceede therein.

Forcible entrie. 3. Power giuen vnto them to punish Shirifes and Bailifes that make default in seruing their precepts concerning forcible entries, & the maner how.

Forestallers. 1. 2. and 3. Certeine formes of penalties to be layd vpon forestallers of Victuailes, Graines, and Merchandizes, which they may put in execution by their commission.

Forestallers. 4. Power giuen vnto them to punish in an other maner the Forestallers, regraters & ingrossers of victuales, and a description of such persons.

Forestallers. ibidem. That their certificate is needefull to the lawfull transporting & imbarking of corne, graine, or cattell.

Franchises. 30. That in all Liberties they are to be appointed by the Kings commission, and to bee his Justices there, and where in those Liberties they are to keepe their sessions, and certaine speciall men in some Liberties appointed to be Justices of peace there.

Fuell. 2. That they may bee appointed to set vpon the pillorie such as shall beconuicted of breaking the assise of fuel therein limited.

Golde. 6. That they may punish such as doe gild or silver mettall prohibited to be so vsed, and the penaltie thereof.

Golde. 8. That they may punish Goldsmithes that shall worke any siluer not of the finest of the sterling, or shall not set their marke to their worke, and the penaltie thereof.

Hares. 7. That they may punish such as offend in not wearing of cappes vpon the Sundayes and holy dayes, and the penaltie thereof.

Haven. 1. and 2. They be appointed conseruators of fish in riuers, and that they may appoint vnderconseruators, and that they may punish such as destroy yong Salmon, or the frie of fish, and the olde penaltie thereof.

Hawkes. 1. and 2. The finding of a lost Faucon or Lanner, and the stealing and carying of the same away, and not bringing it to the shirife to be proclaimed, is made felonie, which they may punish accordingly, by their commission.

High wayes. 1. The assent and ouersight of two of them, is requisite towardes the laying out of any new High way in the weeld of Kent, and in Sussex, and that they must certifie their doings therein into the Chancery within a certeine time for the same limited.

High wayes. 4. Authoritie is giuen vnto them to heare the account of the collectors of the fines and amerciaments for not amending of High wayes, and how they are to proceede and deale therein.

High wayes. 5. That their owne presentment vpon their knowledge concerning the defaultes in High wayes shall be of the force of an indictment.

High wayes. 5. & 6. That they may punish the defaults and negligences concerning the amendement of High wayes, and how they are to proceede & deale therein.

Horsse bread. 1. That they may punish Inne holders that make vnlawfull horsse bread, and the maner how.

Horsses. 6. and 11. That they may punish such as keepe prohibited stoned horsses in forrests or commons, and how they are to proceede and deale therein.

Horsses. 8. and 10. That such as carry, send or conuey beyond Sea out of the Queenes Dominions, Horsses, Geldings or Mares, without licence, may be indicted before them.

Hunters. 1. That they may punish such Artificers and other, as doe vnlawfully keepe Dogges to hunt, or doe vnlawfully vse engins to destroy gentlemens game, and the penaltie thereof.

Hunters. 2. That they may punish such as vnlawfully keepe Deere hayes or Ducke stalles, or doe stalke at Deere, or take Herons, and how they are to proceede and deale therein.

Hunters. 3. That they may punish the tracing of Hares in the snowe, and the penaltie thereof.

Husbandrie. 7. and Monasteries. 9. That they may punish the defaultes of such as ought to keepe continuall houses on the Scites of religious houses, and the land thereof in tillage, and the penaltie thereof.

Indictments. 2. That Indictments ought to bee taken by Indenture, but learne if they be bound thereunto.

Indictments. 5. That they may cause a newe Inquest to be impanelled, which shall enquire of the concealement of all other enquests, taken before them, and how they are to deale therein.

Indictments. 6. That these wordes, Vi & armis, videlicet, cum baculis, &c. be not of necessitie to be put into any indictment, which is also to be obserued in Indictments taken before them.

Informers. 1. That they may punish Informers, which sue out processe, and after make vnlawfull composition, and how they are to deale & proceed therein.

Inrolmens. 2. That Indenture of bargaines, and sales of lande, may bee inrolled before certeine of them, and how they are to deale therein.

Iurours. 5. That the Justices before whome the Iurour is sworne, that hee by take of either partie, may punish the same offence, and how, wherein Iustices of peace seeme to bee comprehended, beside that it is imbracery wherewith they may deale.

Iustices of Gaole deliuerie. 2. and Iustices of peace. 1. That good and lawfull men should be appointed for the keeping of the peace.

Iustices of Gaole deliuerie. 3. and Iustices of peace. 2. That men of law ought to be put into the Commissions of the peace for the more speedy deliuery of the Gaoles, as neede requireth for the determination of felonies and trespasses.

Iustices of peace. 3. Power giuen vnto them to require and take surety of good abearing of such as be not of good fame.

Iustices of peace. 5. That they ought to keepe their Sessions quarterly, and wages to bee allowed vnto them for the same.

Iustices of peace. 7. That they must cause their estreates to be indented, and must deliuer one part thereof to the Shirife to leuy the amerciaments and fines thereby.

Iustices of peace. 8. Foure speciall times of the yere be appointed for the keeping of their quarter sessions, which they ought to obserue.

Iustices of peace. 9. That they ought to be of the most sufficient men dwelling in the same shire.

Iustices of peace. 10. Midlesex is eased of two of the quarter Sessions that other shires be bound vnto.

Iustices of peace. 11. That they must be able to dispend twenty pounds by the yere, otherwise they must refuse the place, and what they are to do in such case.

Iustices of peace. 12. That they ought to certifie their recognisances taken for the peace, at the nexte Sessions of the peace.

Iustices of peace. 13. That their commission in particular townes, shall not cease by the remuing of the commission throughout the whole shire.

Labourers. 28. That their allowance in a certaine forme there set downe and prescribed of the wealth of a man, shall excuse him from seruing in certaine sciences there expressed.

Labourers. ibidem. Power giuen vnto them to order controuersies betweene master and seruant, for putting or going away within their terme.

Labourers. ibidem. That they may punish such as contrary to the lawe refuse to serue in husbandry and diuers other arts there expressed, and the maner and forme how.

Labourers. ibidem. That they must yeerely appoynt the wages of all Labourers and Artificers, and how they ought to proceede and deale therein.

Labourers. ibidem. That they may punish such as retayne or be retayned for greater wages then they ought to be, and the maner and forme thereof.

Labourers. ibidem. That they might punish such seruants as doe make assaute vpon their masters, and the maner how.

Labourers. ibidem. Power giuen vnto them to enforce in time of Hey or corne haruest, any meete person to worke by the day.

Labourers. ibidem. Their testimoniall is made needefull vnto such as bee licenced in haruest time to worke from their dwelling places, and the maner of it.

Labourers. ibidem. They haue authoritie giuen vnto them to appoynt women to serue, and their wages, and to punish them if they refuse, & the maner thereof.

Labourers. ibidem. Their certificate is made requisite vnto such as desire to bee bound apprentice to a merchant tailer, Mercer and certaine other Sciences there named, and the maner of the same.

Labourers. ibidem. Power giuen vnto them to enforce by imprisonment such as are compelled by law to be apprentices, to be bound thereunto.

Labourers. ibidem. Power giuen vnto them to appease and to take order in the controuersies betweene masters and apprentices, and the maner how.

Labourers. ibidem. That they may punish all the defaults against this Statute of Labourers yeerely at certaine speciall Sessions to bee appoynted for that

that purpole, and how they are to proceede and deale therein, and their wages for the same.

Labourers. ibidem. That they may at their Seſſions for the peace, puniſh all the offences againſt this Statute of Labourers, and the maner and forme thereof.

Labourers. ibidem. That they may puniſh Apprentices and Seruants that runne away into other Shires, and how they are to deale and proceede therein.

Linnen cloth. 2. That they may puniſh ſuch as miſuſe linnen cloth, to make it deceitfull, and how they are to proceede and deale therein.

Liueries of Companies. 1.2.3.4.5.6.7.8.9.10. That they may puniſh ſuch as doe vnlawfully weare any Liueries of Companie, of any Lord, or any liuerie or ſigne of Companie, or doe vnlawfully giue or take Liueries of cloth or hoods, and the ſundrie penalties of them, and how they are to deale and proceede therein.

London. 6. They haue power to decide whether new buildings be fit for habitation of ſubſtantie men.

Mainepriſe. 2. A declaration what perſons be mainpernable by the lawe, and what not, which they are ſpecially to conſider of, as followeth here next.

Mainpriſe. 7. They bee prohibited to let to baile ſuch as be not bailable by the lawe, and alſo authoritie is giuen vnto them to let to baile perſons arreſted for manſlaughter, or felonie, or the ſuſpicion thereof which be bailable by the lawe, and that they ought to take the examination and bonds of ſuch perſons, and how, and what they are further to doe concerning the ſame.

Maineuance. 1.2.3.4.5.6.7. The penalties which be to be layed vpon ſuch as offend in maintenance and vnbracerie, which they may put in execution by warrant of the ſtatute 33. Hen. 8. cap. 10.

Marches. 1. That they may puniſh ſuch as ſhall vnlawfully againſt the prouiſion of the Statute attach men dwelling farre off, to appeare in the Warden Courts of the Marches neere Scotland.

Money. 29. That traiterous counterfeitors of the money of England may be inditted before them, and that thereupon they may make out proceſſe to attach them.

Mortuaries. 1. A rate ſet downe what Parſons and Vicars ſhall take for Mortuaries, which if they exceede, ſome thinke, that they may puniſh them for extortion.

Murder. 2. The eſcape of murderers and manſlayers by day, not taken by the Townſhip where the fact was done, is made inquirable before them, and what they are to doe thereupon.

Muſters. 1. That they may puniſh the defaults of thoſe that ought by the lawe, and yet doe not appeare at muſters, and the maner how.

Muſters. ibidem. That they may (in certeine caſes there ſet downe) puniſh the Commiſſioners for muſters, and Captaines alſo that abuſe the truſt put in them, and the manner of proceeding and dealing therein.

Newes. 6. Power giuen vnto them to cauſe ſuch to bee inditted before them as doe vtter or procure to bee vttered ſlanderous matter of the Queene, or to ſtirre ſedition, or doe caſt figures, or coniure to knowe the length of her life, or who ſhall ſucceede her, or doe publiſh ſuch prophecies, or doe wiſh her death.

Newes. ibidem. That they may inforce ſuch as bee vehemently ſuſpected of any the laſt aforeſaide offences, to finde ſuertie for their appearance at the next Seſſions, or els may commit them.

That they muſt take the accuſation, and the names of the witneſſes, in the caſes laſt aforeſaid, and certifie the ſame at the next Seſſions.

Norwich. 3. The licence of ſome of them of the citie of Norwich is needefull for ſuch as ſhall take vpon them to make Felts or thwmmed hats, or couerlets, or Dornecks within the Citie of Norwich or Countie of Norfolke, except they haue beene ſeuen yeeres Apprentice to that occupation, and that they may not take any reward for ſuch licence.

Pannels. 4. Power giuen vnto them to cauſe the Sheriffes to reforme the pannels of enquiries for the King, and how they may deale therein.

Parliament. 15. That they may puniſh the Sheriffes that doe charge Townes wrongfully to the leuying of the wages of the Knights of the Parliament, and howe they are to proceede therein.

Parliament. 19. Two of them in euery ſhire in Wales, and in the Countie of Monmouth, haue authoritie giuen them to take the Cities, Boroughes, and Townes there, what portion euery of them ſhall pay towardes the charges of their Burgeſſes for the Parliament.

Paſſage. 10. They of the Counties of Glouceſter and Somerſet, haue power giuen them to binde by recognizance ſuch as vſe to ferry men ouer the Riuer of Seuerne, that they ſhall not doe otherwiſe then is appointed by that ſtatute.

Paſſage. 11. They of the Shires next adioyning to the Riuer of Thames betweene Windſore and Graueſend haue authoritie giuen them to determine the complaints and offences of Watermen, and of their ouerſeers, contrary to the tenor of that Act.

Pauing. 6. That they of London, Middleſexe may puniſh the defaults of pauing and cleanſing about the ſtreetes without Algate and Whitechappell, and haue authoritye to appoynt a Scauenger there.

Periurie. 2. That they may puniſh the prohibited periuries in certaine Courtes there mentioned, and the ſubornation of periuries, and the maner how.

Pewterers. 1. and 2. Power is giuen vnto them to appoynt ſearchers of vnlawfull Pewter and Braſſe, and what they are to doe therein.

Phyſitions. That they ought to aſſiſt the Preſident of the College of Phiſitions for the due execution of their lawes and ſtatutes.

Plaies. 2. That they may puniſh the defects of not hauing long bowes and arrowes, and of not ſhooting or vnlawfull ſhooting in them, and of not repairing of Buts, and of Bowyers for not making Elmin Bowes, as is preſcribed, and for ſelling Bowes aboue the due price, and for not departing from London vpon due commandement, and of ſtrangers for conueying bowes beyond Sea, and for ſhooting in long Bowes without licence, and howe they are to proceede and deale therein.

Playes. ibidem. Authoritie is giuen vnto them to ſearch ſuſpected places of vnlawfull games there ſpoken of, and to commit the offendors, and howe they are to deale therein.

Priſon. 3. If a Gaoler doe enforce his priſoner to bi come an Appealer, it is made felonie, which they may puniſh accordingly by their Commiſſion.

Priſon. 5. That they may not impriſon any but in the common Gaole.

Priſon. 6. That they may proceede anew againſt priſoners remaunded vnto them from the Kings Bench, as if they had not bene remooued at all.

Priſon. 8.10. and 11. Power is giuen vnto them for the making of newe Gaoles, and howe they may deale and proceede therein.

Priſon. 9. That they ought to take the examination and bonds of the witneſſes concerning ſuch as ſhall bee brought before them for manſlaughter, or felonie, or the ſuſpition thereof and be to be ſent to the Gaole, and their duetie further therein.

Probate of Teſtaments. 3. The fees bee ſette down which are to be taken concerning the probate of Teſtaments, wherein if any extortion be committed, they may puniſh it by warrant of their Commiſſion.

Proces. 3. Juſtices aſſigned to heare and determine felonies, may make out proceſſe againſt felons inditted before them into forraine Counties for their apprehenſion, within which wordes Iuſtices of peace ſeeme to be comprehended.

Proces. 7. They bee commanded to make out proceſſe into ſuch forraine Shires, as the perſons inditted before them bee dwelling, that they may haue notice giuen them, and the forme thereof.

Propheſies. 2. That they may puniſh ſuch as publiſh propheſies, to the intent to ſtirre ſedition, and the maner how.

Purueyours. 5.6. and 23.36. If the kings purueyours for his houſhold, or their deputies or ſeruaunts make any takings without their warrant or Commiſſion, and take them away againſt the will of the owner, it is made felonye, which they may puniſh accordingly by their Commiſſion.

Purueyours. 8.9.15.21.36. If they make their takings againſt the will of the owner, without the praiſement of the Conſtable and other men of the towne vpon their free oathes, it is made felonie, which they may puniſh accordingly by their Commiſſion.

Purueyours. 17.36. If they take any more vnthorne ſheepe betweene Eaſter and S. John Baptiſt, then will reaſonably ſuffice til the time of ſhearing, it is made felonie, which they may puniſh accordingly by their Commiſſions.

Purueyour. 22. If they take any thing of any man to ſpare him, or ſurcharge any other of malice, it is made puniſhable, and it ſeemeth to be extortion, which they may puniſh by their Commiſſion.

Purueyours. 31. Power giuen vnto them to puniſh as well at the ſuite of the King, as of the party grieued, ſuch Conſtables and Headboroughes as refuſe to giue their lawfull aſſiſtance againſt Purueiours that will not pay ready money for ſuch things as they take aboue the value of fortie ſhillings. And ſuch alſo as ſhall vexe any in the Marſhalſey for making any ſuch lawfull reſiſtance, and the maner how.

Purueyours. 36. That they ought to certifie vnto the Kings Officers the doggets of Purueyours, which ſhall bee deliuered vnto them by the Conſtables, and the maner and forme thereof.

Rape. 2. Rauiſhment of women is made felonie, which they may puniſh accordingly by their Commiſſion.

Riots. 3.4.7.9. and 10. That they may and ought vpon a paine to puniſh and ſuppreſſe Riots, and howe they are to deale and proceed therein.

Riots. 3. and 7. That in caſe they can not learne the trueth of any Riot, they ought to make certificate thereof, & the maintainers and imbracers thereof, and the maner and forme thereof.

Riots. 5. and 6. That their certificate is needfull to a complaint to be exhibited to the Lord Chancellor of any great riot, and the maner of the ſame.

Riots. 9. and 10. Certaine vnlawfull assemblies and offences after Proclamation made to the contrary, bee made felonie, which they may punish accordingly by their Commission.

Riots. ibidem. Authoritie giuen vnto them to make proclamation against vnlawfull assemblies, and to leauy the power of the Countie to suppresse them, and vpon resistance to apprehend or to slay such offendors, and the forme and maner of the same.

Riots. ibidem. Power giuen vnto them to discharge in some cases the concealer of vnlawfull assemblies from his imprisonment, and the manner and fourme thereof.

Riots. ibidem. That they ought to giue attendance vnto the Queenes Lieutenant for the suppressing of vnlawfull assemblies vpon a paine.

Riots. ibidem. That they ought to publish the effect of the Acte against vnlawfull assemblies at euery quarter Sessions.

Robbery. 1. and 2. and Peace. 1. Penalties appointed to be laide vpon such as pursue not felons vpon hue and cry made. Which they may put in execution by their Commissions.

Robbery. 2. Certaine penalties appointed for not making of Starches, for not keeping of watches, for not enlarging nor cleansing of high wayes from bushes, hedges and ditches, and for not taking the view of armour, which they may put in execution by their Commission.

Robbery. 4. Night walkers, Roberts men, masters and drawlatches, bee to bee committed to prison. And they may proceede to the inquiring vpon them and to their deliuerance by warrant of their Commission.

Robbery. 6. That two of them may take Townes, villages, &c. where robberies are committed, to an equall contribution for the reliefe of him against whome the partie robbed had his execution.

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Service. 1. That they may punish such as scruile or contemne the sacrament of the Lords supper and the maner howe they are to proceede and deale therein.

Service. 1. That they may punish such as disturbe preachers, and the maner how. But learne if this be not repealed.

Service. 5. and Crowne 10. Such as preach or speake against any part of the booke of Common praier, or doe maintaine any other open prayer or administration of Sacraments, or doe vnlawfully interrupt any Minister to say the Common prayer, may bee indicted before them within the yere and day.

Sewers. 12. Power giuen vnto them in a speciall sale and forme there set downe, to execute the lawes of the Commissioners of Sewers.

Sheepe. 2. That they may punish such as keepe more sheepe then they may lawfully doe, and the Lords of sheepe courses that take Quillers to ferme and such as take two houses of husbandrie in one Towne to ferme, and the manner howe to proceede therein.

Ships. 13. and 15. That they may punish diuers offences there expressed, concerning the selling, taking, buying, and bringing in of Herring and Sea fish, and the eating of flesh vpon dayes prohibited, and the gaining of licence thereunto, and of Strangers transporting any thing from one part of the Realme to an other, and of such as ought to lowe Wempstede and Lineshe, and doe not, and how they are to proceede therein.

Ships. ibidem. They ought to haue the sight of the Commissions to take vp Mariners for the Queene, and are authorized to chuse out men.

Ships. 14. That they may punish the transporting of sheepe beyond the Sea, and the maner howe.

Sherifes. 9. That Sherifes and Gaolers ought not to take any money of Constables nor Townships for the receiuing or keeping of Felons, which they may punish as extortion by warrant of their Commission.

Sherifes. 18. It is commanded that Sherifes shall doe no extortion to the people, vpon paine to be punished therefore, which they may execute by their Commission.

Sherifes. 25. That they may punish Sherifes for letting their Countie, or any of their Bailiwikes to ferme, and for returning of their Bailifes or seruants vpon panels, and for committing extortion about arrests or returning of panels, and for not letting to baile, such as be bailable by the lawe.

Sherifes. 27. That they may proceede to hearing and determining vpon indictments taken in Sherifes turnes and Lawdayes, and howe they are to deale therein.

Sherifes. 31. That they may examine Sherifes and their Clerkes, for entring of plaints in their Countie Courts without warrant, and Bailifes also for not serueing the processe there issuing out of those Courts, or for leuying more then they haue warrant to do, and how farre they are to proceede, and how they are to deale therein.

Sherifes. ibidem. Power is giuen vnto them to suruey and controll the Sherifs countie bookes, and what they may doe therein.

Sherifes. 39. That if any of them be made Sherife of the shire, he shall not exercise the office of Iustice of peace there.

Tiles. 1. That they may punish the defaults in making of Tile, and what they may doe therein.

Tyndale. 3. They in the Countie of Northumberland haue power giuen vnto them to take recognisances of such as will take leases within the Lordships of North and South Tindale, for their apparances when they shall be called, and to make out execution vpon the same recognisances forfeited, and to punish such as doe let their lands there, and doe not cause their fermours to be so bound, and the maner howe they are to deale therein.

Tithes. 5. and 8. They are commanded to assist the execution of the Ecclesiasticall lawes for tythes, and what they are to doe therein.

Treason. 28. The practising to take or destroy any of the Kings fortresses or holdes, and the deliuering of the same, and the abbetting, &c. is made felonie, which they may punish accordingly by their Commission.

Triall. 15. That inditements of murder or manslaughter taken before them, although the death were in another countrey, shall stand good. And so also of Inditements taken of accessaries, although the felonie it selfe was committed in another shire.

Triall. ibidem. The Custos Rotulorum in the Countie where the felonie was committed being written vnto by such as are to trye an accessarie in another Countie, for the record of the attainder of the principal remaining with him, is commanded to certifie the same vnto them.

Vagabonds. 9. and 10. Much authoritie is set downe & giuen vnto them, about the punishing of Rogues and vagabonds, and dealing with them, and the giuing of licences to begge, and of other licences and testimonials, and about prouiding for the relefe of prisoners, and of the poore, and about the punishment of such as beget bastards. And their duetie in all these matters.

Victaile. 2. 3. 7. 8. That all sellers of any kinde of victaile shall sell at a reasonable price, and that they shall punish their defaults therein.

Victaile. 8. That they may set the prices of victailes.

Victaile. 12. That they ought yeerely to proclaime all the statutes concerning Innkeepers and Victaillers being not repealed.

Victaile. 16. That they may punish the vnlawfull transporting of graine, malte, beere, butter, cheese, herring, and wood, and how they are to deale therein.

Vniuersities. 1. and 2. They of the Counties of Cambridge and Oxford, with the Vicechauncellour or his Commissarie of those Vniuersities haue power to punish the offences of purueyors and badgers that shall tolle or bargaine for any victaile or graine within fiue miles of those Vniuersities without speciall licence therein mentioned, and what they may doe concerning this matter.

Vsurie. 6. and 8. That they may punish the taking of vsurie aboue ten pounds in the hundred, and the maner how.

Wales. 22. That they of Hereford shire may punish the Inhabitants there, for concealing Welsh Felons and traitors being there, and howe they are to deale therein.

Wales. 25. That they of the shires adioyning may heare and determine the felonies committed in Wales, or in the marches thereof, and howe they are to proceede therein.

Wales. 27. That they of the shires adioyning, may heare and determine certaine offences there mentioned of forresters in Wales, about vnreasonable customes, and howe they are to proceede therein.

Wales. 32. It is set downe by whome they be to be appointed in Wales, and howe many there ought to be in the Shires there, & what manes of men they ought to bee, and howe they ought to deale in their office, concerning their Sessions, certificates, fees, amerciaments, and fines, and diuers other matters there mentioned.

Watches. 1. They haue power giuen them to punish the defaults of watches vpon the sea coastes, according to the Statute of Winchester.

Ware. 1. That they may punish the selling of wrought ware at too high a rate, and may make search for the same, and caule it to be weighed.

Weighes & measures. 1. 12. 14. 15. 19. 20. 21. 26. 29. 32. 33. 34. Diuers statutes commaunding that there houlde be but one weight and one measure vsed through England for all things. Which they haue power to reforme by warrant of their Commission, and of diuers of these statutes.

Weights and measures. 2. 3. 4. The assise of bread and ale set downe, and the penalties for the breach thereof. Which they are to execute by their commission, and diuers statutes to that purpose.

Weights & measures. 3. 17. 25. 26. 29. That no weight nor measure be vsed, except it bee sigued, and agree with the Kings Standerd. Which they are also to looke vnto.

Weighes and measures. 5. The length of an inch, foote, and yard set downe. Which is necessarie for them to knowe.

Weights and measures. 7. The length of a pleg

penie sterling, of an ounce, of a pounde, of a gallon of wine, of a bushell of London, and of a quarter. Which is needefull for them to know.

Weights and measures. 13. 15. 19. The vse of the Auncell weight is prohibited, and the balance authorized to be altogether vsed, and commanded that no deceite be therein vsed, which they are to punish.

Weights & measures 22. 29. That they may punish all such as take above eight bushels striked for a quarter of corne.

Weights and measures. 24. That they may punish all such as bring in, or make prohibited vessels of wine, Herings, Eeles, or Salmon, and how they may proceede therein.

Weights and measures. 25. That they may punish such as doe falsifie true weights, or counterfeite false weights, and the maner howe.

Weights and measures. 26. That they may punish all such as buy and sell with other weights or measures, then be allowed according to the Kings standerd, or doe vse any deceite concerning the same.

Weights and measures. Ibidem. That they may punish prohibited yarne choppers, and the maner how.

Weights and measures. 31. The measure of vessels of Maluesey, Wines, and Oyle, which they be to looke vnto.

Weights and measures. 32. That they may punish such as take for the sealing of weights and measures more then they ought.

Weights and measures. 32, 33. That they may punish such as buy and sell with weights or measures not lawfully marked and sealed, and how they are to proceede therein.

Weights and measures. 33. 34. That they may punish the negligence of Maiors and officers not doing their duetie about weights and measures, and the maner how to proceede therein.

Wilde foule. 1. That they may punish such as destroy the egges of wilde foule, and the maner how.

Wines. 20. That they may punish such as sell wine in grosse, contrary to the Statute.

Wines. 33. That they may enquire of such as sell wine by retaile, in other sort or in other place then is appointed by the Statute, and of such as spend wine in their houses otherwise then they be licenced, and the forme of such inditements.

Wines. Ibidem. Authoritie is giuen vnto them to licence the retailing of wine, and the maner and forme thereof.

Wood. 3. Power is giuen vnto them in a forme therein set downe, to set out betweene the Lord of a wood and his commoners, that part which the Lord shall lawfully sell.

Woolles. 44. They haue authority giuen them to punish such of the Inhabitants within the Parish of Halifax, as hauing bought wooll, doe sell the same againe otherwhere then in that Towne, to the poore folke there about, to worke it into yarne, and howe they are to deale therein.

¶ Iustice of the Forest.

Such as dwell out of the Forest, shall not come before Iustices of the Forest by common summons. 184.c

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¶ Keeper of the great seale of England.

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Lord Keeper shal appoint Commissioners to enquire of fugitiues. 202.b

Lord Keeper shall cause Proclamations with the rates of seruants wages to be printed. 256.b

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The kings suite shall be preferred before the suites of any other person. 86.a

Costs shall not be recouered against plaintifes for the king, although they be nonsuit, &c. 110.b

Suite shall not be discontinued by the death of the king. 116.a

Eschange shall not be made without licence. 148.c

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To conspire the death of the king is felonie. 110.c

The king shall haue ward of the lands of naturall fooles. 183.b

The king shall haue the goods of felons. 188.c

The king shal haue the goods of those that flee for felony. 188.c

The king shal haue fines of officers for not doing their duetie. 194.c

The king shall enquire of trespasses done to Prelates. 286.b

The king shal enioy lands exchanged, notwithstanding misrecitall or nonrecitall. 291.c.325.a.326.b

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Slanderous speakers of the King or Queene shalbe punished. 308.a

The king shall be alwayes reputed to be of full age. 328.b

The king made Patron of the Vicarage of Roiston. 389.a

The king shall assigne 32. persons to examine the Canons made in the Conuocation house. 389.a

The king shall haue power to reforme indulgences and priuiledges. 395.c

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¶ Kings Atturney.

The Kings Atturney shall be payed his wages by the Treasurour of England. 246.b

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¶ Kings bench.

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Lands holden by knights seruice in chiefe, shal not be solde to the hospitall in Warwicke. 223.c

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¶ Yorke.

See this title in all. 552.b
Yorke shall haue touches for Goldsmiths. 206.b
A proviso that Officers in Yorke, &c. may sell wine and vitaile by retaile. 483.a
Certeine paroches were united in Yorke. 484.b
In Yorke there shalbe but eight tauernes. 537.a

FINIS.

Abilitie Triall

IF the Abilitie of a Parson presented vnto an ecclesiasticall benefice, the

Examination

examination belõgeth to the ecclesiasticall Iudge, and so it hath bẽ vsed heretofore, & so be it done hereafter, Articuli cleri cap.13. Anno 9. Ed.2.

Borne ouer Sea

2 ¶ Because that some people bee in doubt whether the children borne in the parts beyond the sea out of the liegeance of England, should be able to demaund any inheritance within the same liegeance or not, whereof a petition was put into the parliament late holden at Westminster, the xvij. yeere of the raigne of our soueraigne Lord the king that now is, and was not at the same time wholly assented vnto: Our Soueraigne Lorde the K. willing that all doubtes and ambiguities should be taken away, and to declare, and put the law in certaine in this case, hath charged the Prelates, Earles, Barons, and other wise men of his counsell assembled in this parliament, to deliberate vpon this point: who of one assent haue said,

Crowne K. Children

that the lawe of the Crowne of England is, and alwaies hath beene such, that the childrẽ of the kings of England (in whatsoeuer parties they shal be borne in England or elsewhere) bee able and ought to carie the inheritance after the death of their ancestors: Which law our said soueraigne Lord the King, the said Prelates, Earles, Barons, & other great men, and all the commons assembled in this parliament, doe approue & affirme for euer. And as concerning other children borne out of the liegeance of England, in the time of our soueraigne Lord the K. they be also of one minde accorded, that Henry sonne of John de Beaumond, Elizabeth daughter of Guy de Brian, & Giles sonne of Raufe Daubeney, and other which the king will name, which were borne beyond the Sea, out of the liegeance of England, shall bee from henceforth able to haue & enioy their inheritance after the death of their ancestors, in al parties within the same liegeance of England, as well as those that be borne within the same liegeance of Englande. And that all children inheritable,

Inherite Heires

which from henceforth shall be borne out of the liegeance of the K. whose fathers & mothers at the time of their birth bee and shall be at the faith, and of the liegeance of the king of England, shall haue and enioy the same benefits and aduantages, to haue & beare inheritance within the same liegeance, as the other inheritors aforesaid in time to come: so alwaies that the mothers of such children doe passe the sea by the licence & willes of their husbands. And if it be alleaged against any such borne beyond the sea, that he is a bastard in case where ỳ Bishop ought to haue conisance of Bastardie, it shal be sent to the Bishop of the place where the land demanded is, to certifie the kings Court where the plẽ thereof hangeth, as of old times hath bin vsed in the case of Bastardie, alleadged against thẽ which were borne in Englãd. 25.E.3.Stat.2.de Natis vltra Mare.

Bastardie

3 ¶ Upon the petition put in the parliament by the Commons, desiring that the children borne beyond the sea within the Seignories of Calice and elsewhere, within the lands and seignories that pertaine to our soueraigne Lord the king beyond the sea, might be aswel able and inheritable of their heritages in England, as other children born within the realme of England: It is accorded that the common lawe and the statute vpon the same point another time made (before 2.) bee holden. 42.E.3.cap.10.

Borne in Calice

Heires

4 ¶ An.3. H.7.cap.15. it was enacted (to endure to the next Parliament) that actions sued by feoffees, or by any to the vse of other, should not abate for nonabilitie of the plaintifes or demandants.

Assis

5 ¶ All and singular such religious persons, aswel men as women professed, or of what order, rule or habit soeuer they were, which be or hereafter shalbe put at their liberties from the danger, seruitude and condition of their religion and profession whereunto they were professed, by reason of suppressiõ, dissoluing, forfaiture by attainder, rendring, or otherwise giuing vp to the hands of the kings Maiestie or any other, the same Monasteries, abbies, priories, or other religious houses or places wherein the same religious persons were professed, shall by authority of this present parliament, from and after ỳ first day of the same Parliament, & from and after the time that they were or shall be put at such liberty, haue frẽ liberty to purchase to them and their heires in fee simple, fée taile, for terme of life, for yeres or at will, manours, landes, tenements, rents, annuities & other hereditaments, & things whatsoeuer they bee, in like ma-

Religious

Liberties

Purchase

ner & forme as though they, or any of them had neuer bin professed nor entred into any such Religion. And furthermore, that they the same religious persons, and euerie of them, shall be made able by authority of this present act, to sue and to be sued in al maner of actions, plaints, & suits, whatsoeuer they bee, of & for anie matter or cause growen sithence & after the time of their seuerall deraignments or departing out of their religion, in all Courts and places within this realme, as other the kings subiects be. And furthermore, that they & euery of them, shall and maie from henceforth vse and exercise, receiue, take, haue & enioy, al & euery lawful thing and things, to be growen, fallen, or happened, to them or any of thē, after the said deraignement or departing out of their religion, in as large & ample maner, forme and condition, as if they had neuer bēn professed nor entred into Religion: the same profession or religion, or any law, custome or vse within this realm to the cōtrarie therof in any wise notwithstanding.

Enioy growen after &c.

Prouided &c. that none of the same Religious persons, shall or may at any time hereafter be taken, dēmed, or iudged, for, or as heire or heires, or inheritable to any person or persons, to any purpose, respect, construction, or intent in the law: nor that they nor any of them by vertue of this act, be receiued, admitted, or dēmed able in ỳ law to demand, chalenge, receiue, or take any manors, lands, tenements, or hereditaments, or any other thing or things, by reason of or for any former title, right, interest, matter, or cause, had, made, done, or growen, to any respect or purpose, before their said seuerall deraignments or departings out of their religion. Nor that any of the said religious persons being priests, or such as haue auowed religion at xxi. yeres, or aboue, & thereto then consented, continuing in the same any while after, not duely proouing by witnesse, or other lawful means, some vnlawful coherciō or compulsion done to them or any of them, for making of any such vow, or constraining them to remaine in their religion, be enabled by vertue of any words, clause or sentence before in this acte expressed, to marrie or take any wife or wiues, but ỳ they & euery of them be cleerly excluded & put from the same to all intents and purposes: any thing before in this act contained to the cōtrary hereof in any wise notwithstanding. An. 31. H. 8. c. 6. S. here 7. & 8. more.

Former title

Priests religious

Vow

Marrie

6 ¶ See S. Iohns 1. that they of that religion were enabled, as other Religious persons were. An. 32. H. 8. cap. 24.

7 ¶ Forasmuch as diuers doubts haue risen, whether the act made 31. H. 8. ca. 6. (before 5.) doth extend vnto such late religious persons as were in such Religious houses which were by the king immediately translated into a new corporation, and neuer came & remained in his hands, neither by suppression, dissoluing, forfaiture by attainder, nor such like. Be it &c. that the said act of Parliament aboue remembred, made in the said 31. yeere, shall extend aswel to all such persons which being liuing that were religious persons in any of the said houses which were so translated & transposed from one corporation into another, which at any time was professed or were religious persons in any of the said houses within this realm of England. And that they & euery of them frō the time of the said seuerall deraignments & discharge of their said professions & religions, shalbe in like qualitie, estate, cōdition, & degree, & also shal take, haue and inioy like benefite, commodity, profite, and aduantage, & with like Prouiso only & not otherwise to euery intēt, & in euery thing, as any other religious person or persons may, & shall haue, take, & inioy by vertue of the said former acte aboue remembred, the same profession or religion, or any custome or vse to the contrary therof in any wise notwithstanding. Anno 33. H. 8. cap. 29.

Religious Translated

Discharge

8 ¶ Forasmuch as since the time of the making of the Statute 31. H. 8. ca. 6. (before 5.) it hath bin doubted, whether the late Religious persons there mentioned, should or might be adiudged able to inherite & to be inheritable, as heire or heires to any of his or their ancestors, & to haue & inioy euery thing descended, growē, fallen or happened to thē or any of thē after their deraignment or departing out of religion, yea or no. Be it declared &c. that al & euery of the same late Religious & professed person & persons, shall and may by authority of this acte, be enabled to all intents, cōstructions & purposes, at al time & times hereafter to be taken, dēmed and iudged, as heire or heires, & inheritable to all and euery their ancestor or ancestors, and to haue, chalenge, or inioy, receiue and take al manors, lands, tenemēts, and hereditaments, and euery other thing and things, to them or any of thē fallen, come, growen,

Religious

Heire

growen, or descended from any their ancestors, by any maner of waies, since the time of their seuerall deraignement, or departing out of their religion, in as ample and large maner, forme and condition, as they had neuer been professed nor entred into religion: the same profession or religion, or any lawe, custome or vse within this realme, to the contrarie thereof in anie wise notwithstanding. Custome

Prouided &c. that none of the said religious persons shall or may by vertue of this act at any time hereafter, bee taken, deemed, or iudged for heire or heirs, or inheritable to any person or persons, to any construction or intent in the lawe, by reason of any former right, title, interest, matter or cause, had, made, done, discended, or growen, to anie respect or purpose before their said seuerall deraignments or departing out of their religion: any thing before in this acte, or in the saide former act cõtained to the contrary therof in any wise notwithstanding. An. 5. E. 6. ca. 13.

¶ Abiuration.

When a Robber, Murderer, or other euill doer shal flie vnto any Church vpon his confession of felonie, the Cozoner shal cause ẏ abiuration to be made thus: Let the felon be brought to the church dore & there be assigned vnto him a port nere or farre off, and a time appointed to him to go out of the realme, so ẏ in going towards that port he carie a crosse in his hand, and that he go not out of the kings hie way neither on the right hand nor on the left, but that he keepe it alwaies vntil he shall be gone out of the land, & that he shall not returne without speciall fauour of our Lorde the King. The treatise of the office of the Coroner. I cannot find this but only in the old Abridgement of Statutes: and besides See here 5. this forme changed. Cozoner Crosse

2 ¶ This heare thou sir Cozoner, that I P. of P. am a robber of sheep, or of any other beast, or a murderer of one, or of mo, and a felon of our Lord the K. of Englãd, and because I haue done many such euils or robberies in his land, I doe abiure the land of our Lord Edw. K. of England, & I shal haste me towards the port of such a place, which thou hast giuen me, and that I shall not goe out of the hie waie, & if I do, I wil that I be taken as a robber, and felon of our Lord the K. And that at such a place I will diligently seeke for passage, & I will tarie there but one flod and ebbe, if I can haue passage, and vnles I can haue it in such a place, I wil goe euerie day into the sea vp to my knees, assaying to passe ouer, and vnles I can do this within fortie daies, I will put my selfe againe into the church, as a robber and a felon of our Lorde the king. so God me helpe and his holy iudgement &c. The Treatise of the abiuration of Robbers. And See here 5. this also chan-ed. Murder High way xl. Dayes

3 ¶ They that abiure the Realme, so long as they be in the cõmon way shalbe in the kings peace, and shal not be disturbed by any man, and whilest they be in ẏ church, their kẽpers shal not abide in the Church yard, except necessitie or peril of escape doe require so. And so long as they be in ẏ church, they shal not be so straightned, but that they may haue necessaries for their liuing, & may go forth to emptie their bellie. Artic. cleri cap. 10. An. 9. E. 2. Way Sanctuary

4 ¶ Be it enacted &c. that if any person take sanctuarie in any church, churchyarde, or other holy place, for felonie or murder, where hee ought by the lawes & customes of this realme to haue his abiuration for the same, that then the same felon or murderer shal take his abiuratiõ & passage out of the same Church, Churchyard, or other holy place, at such day and time as shall be limited to him by the Coroner of the shire or place, where in he taketh such Sanctuarie. And that the Coroner immediatelie after his confession, and before his abiuration, shall cause euery such felon or murderer to bee marked with an hote yron vpon the brawn of the thumbe of the right hand with ẏ signe of an A. to the intent he may be the better knowen among the K. Subiects, that he was abiured, and then to giue him his abiuration, & to be vsed in al other things as hath bin accustomed. And that al Maiors, Bailifs, and Constables, shall be attendant at the commandement of the Cozoner, for the due execution thereof, as they will answere at their perils to the Kings highnesse for the same. And if any felon or murderer that ought to haue any such abiuration, refuse to take his passage out of the said Sanctuary, at such time as shalbe limitted to him by the said Cozoner: that thẽ the said felon or murderer so refusing, shal lose the benefit of the same sanctuary, & be takẽ out of the same, & committed to prison, & further to be ordered for his offẽce Sanctuary Church Felonie Abiuration Time Cozoner Marke Maiors Bailifs Attendant Refuse Passage Forf. Sanctuaris

after his merits, without any restitution to Sanctuarie for the same. An. 21. H. 8. cap. 2. This Act is altered in some part by Anno 22. H. 8. cap. 4 as here next following appeareth.

Church Churchyard

Felonie

Coroner

Abiuration Sanctuary

Election

Sworne Burned

Conueied Constables

Ordered

Go out

Taken

Without pardon Licence

Suffer death

Sanctuary person

¶ Be it enacted &c. that if any person hereafter flie or resorte to any Parish church, Cemitarie, or other like hallowed place, for tuition of his life, by occasion of any murder, robberie or other felonie by the same person committed, and thereupon confesse any murder, felonie, or other offence before the Coroner, wherfore the same person by the lawes of this Realme heretofore vsed, should abiure & passe out of the same, the same person therupō shall abiure from all his liberty of this realme, and from his liberal and free habitations, resorts and passages, to & from the vniuersal places of this realme, which appertain to ẏ liberty of the kings subiects vndefamed. and shal forthwith be directed by the Coroner, taking & recording such abiuration, to any one Sanctuary being wᵭin this realme, which the same person will elect and chose, there to remain as a sanctuarie person abiured during his naturall life, and to be sworne afore the Coroner vpon his abiuration so to doe, & to be burned in the hand according to the statute in that case prouided. (S. 21. H. 8. cap. 2. before 4.) And euery person so abiured shalbe directed & conueied to the same Sanctuarie by him chosen, by the Constables and other officers, and in euery behalfe ordered after like maner and forme, as hee should haue bin in case he should haue abiured this Realme for any Murder or felonie after the lawes of the land. And if after such abiuration any person so abiured come out of the same Sanctuarie to the which hee was assigned, and be taken without the same sanctuary, not hauing the kings speciall pardon or licence so to doe, then euerie such person abiured, and after abiuration taken without Sanctuarie whertunto he was assigned, shal suffer such like paine of death, and after like maner be ordered, as he should haue done and bin, in case he had abiured this realme for murder or felonie, and after such abiuration had returned again into this realme contrarie to the lawes of this land.

And furthermore be it enacted &c. that if anie such Sanctuarie person abiured, or any other person or persons which now be or is, or hereafter shall happen to be in any sanctuary of this realme, for doing any petie treason, murder, or felonie, or for being accessarie to any such offences, or if anie person or persons, which at any time hereafter shal take any sanctuarie of this realme, for doing any petie treason, murder or felonie, or for being accessarie to anie such offences, or vpon abiuration, and so being in sanctuarie, for or vpō anie such cause, matter or offence, afterward commit or do anie petie treason, murder or felonie within the same sanctuarie, or be accessary to anie such offences, go out of the same sanctuarie & commit any petie treason, murder or felonie, or be accessarie to anie such offences, & after come againe to ẏ same sanctuarie, or take anie other sanctuarie for the same, euery such person and persons being indicted for anie of the said causes or offences, shal lose the priuiledge of the same sanctuary by him taken, & of euerie other sanctuarie within this realm, for anie such cause of petie treason, murder, felonie or abiuration, and for anie accessarie to anie such offences.

Petty treason Murder Felonie Accessary

Commit petie treason Murder Felonie Accessarie

Indicted For. Sanctuarie

And that it shalbe lawful to all and singular Iustices of P. & the high shirife of the countie or other place where the sanctuarie is, and to al & singuler Maiors, shirifes & bailifs of cities and townes corporate, where such sanctuarie is, & to euerie of them, and to the seruants, ministers, & officers, of any or euery of the same Iustices of P. shirifes, Maiors and bailifes, in their presence to take out of the same sanctuarie or sanctuaries, al & euerie such sanctuarie person or persons so offēding, as is aforesaid, and being indicted of the same, & to commit or put him or them into the K. gaole within the shire or libertie where any such indictment is found against anie such person, safely to be kept till they shall be of the same petie treason, murder or felonie, or of the accessary to any such offences, whereof they shal happen to be indicted, cōuicted or attainted, or discharged by ẏ law. And if anie person or persōs which shalbe indicted of any petie treason, murder or felony, or any accessarie to any such offence, happē hereafter to be taken out of any sanctuary for ẏ same, by authoritie of this statute, & vpon his or their arraignemēt plead sanctuary, according to ẏ order of the lawe: then it is enacted &c. that as well the Kings Atturnie as euerie other person for the King, shall bee admitted to object and alleadge, that the person so arraigned afore the doing of the offence or offences whereof he then is arraigned, and take

Any Iustice of peace Shirife

Maiors Bailifes

Seruants

Officers

Take out

Indicted

Kings gaole Shire Indictmēt

Taken out.

Arraignement Pleade Sanctuarie

K. Attornie Pleade

take priuiledge of Sanctuarie in the same sanctuary wherof he alleadgeth him to be taken out, or in any other place priuiledged within this realme vpon any abiuration, or for any other petie treason, murder or felonie, then whereof he is arraigned, and that he there had and enioied priuiledge of Sanctuarie for the same, & that he so hauing once priuiledge of sanctuarie in the same, did commit the offence of pety treason, murder or felony, whereof he the is arraigned: Or that he went out of the said Sanctuarie, and committed the same offence, whereof hee is indicted & arraigned, & praie that such person so arraigned may be excluded of restitution to the sanctuarie by him demanded. And in case the said plee & obiection so alleadged, be denied by the person so arraigned, Then it is further enacted by the authoritie aforesaid, ỹ it shall be forthwith tried afore the same Iustices, where such person is so arraigned, & by the same iurors of the same countie, that shall trie the petie treason, murder or felonie, whereof hee is arraigned without further delaie, in whatsoeuer Countie or Counties, place or places of this realm, the same other taking of sanctuarie shalbe alleadged or obiected to bee done or had. And if the plee so obiected against the said person arraigned, be tried against him by verdict of xy. men, or by his own confession, & also if it be found by verdict of xy. men, or by his own confession, according to the order of the law, that he is guilty of petie treason, murder or felonie, or of any accessarie to any such offence wherof he is so arraigned, that then like iudgement & execution shal be giuen & done vpon euery such person, as though he had bin no sanctuarie person, nor had claimed or required the priuiledge of the same. And if any such person be lawfully acquited of the petie treason, murder or felonie, whereof he shalbe so indicted and arraigned, then he shalbe restored to the same sanctuarie, out of the which he was taken, there to haue the priuiledge of the same in like maner as he had before.

Prouided alway that if any person being or abiding in any sanctuarie as a sanctuarie person, hereafter shal hap to be indicted for anie matter of felonie supposed to be committed by him or her, going out of the same or anie other Sanctuarie, and committing the same Felonie while that he or she so was a Sanctuarie person: he or shee being indicted of anie such felonie supposed to be done without ỹ sanctuarie, shall not be taken out of the Sanctuarie, wherein the same person shall then be resident, before that he or shee be examined therof by 2. of the kings most honorable counsell, or by 4. Iustices of peace of the shire where the sanctuarie is, wherein the person so endicted is resident. And if the same person so indicted within 4. daies after the first examination doe make such proofe as the said examiners by their discretions shal thinke sufficient, ỹ the same person was in the Sanctuary at the time of the said felonie committed: then hee or she making such proofe, shalbe suffered to remaine and bee in the same Sanctuarie without any extraction from the same, the said indictment or any thing in this acte aboue written notwithstanding.

Prouided also that if anie person, which was at anie time a Sanctuarie person for any petie treason, murder or felonie, obtein and haue the kings pardon, and therby or otherwise be at large & out of Sanctuarie, discharged or purged of the offence or cause wherefore the same person toke Sanctuarie, and afterward do commit other petie treason, felonie or manslaughter by chance medlie, and not murder of malice prepensed, and thereupon againe take sanctuary for any such petie treason, felonie or manslaughter by chancemedly, the same person shall haue & inioy the priuiledge of Sanctuarie for that his or her offence of petie treason, felonie or manslaughter by chancemedlie, as that same person might haue had before the making of this acte: any thing in the same act contained notwithstanding.

And ouer this for more speedy triall of murders and felonies: Bee it &c. that all maner of forreine plees triable by ỹ countrey hereafter to be pleaded by any person or persons arraigned vpon anie indictment for anie petie treason, murder or felonie, shalbe forthwith tried before the same Iustices afore whom such persons shalbe arraigned, & by the same Iurors of the same county ỹ shal trie the petie treason, murder or felonie wherof he shal be so arraigned, without any further respect or delaie in whatsoeuer countie or counties, place or places of this realme, the matter of the same plees be supposed or alleadged. And that no person arraigned for any petie treason, murder or felony, be from henceforth admitted to any peremtorie challenge aboue the number of xx. This act to indure

Examinations R. Counsell 4. Iust. of p.

Within 4. daies

Proofe

Examiners Discretion

Noe extraction

Sanctuarie person

Pardoned

Purged Offend a gaine

Felonie Chance medly

Inioy sanctuary again

Trial of forein plees

Iustices

Iurors Countie

Peremptory challenge xx.

Triall

Verdict or confession

Guiltie

Iudgment Execution

Acquited

Restored

Felonie Going out

Bray Exclusion

to the end of the next Parliament.

Prouided alway, that no person or persons be hereafter excluded, or in any wise hurted to haue and inioye any priuiledge of sanctuarie for any offence or offences, being of any higher nature in the law, the the offences & causes specified in this act, be, but that euery person and persons for such offences of higher nature, may haue & inioy priuiledge of sanctuarie, in as free and liberall maner and after such forme, as they mought haue done by the lawes & customes of this Realme afore the making of this acte: any thing in this acte to the contrarie not withstanding. An. 22. H. 8. cap. 14. And after Anno 28. H. 8. cap. 1. this act was continued to the last day of the next Parliament, and after An. 32. H. 8. ca. 3. it is made perpetual.

High offenders Sanctuarie

But note that by diuers Statutes made since 22. H. 8. the priuiledge of Sanctuarie is vtterly taken away in diuers of these and other cases. And also that Sanctuarie persons by diuers waies may afterwarde forfait the benefite of their Sanctuarie. See Sanctuarie in all.

¶ Action popular.

WHere now offenders against penal popular statutes commonly cause actions popular to bee brought against them by couin, or if any action be by good faith commenced against thē, they vse to delay that action, & cause another man to bring a like action against them by couin, wherein he will be condemned, either by confession, feined trial or release which being pleaded shal barre the plaintife in the action sued in good faith. And so such statutes bee seldome executed vpon offenders duely.

Be it enacted &c. that if any person or persons hereafter sue with good faith anie action popular, and the defendāt or defendants in the same action pleade any maner of recouerie of action popular in barre of the said action, or else that the same defendant or defendants pleade that hee or they before that time barred any such plaintife or plaintifes in anie such action popular, that then the plaintife or plaintifes in the action taken with good faith, may auerre that the said recouerie in the said action popular, was had by couin, or els to auerre ỹ the said plaintife or plaintifes was or were barred in the said action popular by couine, that then if afterwarde the said collusiō or couin so auerred be lawfully founden, the plaintife or plaintifes in that action sued with good faith, shal haue recouerie according to the nature of the action, & execution vpon the same, in like wise and effect as though no such afore had bēn had.

Recouerie Barre

Collusion

And ouer that it is enacted and ordained by the authoritie aforesaide, that in euerie such action popular wherin the defendant or defendants shal be lawfullie condēned or attainted of couin or collusion as is aforesaid, ỹ euerie of the same defendants haue imprisonment of 2. yeres by processe of Capias & Vtlagarie to be sued within the yere after such iudgement had, or at anie time after, til the said defendant or defendants bee had and imprisoned as is aforesaid. And that aswell at the kings suit as of euerie other that will sue in that behalf. And that no release of anie common person hereafter to be made to any such partie, whether before or after any action popular or indictment of the same had & commenced or made, (hanging the same action) be in any wise auaileable or effectuall to let or to surcease the said action, indictment, proces, or execution.

Imprisō. Processe Capias, vtlaria

Prouided alway, that no plaintife or plaintifes be in any wise receiued to auer any couin in any action popular, where ỹ point of the same action, or els the couine or collusion haue bin once tried or lawfully found with the plaintife or plaintifes, or against them by triall of xij. men. & not otherwise. An. 4. H. 7. cap. 20.

Couin Collusion Tries

2 ¶ An. 1. H. 8. cap. 4. An act was made to endure to the next Parliament, that in penall statutes the king should take the suit within three yeres, and other persons within one yere.

Penal statutes

3 ¶ Where many of the K. true subiects being ignorant of the statutes haue bin in times past vexed with the penalties of penall lawes, after long tract of time, more for malice then for Iustice, wherby great trouble hath insued: wherfore for ỹ loue the K. beareth to his subiects, Be it &c. that all & singuler such actions, suites, bils, indictments or informations, as frō the 20. day of the moneth of November, the 7. yeere of our said soueraigne Lords raigne shal be cōmenced, taken, sued, had or made onely for any debte, moueable goods or cattels forfaited and lost, or to be forfaited or lost, whereto the king onelie his heires or successors, and none other common person, shall or may be intituled

Suites

by

by reason of the said penal statutes, or any of them, shal be commenced, sued, take or had within foure yeres next after the offence or offẽces, forfaiture or forfaitures, of, or for the same, had or made against the ordinance and prouision of any such act or acts, statute or statutes penal, and not after the said 4. yeres. And that for anie offence or forfaiture made or had, or to bee made or had against the ordinance & prouision of any acte or acts penall, made and ordained, or to be made & ordained, wherby action, suit, bil or information popular is or shalbe giuen to any person or persons, such as will sue for the king and for him or themselfe, or only for him or themselfe, that such action, bil, suit or information be commẽced, sued, had and made, by such person or persons, other then the K. as will sue in that behalf, within one yere nexte after the offence or forfaiture had, made, or committed, against the ordinãce and prouision of any such acte or actes penall, & not after the said yeere ended. And that the kings suit by writ, bil, plaint, indictment or information, on that behalfe be commenced, sued, had or made, within two yeres next after the offence or forfaiture made or had against the prouision & ordinance of any act or acts, statute or statutes penall, and not after the saide two yeres. And if any action, suit, bill, indictment or information concerning the foresaid statutes, or any of thẽ be had or made, otherwise then within the time or times limited as is aforesaid: then the same action, suite, bill, indictment and information, and euery of them commenced, sued, had, or made for the said offence or offences, forfaiture or forfaitures, shalbe void and of no force ne effect, any act or actes, statute or statutes made to the contrarie notwithstanding.

4. yeres Forf.
Action popular
Common person
One yeere
Kings suit
2. yeres
Indictment
Void

Prouided alway, that where any actiõ, information or indictment is limited by any statute to be had, made or taken, within shorter time or times, thẽ (as is afore rehearsed) that it be had, made, and takẽ according to the time limited in the statute. Anno 7. H. 8. cap. 3. See here 4. this statute Repealed.

4 ¶ For that diuers of the Quẽnes Maiesties subiects be daily vniustly vexed & disquieted by diuers common informers vpon penal Statutes, notwithstanding any former Statute that hath bẽne heretofore made against these disorders: For remedy thereof, Be it &c. that al former statutes made for reformation of disorders of such common informers, not repealed or altered by this acte, shall bee put in due execution. And that no person other then the partie grieued, after twentie daies after the ende of this Session of Parliament, shall bee receiued to informe or sue vpon any penall statute, that before that time hath beene for any misdemeanour by anie order of anie the M. Maiesties Courtes, ordered not to follow or pursue anie suite vpon anie penall statute.

Informed

And bee it further enacted, &c. that in anie declaration or information at anie time after twentie daies after the end of this Session of Parliament to bee had, brought, sued, or exhibited, the offence against any penal statute, shall not be laid to be done in any other county, but where the contract or other matter alleadged to be the offẽce, was in truth done. And that euery defendant in such action or information, shall and lawfully may trauerse and alleadge, that the offence supposed by the same suit to bee committed, was not committed in the Countie where such offence is alleadged. Which being tried for the defendant, Or if the plaintife be therupon nonsuit in his information or suite, that thẽ the plaintif shalbe barred in that action or information, anie lawe or vse to the contrarie notwithstanding.

Forraine counties
Trauers

Prouided alwaies that this acte, nor anie thing herein contained, shall in anie wise extend to anie such officer of Record as haue in respect of their offices heretofore lawfully vsed to exhibit informatiõs, or sue vpon penall lawes, But that they and euery of them may informe and pursue in that behalf as they might haue done before the making of this act, any thing in this acte to the contrarie in any wise notwithstanding.

Officer

And prouided also that this act nor any thing therin contained, shal extend to the laying or alleadging of any offence in any declaration or information, for or concerning any Champertie, buying of titles, or extortion, or anie offence cõmitted, or to be committed against the statute made in the first yeere of the Quẽnes Maiesties raigne, intituled, An Acte limitting the times for laying on lande Merchandize from beyond the seas, and touching Customs of sweet wines: And one other act made in ỹ said first yeere of her Maiesties raigne, intituled, An acte of a Subsidie of

Exception

Tonnage & Poundage, or anie thing in any of them contained, or for the concealing or defrauding the Quéns Maiestie, her heires or successors of anie Custome, Tonnage, Poundage, Subsidie, Imposte or Prisage, or for any matter of corrupt Usurie, or for any offence comprised in any Statute made, or to be made against ingrossing, regrating or forestalling, where the penaltie or forfaiture shall appeare to be to the value of xx.li. or above: But that euery such offence, shall or may bee laid in any Countie at the pleasure of any such informer, any thing in this acte to the contrarie notwithstanding.

And be it further enacted by the authoritie aforesaid, that all actions, suits, bils, indictments or informations, which after twentie daies after the ende of this session of Parliament shall be had, brought, sued or exhibited, for anie forfaiture vpon anie Statute Penall, made or to bee made, whereby the forfaiture is or shall bee limitted to the Quéne, her heires or successours onely, shall be had, brought, sued, or exhibited within two yeres next after the offence committed, or to bee committed against such Acte penall, and not after two yeeres. And that all actions, suites, billes, or informations, which after the saide twentie daies shall be had, brought, sued or commenced, for any forfaiture vpon anie penall Statute made or to bee made except the Statutes of tillage, the benefite and suite whereof is or shall be by the saide Statute, limitted to the Quéne, her heires or successours, and to anie other which shall prosecute in that behalfe, shall be had, brought, sued or commenced by any person that may lawfully pursue for the same as aforesaide, within one yeere next after the offence committed, or to bee committed against the said Statute, and in default of such pursuite, that then the same shall be had, sued, exhibited, or brought for ỹ Quénes Maiestie her heires or successours, at any time within two yeeres after that yére ended, And if anie action, suite, bill, indictment or information for anie offence against any Penall Statute, made or to bee made, except the statute of Tillage, shall be brought after the time in that behalfe before limitted: That then the same shall be voide and of no effect, Any act or statute made to the contrary notwithstãding.

Mayens

2. Yeres

Tillage

One yere

Quene

Prouided alwaies, that where any action, information, indictment or other suit, is, or shal be limited by any statute penal, to bee had, sued, commenced or brought within shorter time then is afore rehearsed: That in euerie such case, the action, information, indictment, or other suit shal bee brought within the time limitted by such estatute.

Shorter time

Suit

And be it further enacted by the authoritie aforesaide, that one statute made in the 7. yeere of the raigne of the late king of famous memorie king Henrie the 8. (supra 3.) concerning the time of bringing actions or informations vpon penall lawes, shall from and after twentie daies after the ende of this Session of Parliament, be vtterlie repealed. And that all suites from & after the said twentie daies to be pursued vpon anie statute, for vsing anie vnlawfull game, or for not vsing of anie lawfull game, or for not hauing Bowes and Arrowes according to the lawe, or for vsing any Arte or misterie, in the which the party hath not bin brought vp, according to the statute in that behalf made, shall bee sued and prosecuted in the generall Quarter Sessions of the peace, or Assises of the same countie, where the offence shall be committed, or otherwise inquired of, heard and determined in the Assises, or generall Quarter sessions of the peace of the same Countie where such offence shal be committed, or in the Læte within which it shal happen, and not in any wise out of ỹ same county, where such offence shal happen or be committed. An. 31. El. cap. 5.

Suit

Quarter Sessions

Assises

Leete

5 ¶ See of action popular in euery title where part of the forfaiture is giuen to any that will sue.

¶ Accompt.

IT is prouided also, that if Bailiffes, which ought to make accompt to their Lords, doe withdraw themselues, & haue no lands nor tenemẽts, wherby they may be distrained, then they shall bee attached by their bodies, so that the shirif in whose bailiwike they be found, shall make them to come to haue their accõpt. Marlebridge cap. 23. An. 52. H. 3.

Bailiffes

Attach

Shirife

2 ¶ Concerning seruants, Bailifes, chamberlains, and al maner of receiuers, the which are accomptable: It is agréed and ordained, that when the Maisters of such seruants do assigne them Auditors to take their accompts, and they be found in arrea

Bailifes Seruants Receiuers

Arrerages arrerages vpon their accompt (all things allowed which ought to be allowed) their bodies shall be arrested, and by the Testimonie of the Auditours of the same accompt, they shall be sent vnto the nerte gaole of the king in those parties, & shall be receiued of the Shirife or gaolor, and imprisoned in prison, and vnder safe custodie, and there shal remaine at their owne cost, vntil they haue satisfied their Master fully of the arrerages. Neuertheless if any person beyng so committed to prison, doe complaine, that the Auditours of his accompt haue grieued him vniustly, charging him with receiptes that he hath not receyued, or not allowing him expences and deliueries reasonable, and doe finde friendes that will take him to mainprise to bring him before the Barons of the Eschequer, hee shall be bayled vnto them. And the Shirife (in whose prison hee is kept,) shal giue knowledge vnto his Master, that he be before the Barons of the Eschequer at a certaine daie with the Rolles and Tales, by which hee made his accompt, & in the presence of the Barons, or such Auditours, as they shall assigne, the accompt shall be rehearsed, and Iustice shall bee done to the parties, so that if he be found in arrerages, hee shall bee committed to the Fléete, as aboue is said. And if he flie and will not make accompt willingly, as it is contained in other Statutes (before 1.) hee shall be distrained to come before the Iustices to make his accompt, if hee haue whereof to be distrayned: and when he commeth to the Court, Auditours shall bee assigned to take his accompt, before whome if hee be founde in arrerages, and cannot paie the arrerages forthwith, he shall be committed to the gaole, to be kept in forme aforesaid. And if hée flie, and it bee testified by the Shirife that hée is not founde, the Erigent shall goe against him from Countie to Countie, vntill he be outlawed: and such a prysoner shall not bee repleuisable. And let the Shirife or Gaoler take héed, be it within a fraunchise or without, that hée doe not suffer him to goe at large by the common writte called Replegiare, or otherwise without the assent of his Master. And if he doe, and thereof be conuict, he shall aunswere to the Master the damages done to him by such his seruant, after as it may bee founde by the Countrey, and the Master shall haue his recouerie by a writte of Debte. And if the Gaoler haue not wherewith he may bee iustified, or wherewithall to pay his superiour that committed the custodie of the Gaole vnto him, he shall be answereable, by the same writte. W.2. cap.11. Anno 13.E.1.

Sheriffe Imprif. Erigent Outlawed Irrepleuisable Replegiare Writt of debt Gaoler

3 ¶ Anno 2.H.4.cap.24. It was enacted, that they that had receiued money to go with the Kings lieutenant, might accompt in Thelschequer vpon their othes, and be allowed of their layings out, and be discharged. Lieutenant

4 ¶ Whereas diuers of the Shirifes, Escheatours, Aulnegeours, Customers, Comptrollers, and other the Kings Officers accomptable, in manie partes of the Realme, doe defraude and decéyue our sayd Soueraigne Lord the King yéerely, in their vnlawfull and vntrue accompts, concealing and retayning to their owne vse the greater parte of that, that rightfully ought to appertaine to the King, to his great dammage and losse. Our saide Soueraigne Lord the king, by the aduise and assent aforesaid, hath ordained & established, that shortly after euery finall accompt giuē and made by the Officers and Customers aforesaid, before the Barons of the Eschequer, the tenour of the accōpt of euerie of the saide Officers from time to time shall bee sent into the Counties where the same accomptantes be Officers, together with Commissions directed to the most lawfull and discréete persons, for to enquire and certifie the profites which the said accomptants haue receiued within the saide Counties in his name, to the vse of our Soueraigne Lord the King, by them in the maner aforesaid vpon their said accompts deceiptfully cōcealed and retayned to their proper vse and profite. And in case that the said accōptants be attaynted of their said frauds and deceipts, they shal incurre to our Soueraigne Lord the King, the payne of the treble of the same whereof they shal be so conuicted, and their bodies to prison, till they haue made fine and raunsome to our saide Soueraigne Lorde the King, after the discretion of his Judges. Anno 6.H. 4.cap.3. Shirifes Escheators Aulnegeors Customers Comptrollers Barons of the Eschequer Counties Commission Conceale Attaint Frauds Treble Imprif. Fine and raunsome

5 ¶ From henceforth if any dismes, or any part of a disme be graūted by the prouince of either of the said Clergies to the King our Soueraigne Lorde, or to his heires, that after the said certificate in the Eschequer for the disme, or parte of the disme, and of the names of the Collectors for Disme Certificat Collectors

Proces

Writ

Priuiledge

for the gathering of the ſame diſme, that if the ſaid Collectors come by proces before the ſaid Barons of the Eſchequer, & enter into their accompt, that they ſhall not be bound to anſwere to any bill or bils there put in againſt them, by reaſon of the ſaid entrie into their accompt, for any maner cauſe, but onely for the matter touching the ſaid accompt.

Prouided alwaies, that if the ſaide accomptant bee ſued in any other court by writ, bill or plaint, that then he ſhal take no priuiledge of ỳ ſaid Eſchequer by reaſon of the ſaid accompt for any ſuit, as before is rehearſed. An. 1. R. 5. cap. 14.

¶ Accuſation.

Impriſ. Diſſeiſed Freehold Cuſtomes Outlawed

NO free man ſhal be taken or impriſoned, or bee diſſeiſed of his freehold or liberties, or free cuſtomes, or be outlawed or exiled, or any wiſe deſtroied, nor wee ſhal not paſſe vpon him, nor deale vō him, but by the lawful iudgemēt of his peeres, or by the law of the lād: we ſhal ſell to no man: we ſhall denie nor deferre no mā eyther Juſtice or right. Mag. Cha. cap. 29.

Peeres

Attached

Seiſed Magna Cha.

2 ¶ No man frō henceforth ſhal be attached by any accuſation, nor forjudged of life nor limme, nor his lands, tenements, goods nor cattels ſeyed into the Kings hāds, againſt the forme of the great charter & the law of the land. An. 5. E. 3. cap. 9.

Petition

Indictment Preſentmēt

3 ¶ From henceforth none ſhal be taken by petition or ſuggeſtion made to our Soueraigne Lord the King or to his coūſaile, vnles it be by indictment or preſentment of good and lawfull men where ſuch dēedes be done, in due maner, or by proceſſe made by writ originall at the common law. Nor that none be put out of his frāchiſes, nor of his freeholds, vnles he be duely brought in to anſwere & forjudged of the ſame by way of lawe. And if any thing be done againſt the ſame, it ſhall be redreſſed and holden for none. Statute 5. An. 25. E. 3. cap. 4.

Freehold

Impriſ.

4 ¶ No man of what eſtate or condition that he be, ſhal be put out of land or tenement, or taken or impriſoned or diſherited, or put to death, without beyng brought in to anſwere by due proceſſe of the law. An. 28. E. 3. cap. 3.

Impriſ. Freehold

5 ¶ Though that it be cōtained in the great charter of Mag. cha. cap. 29. (before 1.) that no man bee taken, impriſoned, or put out of his freehold, without proces of the law: Neuertheleſſe, diuers people make falſe ſuggeſtiō to the king himſelfe, aſwell for malice as otherwiſe, whereby the king is oftē grieued, and diuers of the Realme put to great damage and loſſe againſt the fourme of the ſame Charter. Wherfore it is ordained, that al they that make ſuch ſuggeſtions, be ſent with the ſuggeſtions before the Chaūceler, Treaſorer, and his great counſel, and that they there find ſurtie, to purſue their ſuggeſtions, & to incurre the ſame paine that the other ſhould haue had, if hée were attainted, in caſe that his ſuggeſtion be found euill. And that then proces of the lawe bée made againſt them without being taken or impriſoned againſt ỳ forme of the ſaide charter. An. 37. E. 3. cap. 18. See this ſomewhat altered here 6.

Chaunceler Treaſorer

Mainprize Attaint Proces

6 ¶ As to the Article made at the laſt parliamēt (An. 37. E. 3. ca. 18. before 5.) of thoſe that make grieuous complaintes to the king himſelfe: It is aſſented, that if he ỳ maketh the complaint, cānot proue his intent againſt the defendāt by the proces limitted in the ſame article, he ſhall be cōmāded to priſon, there to abide till he hath made grée to the partie of his damages, & of the ſlaūder that he hath ſuffered by ſuch occaſion, and after ſhall make fine & ranſome to the king. And the point contained in the ſame article, that the plaintife ſhall incurre the ſame paine, which the other ſhould haue, if hée were attainted (in caſe that his ſuggeſtion be found vntrue) ſhall be taken away. An. 38. E. 3. cap. 9.

Complaint

Slaunder Fine

Attaint

7 ¶ To eſchew the miſchiefes & damage done to diuers of his commons by falſe accuſors, which oftentimes haue made their accuſatiōs, more for vengeāce & ſinguler profit, then for the profit of the king or of his people, of which accuſed perſons, ſome haue bin impriſoned, & others cauſed to come before the kings counſaile by writ, & otherwiſe vpon grieuous paine againſt the law. It is aſſented & accorded for the good gouernāce of the Commons, that no man be put to anſwere without preſentment before Juſtices, or thing of record, or by due proces, or by writ originall, according to the old law of the land. And if any thing from henceforth be done to the contrary, it ſhalbe void in the law, and holden for error. An. 42. E. 3. cap. 3.

Accuſors

Preſentment

Proces Originall writ

Error

8 ¶ When people be cōpelled to come before the kings counſell, or in the Chaūcerie by writs grounded vpon vntrue ſuggeſtions, the Chaunceller for the time being, by and by after that ſuch ſuggeſtions

Chaunceries

Chaunceler Suggeſtion

be

be duely found & proued vntrue, shal haue power to ordaine & agard damages after his discretion, to him which is so troubled vnduly, as afore is said. An. 17. 3. R. 2. c. 6.

Damages

9 ¶ Forasmuch as diuers persõs haue before this time bene greatly grieued by writs of Sub pœna purchased for matters determinable by the cõmon Law of this land, to the great damage of such persons so vexed, in subuersion and impediment of the cõmon law aforesaid: Our soueraigne Lord the king will ỳ the statutes thereof made shall be kept after the forme & effect of the same. And that no writ of Sub pœna be graũted from henceforth, till suertie be found to satisfie the partie so grieued and vexed for his damages & expences, if so be that ỳ matter cannot be made good, which is contained in the bill. An. 15. H. 6. cap. 4.

Sub pœna

Suretie

Damages

Bill

10 ¶ It shall be lawfull for any of the kings subiectes and lieges, if they themselues perfectly know, or by vehement presumption may and doe perceiue anie will, act or condition of lightnesse of bodie in her ỳ which for the time being shall bée Quéene of this realm, that they may lawfully disclose the same vnto his Maiestie, or some of his counsell, which they thinke will disclose the same vnto his highnesse: any acte, statute or law made to the contrary notwithstanding.

Vneene

Prouided neuertheless, that they shall not openly blow it abroad, nor priuately whisper it in other folkes eares, whereby a slaũder might rise of her, till it be diuulged by the assent of his highnesse or his counsell. And it is further enacted, that if any of the said Counsel, being within the realme, doe conceale it & not disclose vnto his Maiestie, or some of his Counsell resiant or attendant in the time on his royal person, by worde or writing within xx. daies after that any of them shall heare of it, and if they be out of the Realme, with as conuenient spéd and diligence as they may: that then they to haue like punishment & forfaiture as the offendors should. And in case the saide Counsell or anie of them do heare or perceiue any such thing, as afore is rehearsed: that then it shall be lawfull for them all, or any of them, after notice thereof giuẽ to the kings Maiestie, to imagine, sæke and proue al waies to their wits possible, to bring the matter & offence to true knowledge and light, and they so doing to incurre no daũger of law or penaltie: any act or statute made heretofore to the contrary notwithstanding.

Slaunder

Conceale

Writting xx. dayes

Forf.

An. 33. H. 8. in the end of the cap. 21.

As many of these offences as were made Treason since 25. E. 3. be repealed by 1. E. 6 cap. 12. & by 1. M. 1. Sess. And as many of them as were made misprision of treason be repealed by 1. M. 1. Session: vt patet in Treason.

¶ Addition.

IN euery originall writ of actions personals, appeales, and indictmentes, in which the exigent shalbe awarded: to the names of the defendants in such writs originall, appeales, & indictments, additions shall be made of their estate, or degrée, or misterie, and the townes, hamlets, or places, and the countries whereof they were or be, or in which they bee or were conuersant. And if by proces vpon the said originall writs, appeales or indictments in the which the said additions be omitted, any vtlagaries be pronounced, that they be cléerely void & of no force and holdẽ for none. And that before these vtlagaries be pronounced, the said writs and indictments shalbe abated by the exception of the partie whereas in the same the said additions be omitted.

Writ

Actions personals

Appeales

Indictmẽts

Degree

Misterie

Townes

Vtlagaries

Void

Abate

Prouided alwaies that though the said writs of actiõs personals be not according to the records & dédes, by the surplusage of the additions aforesaid, ỳ for that cause they be not abated: And that the clerks of the Chaũcerie (vnder whose names such writs shal go forth writtẽ) shal not leaue out or make omission of the said additiõs, as is aforesaid, vpõ paine to be punished, & to make a fine to the king, by the discretion of the Chauncelor, An. 1. H. 5, cap. 5.

Records

Clerkes of the Chauncerie

Fine

Chancelor

¶ Adiournement.

BEcause that by remoouing of the common Bench, the plées there begunne haue remained without day many times to the great damage of many. Be it &c. That from hẽceforth the Iustices before that the common Bench be remoued, bée warned in time, so ỳ they may adiourne the parties in such time that they shal not lose their proces. An. 2. E. 3. cap. 11.

Iustices

Common plées

Adiournemẽt

¶ Admeasurement of dower.

A Writ of admeasuremẽt of dower shal be from henceforth granted to a Gardian, neither shall the heire when he commeth to ful age be barred by the suit of the Gar-

Gardian

Heire

Collusion

Gardian, if he sueth against the tenant in dower feignedly & by collusion, but that he may admeasure the dower after, as it ought to be admeasured by the law of the lãd. And aswel in this writ as in a writ of

Admeasurement of pasture

Admeasurement of pasture, more spedie proces shal be awarded then hath bin vsed hitherto, so that when it is come vnto the

Great distresse Daies

great distresse, daies shal be giuen, within which two cõuties may be holden, at the

Proclamation

which open Proclamation shall be made, that the defendant shal come in at the day contained in the writ, to answere to the plaintife, at the which day if he come in, the plee shall passe betwene thẽ. And if he do not come, & the proclamatiõ be testified by the shirife in maner aboue said, vpõ his

Shirife Default

default, they shal proceed to make admeasurement, W. 2. cap. 7. An. 13. E. 1.

¶ Admeasurement of pasture.

Justices Shirife

WHere by suit moued by a writ of Admeasurement of pasture, the pasture is somtime admeasured before the Justices, somtime before the shirife in the countie, & it chanceth many times after such admeasurement made, that the pasture is

Surcharge

surcharged againe by him that first did it, with moe beasts thẽ he ought to kepe, whereupõ no remedie hath bin yet prouided. It is ordained, that vpon the second surcharge, the plaintife shal haue remedy in this maner: If the admeasurement were before the Justicers, the plaintife shall haue a writ Judicial, that the shirife in presence of the parties beeng summoned (if they will come) shall enquire of the 2. surcharge,

Writ iudicial Shirife

which if it be found, it shalbe returned before the Justicers vnder the

Seales

seales of the

Iurors

Shirife and of the Iurors: And the Justicers shall award the plaintife damages, &

Damages Extreates

shall put into their extreates the value of the beastes, which were put into the pasture after such admeasuremẽt aboue the due nũber, & shall deliuer the extreats vnto the Barons of the

Eschequer

Eschequer, whereof they shall answere vnto the king. If such admeasurement be made in the Countie, then at the request of the plaintife, a

Writ

writ shall goe out of the Chauncerie, that the Shirife shall inquire of such maner of surcharge and of the beasts put in aboue the due nũber, or the value of thẽ he shall answere to the king at the Eschequer. And least the Shirife might defraud the king in this case: It is agreed that all such writtes De secunda superoneratione, that passe out of the Chauncerie, shalbe inrolled, & at the yeres end the trãscripts shal be sent into the Eschequer vnder the Chãcelors seale, that the Treasurer & Barons of the Eschequer may see, how the shirife doth answere for the issues of such writs. In the same wise the writs of Redisseisin shalbe enrolled & sent into the Eschequer at the yeres end. W. 2. cap. 8. An. 13. E. 1.

Inrolled

Chancelor Treasurer

Issues Writs of Redisseisin

¶ Administers.

IN case where a man dieth intestate, the Ordinaries shall depute the next & most loyal frends of the dead person intestate to administer his goods, which deputies shal haue an action to demaũd and receiue as executors, the debtes due to the said dead person intestate, in the kings court, for to administer and dispend for the soule of the dead, and shall answere also in the kings court to other, to whom the saide person was holden and bound, in the same maner as executors shall answere. And shalbe accomptable to the Ordinaries as executors be, in the case of Testament. An. 31. E. 3. cap. 11.

Ordinaries

Administer Deputies Executors Action

¶ Admiralties.

BEcause that the Admirals & their deputies hold their sessiõs within diuers places of this realme, aswell within franchise as without, arrochyng to thẽ greater power thẽ belongeth to their office, in preiudice of our soueraigne lord the king, and the common law of the Realme, & in great blemishing of diuers franchises, and in destructiõ & impouerishing of the common people: It is accorded & assented, that the Admirals and their deputies, doe not meddle from hẽceforth of any thing done within the Realme, but onely of thinges done vpon the Sea, as it hath bene duely vsed in the time of king Edw. graundfather of our Lord the king that now is. An. 13. R. 2. ca. 5. and See here 3.

Sea

2 ¶ Because that the Admirals & their deputies do incroche vnto themselues diuers iurisdictions & franchises more then they ought to haue. Be it &c. that of al maner of contracts, plees & complaintes, & of all other things rising within ẏ bodies of the Couties, aswell by land as by water, & also of wrecke of the Sea, the Admirals court shal in no wise haue conisãce, power nor iurisdiction: but that al such maner of con-

Contracts Quarels

Wrecke

contracts, plees, and complaints, and all other things rising within ỹ bodies of the coũties, aswell by land as by water, as afore: And also wrecke of the sea shalbe tried, determined, discussed, & remedied by the lawes of the land, and not before, nor by the Admirall, nor his lieutenant in no wise. Neuertheles, of the death of a mã, & of a Maihem done in great ships, being & hoouering in the maine streame of ỹ great riuers, onely beneath the bridges of the same riuers nigh to the Sea, and in none other places of the same riuers, the Admirall shall haue conusance, & to arrest ships in the greatest flotes, for the great viage of the king, and of his realme. Sauing alwaies to the king all maner forfaitures & profites thereof comming, & he shall haue also iurisdiction vpõ the said flotes during the said viages: Sauing alwaies to lords, Cities and Boroughs, their liberties and franchises, An. 15. R. 2. cap. 3.

Wrecke

Murder Maihem

Arrest ships Flotes

Franchiles

3 ¶ That the said Statute (S. An. 13. R. 2. cap. 5. before 1.) be firmely holden & kept, and put in due execution. And moreouer the same our Soueraigne Lord the king, by the aduise and assent of the Lords spirituall & temporall, and at the praier of the said commons, hath ordained & stablished, that as touching a paine to be set vpon the Admiral or his Lieutenãt, that the Statute and the common law be holde against them, and hee that feeleth himselfe grieued against the forme of the said statute, shal haue his action by writ grouded vpõ the case against him that doth so pursue in the Admirals Court, & recouer his double damages against the pursuãt, and the same pursuant shal incurre the paine of x. li. to the king for the pursuit so made, if he be attainted, An. 2. H. 4. cap. 11.

Common law

Action

Damages

Fine.

4 ¶ For the abridgment of appeales in suites of ciuil and marine causes, suffered by order of the lawes ciuill. Be it &c. That frõ the last day of this parliament, all and euery such iudgement or sentence diffinitiue, as shall be giuen or pronoũced in any ciuill & marine cause, vpon appeale lawfully to be made therein to ỹ Queens Maiestie in her highnes court of Chancerie, by such Cõmissioners or Delegates, as shall be nominated & appointed by her Maiestie, her heires or successors, by commissiõ vnder the halfe seale, as it hath bin heretofore vsed in such cases, shal be final, and no further appeale to be had or made from the said iudgement or sentence diffinitiue, or from the said Commissioners or delegates, for, or in the same: Any lawe, vsage, or custome to the cõtrary notwithstanding. An. 8. Eliz. cap. 5.

Chancerie Delegates Cõmission

¶ Age.

IT is prouided also, that if any frõ hence forth purchase a writ of Nouel disseisin, & be against whom the writ is brought as principall disseisor, dieth before the Assise be passed, that thẽ the plaintife shal haue his writ of Entre founded vpon disseisin, against the heire or heirs of the disseisor, of what age soeuer they be. In the same wise the heire or heirs of the disseisee shal haue their writs of Entre against the disseisors of their auncestors, of what age soeuer they be, if peraduẽture the disseisee die before ỹ he hath purchased his writ: so that for the Nonages of the heires of the one parte or of the other, the writ be not abated, nor the plee delaied, but as much as may be without offending the law, let the businesse be hastened to make fresh suit after ỹ disseisin. And in like maner this point shall be obserued towards Prelates, men of Religion, and others to whom lands or tenements can in no wise discend after others death, whether they be disseisees or disseisors: And if the parties in pleading come to an Enquest, & it passeth against the heire within age, and namely against the heire of the disseisee, that in such case he shall haue an Attaint of the kings special grace without giuing any thing. W. 1. cap. 46. An. 3. E. 1.

Nouel disseisin

Assise

Fresh suit

Prelates

Attaint

2 ¶ If a child within age be holden frõ his heritage after the death of his cosin, graũdfather, or great graũdfather, wherby he is driuẽ to his writ, & his aduersary cõmeth into the Court, & for his answere alleageth a feoffement, or pleadeth some other thing whereby ỹ Iusticers are to award an enquest, there where as the inquest was deferred vnto ỹ full age of the infant, now the inquest shall passe as if he were of ful age, Glouc. ca. 2. An. 6. E. 1.

Infant

Feoffement

3 ¶ Touching Enquestes to be made which touch such as be within age, the statute (before 2.) shall run without limitation of time. Exposition of the statute of Glouc. cap. 2. An. 6. E. 1.

Enquest

Limitation

4 ¶ Where one doth alien the right of his wife, it is agreed, that from hencefoorth the suit of the wife, or of her heire, after ỹ death of her husbãd, shal not be delaied by the nonage of ỹ heire that ought to warrãt the land: but let the purchasor (which ought

Nonage

ought not to haue beene ignorant, that he bought the right of another) tarie vntill the age of his warrãtor, to haue his warrantie, West.2.cap.40.An.13.E.1.

¶ Aide to the King.

COncerning plées where the tenant excepted, ỹ he cannot answere without the king. It is agréed by the Justicers & other wise men of the kinges Counsell which heretofore haue had the vse & practise of iudgemẽts, that where a feoffement hath bin made by the king, & the charter thereupõ made hath so much in it, that an other person by a like feoffement and like déed should be bounden to warrantie, the Justices could not heretofore haue proceded any further without the Kings commãdement had therefore, nor yet can it be thought that they may proceed hereafter, Statutum de Bigamis cap.1.An.4.E.1.

Feoffement

2 ¶ But in certain cases, as where the king hath confirmed or ratified the acte of an other man, in another mans thing, or hath graũted any thing to a man aſmuch as in him is, or where a déede is shewed forth whereby the king hath rendred any tenement, and no clause cõtained therein whereby he ought to warrantise, & in like cases, the Justices shal not surcease by occasion of such confirmation, ratification, grant, or render, or other like, but after ỹ it be shewed to the king, they shal proceed without delay, Bigamis cap.2.An.4.E.1.

Grant

Warranty

3 ¶ Concerning the dower of wom̃, where any gardians of the inheritance of their husbãds haue the custody by the gift or grãt of the king, whether such gardiãs be tenants of the thing in demaũd, or the heires of such lands be vouched to warrãtie, if they except that they cãnot answere without the king, the Justices shall not surcease, but shall proceede therein according to right, Bigamis cap.3.An.4.E.1.

Dower Wardes

Warranty

4 ¶ Whereas before this time in case that a man hath demaunded by petition in the Parliament certaine lands and tenements which be in the kings handes, & to the same petitions haue bene answered in the same Parliament, Chancerie, or in the kinges Bench, that the king will, that a writ be sued to the Treasorer and Chãberlaines of the Eschequer, to search charters, muniments, and other remembrances which may him availe, whereby he may be aduised to make answere: to which writs commonly the Treasorer and Chamberlaines haue answered, that they haue searched, but not throughly searched, & would not answere that they haue fully searched and nothing found, nor that they cã no more find, but that which they haue sent, whereby by the law afore this time vsed, a man hath not had cause to put them which be for the king to answere, and in such maner the demandantes haue bene greatly delaied, to their great mischiefe: Wherefore it is assented, that after the foure writs be returned, whether that muniment or remembrance be found for the king or not, that then in the Parliament, Chancerie, or in the kings Bẽch, or in the common Bench, they which shal sue for the king, shall be put to answere & to defend the lands and tenements so demanded against the king, to the best that they can or may, according to the lawe, so alwaies that euery of the foure writs be deliuered to the Treasorer & to the Chãberlaines xl. daies before the day of the returne. And that by the seding of the great Seale or priuie seale, no point of this statute shal be put in delay: Nor that the Justices, of whatsoeuer plate it be, shall let to doe the common law for any commãdement which shal come to them, vnder the great Seale or priuie Seale, An.14.E.3. cap.14. Statute 1.

Search

xl. Dates of Search

xl. Dates

Great seale Paune seale

Justices

¶ Alehouses and Tipplinghouses.

AN.11.H.7.cap.2. & An.19.H.7.cap. 12. Authoritie was giuen vnto Justices of peace to put away Ale selling by their discretiõ, & to take suertie of other of their good behauiour, but they be repealed by the generall words of An.3.E.6.cap.16.

2 ¶ For the reuelle of the intolerable hurtes that increase through the disorders in commõ Alehouses and other Tippling houses: Be it &c. That the Justices of P. within euery Shire, citie, borough, towne corporate, fraũchise or libertie within this Realme, or two of thẽ at the least whereof one to be of the Quorum) shall haue ful power and authoritie by vertue of this act, within euery Shire, Citie, Borough, towne corporate, franchise, and libertie, where they be Just. of peace, to remoue, discharge, and put away common selling of Ale and Beere, in the said common Ale houses and tippling houses, in such towne or Townes, and places, where they shall thinke meete and conuenient. And that none after the first day of May next coming

Two Justices of P. whereof one of the Quorum.

Put away Alehouses

ming ſhal be admitted or ſuffered to kéepe any cõmon Alehouſe or Tippling houſe, but ſuch as ſhalbe thereunto admitted & allowed in the open Seſſiõs of the peace, or els by two Juſtices of the peace, whereof one to be of the Quorum. And that the ſaid Juſtices of the peace, or two of them (whereof one to be of the Quorũ) ſhall take bandꝫ ſuertie from time to time by Recognisance, of ſuch as ſhalbe admitted & allowed hereafter to kéepe any common alehouſe or Tippling houſe, aſwell for & againſt the vſing of vnlawfull games, as alſo for the vſing and maintenãce of good order & rule, to be had and vſed within the ſame, as by their diſcretiõ ſhalbe thought neceſſarie & conuenient. For making of euery which Recognisance, the partie or parties that ſhal be ſo bound, ſhal pay but xij.d. And the ſaid Juſtices ſhall certifie the ſame Recognisance, at the nert quarter ſeſſiõs of the peace to be holdẽ within the ſame ſhire, citie, borough, towne corporate, franchiſe, or libertie, where ſuch Alehouſe or tippling houſe ſhalbe: The ſame recognisance there to remaine of record before the Juſtices of peace of that ſhire, citie, borough, towne corporate, frãchiſe or libertie, vpõ paine of forfaiture to the king for euery ſuch recognisance takẽ and not certified iij.li.vj.s.viij.d. And it is &c. That the Juſtices of peace of euery Shire, Citie, Borough, towne corporate, franchiſe and libertie, where ſuch Recognisance ſhall be taken, ſhall haue power & authoritie by this act, in their quarter ſeſſions of the peace, by preſentment, information, or otherwiſe by their diſcretiõ, to inquire of all ſuch perſons as ſhall be admitted & allowed to kéepe any Alehouſe or Tippling houſe, & that be bound by recognisance, as is aboueſaid, if they or any of them haue done any act or acts wherby they or any of thẽ haue forfaited the ſame Recognisance. And the ſaid Juſtices in euery Shire & places where they be Juſtices, ſhall vpon euery ſuch preſentment or information, award proces againſt euery ſuch perſon ſo preſented or complayned vpon before them, to ſhew why he ſhould not forfatt his recognisance, and ſhal haue full power and authoritie by this acte, to heare and determine the ſame, by all ſuch waies and meanes, as by their diſcretion ſhall be thought good.

And it is &c. that if any perſon or perſons, other then ſuch as ſhall be hereafter admitted & allowed by the ſaide Juſtices, ſhall after the ſaid firſt day of May obſtinately and vpon his owne authoritie take vpon him or them to kéepe a commõ Alehouſe or Tippling houſe, or ſhall contrarie to the commandement of the ſaid Juſtices or two of them, vſe commonly ſelling Ale or Béere: that then the ſaid Juſtices of peace, or two of them, (whereof one to be of the Quorum) ſhall for euery ſuch offence, commit euery ſuch perſon or perſons ſo offending, to the commõ gaole within the ſame Shire, Citie, Borough, towne corporate, franchiſe, or libertie, there to remayne without baile or mainpriſe by the ſpace of iij. daies. And before his or their deliuerance, the ſaid Juſtices ſhal take Recognisance of him or them ſo committed, with two ſuerties, that he or they ſhal not kéepe any common Alehouſe or Tipplinghouſe, or vſe commonly ſelling of Ale or Béere, as by the diſcretion of the ſaid Juſtices ſhall be ſéene conuenient. And the ſaid Juſtices ſhall make certificate of euery ſuch recognisance and offence at the nert quarter Seſſions that ſhall be holden within the ſame Shire, Citie, Borough, towne corporate, franchiſe, or libertie, where the ſame ſhal be cõmitted or done, which certificate ſhall be a ſufficient conuictiõ in the law, of the ſame offence. And the ſaid Juſtices of peace vpon the ſaid certificate made, ſhall in open Seſſions aſſeſſe the fine for euery ſuch offence at xx.ſhillings.

Prouided alway, that in ſuch Townes and places, where any faire or faires ſhal be kept, that for the time only of the ſame faire or faires, it ſhall be lawful for euery perſon and perſons to vſe common ſelling of Ale or Béere in boothes, or other places there for the reliefe of the kings ſubiectes that ſhall repaire to the ſame, in ſuch like maner & ſort as haue bin vſed and done in times paſſed: This act or any thing therein contained to the contrary notwithſtãding. An.5.Ed.6.cap.25.

No Alehouſes admitted

2. Juſt. of the Quorum

Recognisance

Vnlawful games

Diſcretion

xij.d. Certifie Recognisance M. Seſſiõs

Remaine of record

Forf. by Juſt. of P. Juſt. of P. in their M. Seſſions. Juſt. of P.

M. Seſſiõs

Diſcretion Enquire

Award proces

Determine Diſcretion

Stubborne Alehouſe keepers

Two Juſtices of the P. one of the Quorum

Commit, to gaole

Without bayle for three daies

Recognisance Suerties

Diſcretion

Certificat M. ſeſſions

Conuictiõ

Juſt. of P. in their ſeſſions

Fine xx.s.

Faires

*

¶ Alienation without licence.

NOne that holdeth of ỹ king in chiefe by Knights ſeruice, may alien the more parts of his lãds, ſo that the reſidue thereof be not ſufficient to do his ſeruice, except he haue the kings licẽce: But this hath not bin vſed to be vnderſtãden of the members and little parcels of the ſame landes, Prærogatiua Regis cap.7. Anno 17.E.2.

Chiefe Knightes ſeruice

Licence Tenure

2 Of

Serieanty

2 ¶ Of Serieanties aliened without the kings licence, the king hath vsed to rate such serieanties at a reasonable extēt thereof to be made, Prerogatiue of the king cap. 7. An. 17. E. 2.

¶ Aliens.

The king ordeineth, that if any of his subiects attempt or offend vpon the sea, or in anie Port within the said realme vnder the kings obeisance, against anie person or persons strangers being vpō the Sea, or in any port aforesaid by way of amitie, league or truce, or by force of the kinges safecōduct or safegard, in any matter, and specially in attaching of any such strāge person, robbing or spoiling of him, his ship, or any other maner of goods, or against any other person of his liege people, the Chancelor of Englād for the time being (aswell for the deliuerance of anie such person so attached to bee had, as to make restitution to euery such person so robbed or spoiled of ship or goods, or of the value therof) shal haue authoritie, calling to him any of the Justices of the one bēch or of the other, vpō a bill or billes of complaint to him made in this behalf, to make such proces out of the said Chancerie, aswel against al such offendors, to bring thē into the kings Chācerie, there to answere to the parties so grieued in this behalfe, as against any other person or persons, to whose hands any such person so attached, ship or goods shall come, as for the deliuerance & restitution by them to be made of the same person, ship & goods, as shal seeme to the same Chauncelor most expedient & necessarie, and vpon this proces so made out of the said Chancerie, the said Chauncelor further to procēde in this matter if the cāse do so require by aduise of any such Justice, to make the person and persons straungers so grieued, to haue full deliuerance & restitutiō of any such person so attached, & of all such ships & goods, and also of all their costes, expences, & losses made and suffered by them in this behalfe, and thereupon to make all maner of executiō vpon the same out of the said Chancerie, in such forme as shall seeme to the said Chācelor most expedient & necessarie for such deliuerance and restitution to be had, calling to him any such Justice as aforesaid, An. 31. H. 6. cap. 4.

Per Port Offendor

Safeconduct

Robberie Ships

Chancelor

Iust. of the benches Bill Proces

Chancelor

Ships Costes Damages

Execution

2 ¶ No person not borne vnder ỳ obedience of the king, nor made Denizen, of what nation or Countrey that bee he, the which shall come to this Realme after the feast of Easter next comming, taking vpon him to bee an Artificer or handicraftsman, shal take or occupie any house or chamber, and therein dwell or sojourne with any other strange person not borne vnder the obeysance of the king, as aforesaid, neither exercise nor occupie any handicraft, or the occupation of anie handicraftes man in this Realme of England, but that all such persons, which after the saide feast of Easter, commeth into this Realme, euery of them shall depart into their owne Cōtrey againe, or els be seruants to such of the kings subiects onely, as be expert & cunning in such feats, arts, and crafts, which the said straungers can occupie, vpō paine of forfaiture of al their goods, which shal come and dwell in this Realme, contrary to this acte, in whose hands soeuer they shall bee found. Also that no person, not borne vnder the kings obeysance, nor made Denizen, being Artificer or handicraftesman, after the said feast of Easter, nor yet none other for him, or to his vse, shall make any cloth, or put any wooll to worke to make cloth in this realme, vpō paine to forfait the same cloth or clothes made cōtrarie to this act. Also that all persons not borne vnder the Kings obeysance, being artificers or handicraftesmen dwelling in this Realme, nor none other such artificers or handicraftsman, which hereafter shall inhabite & dwell in the same, which after the feast of the Annunciation of our Ladie nexte comming, shal vse, exercise, or occupie the feate of Marchādize of any maner wares within this Realme, shall sell or barter the same wares or marchādizes in grosse, and not by retayle, in the port. towne, or place where the same artificers be or shal be dwelling, and in none other place, vpon paine of forfaiture of the value of all the wares and Marchandizes solde contrarie to this act. Also that no person not borne vnder the kings obeisance, inhabiting, dwelling, or holding any great house or chamber in this Realme, and occupying any handicraft, or beyng artificer or handicraftesman, after the said feast of the Annunciation of our Ladie nexte comming, shall take any apprentice, seruant, or other person to worke with him, or to his vse, vnles it be his sonne or his daughter, other then at the said feast shal be apprentises or seruauntes with him, except that

Denizens

Artificers

Denizen Artificer

Cloth Woolt

Forf.

Artificers

Marchādize Wares

Grosse Retaile Port

Forf.

Handycraft

Apprentics

that the same Apprentices or seruants so to be taken, be the kings subiectes borne, vpon paine to forfait & lose for euery apprentice or seruant taken contrary vv. li.

Forf. vv. li.

Fines

The one halfe of all the saide fines, forfaitures, & penalties, & euery of them, to be to the king, & the other halfe to be to him or them that will sesse the same, or pursue for the same by action of debt, by bil at ỳ common Lawe, by bill or plaint after the custome of ỳ citie or town where such fines, forfaitures or penalties hereafter shal fal & be, & that the defendant in any such actiõ shall not bee admitted to wage or doe his law, nor no protection nor essoine of the kings seruice shalbe allowed for any such defendant in the same.

Action Bill Custome

Protection Essoine

Prouided alwayes that this acte, or any parcel thereof, nor none other act made or to bee made in the saide Parliament in no maner shal extend or be prejudice, disturbance, damage, or impediment to any Artificer or Marchant stranger, of what nation or countrey he be, or shalbe, of, or for bringing into this Realme, or selling by retaile, or otherwise, any maner of bookes written or printed, or for the inhabiting within this saide Realme for the same intent, or any Scriuener, Illumenor, Binder, or Printer of such booke which hee hath or shall haue to sell by way of marchandise, or for their dwelling within the said Realme for the exercise of the said occupations: This acte or any part thereof notwithstanding, An. 1. R. 3. cap. 9. This last prouiso is repealed by Anno 25. H. 8. ca. 15. as appeareth in bookes. 1.

Artificers

Bookes

Scriuener Illumenor Binder Printer

3 ¶ No manner of stranger, borne out of the kings obeisance, be he Denizen or not Denizen, vsing any maner of handicraft within this realme, shall take from henceforth any apprentice, except ỳ same apprentice bee borne vnder the kings obeisance, vpon paine to forfait for euery apprentice that he shall take contrarie to this act v. li. The one halfe thereof to be to our soueraigne lord the king, the other halfe to him or them that will sue for it, be it by action of debt, bill, plaint, information, or otherwise, in which suit the defendant shall not bee admitted to wage his law, ne any essoine, licence or protection to be allowed. Wee it &c. and vnder like paine to be forfaited and recouered (as is aforesaide) that no stranger being alien borne, and vsing any maner of handicraft within this Realme, from the feast of all Saints next insuing, shall in any maner of wise vse, take, retaine or keepe into his or their seruices any manner of Journeyman or couenant seruant aboue the number of two at one time, except the same Journeyman or couenãt seruant be borne vnder the kings obeisance.

Denizen Handicraft Apprentice

Forf. v. li.

Licence

Journeyman

And ouer this be it &c. that all maner of persons being aliens borne, vsing any maner of handycraft, be they denizens or not denizens, and inhabiting within the citie of London or the suburbs of ỳ same, within the town of Westminster, the parish of Saint Martins in the field, the parish of our Ladie in the Strond, Saint Clement of Danes without Temple barre, Saint Giles in the field, S. Andrewes in Holborne, the towne and borough of Southwarke, Shoredich, Whitchappel parish, Saint John strete, the parish of Clerken well, Saint Botolphes parish without Algate, Saint Katherins, Barmonsey strete, or within two miles compasse of the saide Citie of London, or the parishes aforesaide, shal be vnder the search and reformation of the Wardens and the felowship of handicraftes within the said citie of Lõdon, with one substantiall stranger being an housholder of the same craft, by the same Wardens to bee chosen, that is to saie, euery such stranger occupying any Misterie or handicraft, as is aforesaid, shalbe vnder the search & reformation of the Wardens, & one substãtiall stranger being an housholder of the craft that they shall so occupie. And that ỳ Wardens of the saide Citie of euery such handycraft, with one stranger or housholder, as is aforesaid of the same craft, haue full power & authoritie by this present act to limit and appoint to euery stranger of the misterie & handycraft that they be of, inhabiting within the said citie, suburbs, places, or precinct aboue remẽbred, a proper mark, without taking any thing therefore, by the which their wares, vessels & worckmanships that they make may bee knowen. And that the Wardens of euery such handicraft & misterie aforesaide, calling to them one stranger of the Misterie & occupatiõ that they be of, being an housholder, shall haue full power & authoritie to search, view & reforme, aswell within the saide Citie of London, as in all other places and limits beforesaid, all maner of wares of worckemanships, made by any maner of such handicrafts men, being aliens borne as is aforesaide. And that no stranger borne out of the kings obeisance

London

Wardens

Warke

Wares Worckmanship Wardens

Search London

Smithes Joyners Cowpers

vsing any of the misteries or occupations of Smithes, Joyners, or Cowpers, shall make any maner of wares, or vessels concerning ỳ same Misteries or occupations, except that they and euery of them put to such marks to euery of the same wares & vessels, before they shalbee put to sale or vse, as the Wardens of their occupations, crafts or misteries shall limit & appoint, without taking any thing therefore, vpon paine of forfaiture the double value of the same wares and vessels. The one halfe of which forfaiture to be to ỳ king our soueraigne Lord, the other halfe to the partie that first wil sue for the same, by action of debt, bill, plaint, or information, in which the defendant shal not wage his law, nor any essoine shalbe cast, or protection allowed. And further it is &c. that if vpon any such search or view to be made by ỳ wardens & one stranger of any craft or misterie beforesaide, after the forme of this statute, in vessels or wares to be found in the possessions of ỳ workers or owners therof, putting the same vessels or wares to workmanship of any stranger, falsely and deceiptfully made to the hurt of the kings liege people, and so adiudged by the said Wardens & one stranger: that then such worker or owner, in whose possession the same false & deceiptful wares shalbe foũd, shal forfait the same wares: The one half therof to the king our Soueraigne Lord, & the other halfe thereof to the first finder thereof, suing for ỳ same in any of ỳ kings Courtes by action of Detinue, in which action the defendant nor defendants shal not be admitted to wage their lawe, nor protection ne essoine, bee to them herein allowable.

Forf.

Forf.

Wardens

Be it &c. That all Wardens and Maisters of felowships, of all and euery such handicraftes, within any such Citie, Borough, or towne corporate within this realme, where any such Wardens happẽ to be, and in such boroughs & townes corporate, where no wardens of handicrafts are, the bailifes or the gouernor or gouernors of the same boroughes or townes so lacking Wardens, shall haue like power & authoritie with the Bailife or Bailifes of the liberties with them where any such libertie shalbe, being contented so to do, to view, search, & reforme strangers borne out of the kings obeisance, inhabiting and vsing within any such Citie, borough, or town corporate, any maner of handicraft, in as large and ample maner, as the saide Wardens and felowships of the said citie of London may doe, by vertue of this present act. And that all strangers vsing any of the said handicraftes in any of the saide cities, boroughs, or townes corporate, be bounden to doe & obey in euery thing, according to the tenor of this present acte, vpõ like paines & forfaitures, as is aboue remembred, to be had and recouered, in forme aboue rehearsed.

Bailifes

Liberties

London

Prouided alway, that if the Wardens of any felowship or mysterie beforesaide, Bailifes, gouernor or gouernors beforesaid, wrongfully will intreate any stranger, in executing of this acte, or any thing therein contained, that then the stranger so grieued, may by authoritie of this acte, by bil or information, complaine to ỳ lord Chauncelor and Treasorer of Englande, or to the Justices of Assise in the countie for the time being, which by their examination shall haue full power & authoritie to heare & determine the same complaint, and to awarde to the partie complainant such amends, as by their discretions shall be thought reasonable.

Chancellor Treasorer Iust. of ass.

Prouided also, that it shalbe lawful for and to euery of the saide strangers borne out of the kings obeisance being an housholder, to haue and to retaine aswell all & euery such strangers borne out of ỳ kings obeisance, being the time of this Parliament with him retained as Journeymen, as to haue and retaine euery such stranger being borne out of the kings obeysance being apprentice with him the time of this Parliament: this act notwithstãding. This to endure vntill the last day of the next Parliament.

Iorneyman

Apprentice

Prouided also that this act extend not to the inhabitants strangers that now be, or hereafter shalbee, in the Vniuersities of Oxford or Cambridge, or within the Sanctuarie of Saint Martins le graund, within the said Citie of London.

Oxford Cambridge

London Wardens

Prouided alwaies, that if ỳ said Wardens of the saide Citie of London, with a stranger, or gouernour or gouernours of any citie or borough corporat within this realme, refuse to marke the wares of any stranger, after that they be required so to marke, that then it shalbe lawfull to the same estranger or estrangers to whome such refusall shalbe made, to sell & put to sale his said wares so required to be marked & refused: this act notwithstanding.

Prouided also that this act extend not to any other handicraft then to the crafte of

Joyners,

Joyners Pouchmakers Cowpers Smithes

Joyners, Pouchmakers, Cowpers, and Blacksmithes, for, or cõcerning the foresaid article of marking of wares of ỹ saide estrangers. Also that it shalbe lawfull to

Lord of the parliament

any Lord of ỹ Parliamẽt, & euery other of the kings subiects, hauing landes & tenements to the yeerely value of one C.li. to

C.li.

take & retaine estrangers Joyners & glasiers in their seruice from time to time, to

Glasiers

& for ỹ exercising with them their crafts: this act notwithstanding. Anno 14.H.8. cap.2. See this act continued in the next that here followeth.

¶A Decree in the Starre chamber made 20.Feb.Anno 20,H 8.

4 ¶Where of late our true & faithfull subiects artificers & handicraftsmen borne vnder our obeisance; inhabiting within

London

our Citie of London, & the suburbs of the same, exhibited vnto vs a lamentable bill of complaint, containing &c. It is ordained, adiudged & decréed, that the xx. day of Feb. in this present Terme of S. Hillary, in the xx. yere of our raigne in our Starre chamber by &c. that is to saie, that according to the act of parliament made ỹ saide 14. & 15. yeeres of our raigne (before 3.)

Stranger Artificer

That no stranger Artificer, borne out of our obeisance, inhabiting within any citie, towne or borough, or any other place within this our realme of England, from thencefoorth shal kéepe in his or their house or houses, any manner of seruants strangers borne out of our obeisance, but onely

Seruant

two strangers seruants & no more at one time. And that as many of the strangers artificers now inhabiting within any citie, town or borough corporate, or in any other place within our saide Realme, that

Apprentice

wil be apprentices or seruants, to or with any of our subiects artificers, borne within our obeisance, exercising newe or olde stuffe, inhabiting within our said realme, shalbe suffered so to abide & dwel wt them wout interruption, as long as they wil so continue & abide with them, & can agree together. And furthermore it is decrẽde, that it shalbe lawfull to all & euery of the said strangers artificers, now being housholders within our saide Realme, to take as many of our subiects borne within our

Apprentice

obeisance, to be their seruants or apprentices, in the craft that they do exercise, as they can lawfully get. And that all the strangers artificers now being housholders within our said Citie of Londõ, suburbes, parishes, or compasse thereof, exprssed in the said statutes, or within two

London

ii. Miles

miles compasse of the said parishes. And also al & singular strangers that now be, or hereafter shalbe made denizens, that

Denizens

doe or hereafter will inhabite within our citie of Londõ, suburbs or parishes aforesaid, or within two miles compasse of the same, & kéepe houses, & occupie their craft, shalbe cõtributorie to & with our subiects artificers within our citie of London, paing, bearing & sustaining such charges as hereafter shalbe expressed, that is to saye, aswel euery of the said strangers, being of the craft & misterie of Coordwainers, housholders, as denizens that now be, or hereafter shalbe made denizens, & shall inhabite within our said Citie, suburbs, parishes, or two miles compasse of the same, shall quarterly pay to the saide Maister, Wardens & Comminaltie of the said craft of Coordwayners, within our said Citie of Londõ for the time being vi.d. And euery seruant stranger of the said occupation of the said Coordwayners, within the saide citie, suburbs & precinct, not being denizen, shall quarterly paye to the saide Maister, Wardens & Cõminaltie iii.d. And that al other strangers artificers & denizens of euery handicraft & misterie, inhabiting aswel within our said citie of London, as in any other citie or towne within this our realme, shal pay, beare & sustaine all such & like charges as our subiects of like craft & misterie borne out of our obeisance, inhabitting within ỹ citie borough or townes of their habitation at this time do beare & sustaine. And also al strangers artificers & denizens, exercising the craft & mistery of Coordwayners, dwelling out of our city of London in any other citie or towne within this our realme, shal pay, beare and sustain scot, tares, tallages, subsidies, prests & al other reasonable exactions from time to time, according as the saide Masters, Wardens & companies of the said craftes for the time being, shalbe bounden to pay, beare & sustaine, when any subsidie, tare, tallage or prest, or other reasonable charges shalbe by ỹ Maior & Aldermen of our said citie of London, & the Maiors & Aldermen of our said other Cities & townes, or by common Counsel of the said cities and townes, of & for any charges or payments of money, to be payed by the companies of the saide crafts, and Citizens of any citie, for any payment to bee made vnto the kings highnes or his heires, or els to bee paied for any cause concerning the cõmon wealth of any our said cities or towns, or

Coordwayners Denizen

vi.d.

Coordwayners

iii.d.

London

Maior

Tares Tallages Subsidies

common wealth of the saide artificers, the said strangers shal pay al the same ẏ they shalbe assessed or tared to pay, as cõtributors with the said companies being our subiects, as our said subiectes shalbe assessed & tared to pay. And if any of them denie or refuse the same, or any part therof, then he or they denying and refusing so to do, shal not onely lose the benefite of this decree, but also shall not any longer occupie any handicrafts vpon the paines, dangers & perils specified in the aboue remẽbred acts & statutes. And that as well all & euery of the said housholders strangers aforesaid, as all other strangers artificers, made or to be made denizens, that shalbe housholders, & inhabit & occupie any craft within our said citie, suburbs, or iii. miles compasse of the same, as long as they shal remaine & abide within the said citie, suburbs, & two miles compasse of the same, being reasonably required & warned by ẏ Wardens, & other persons gouernors in any citie, towne or borough corporate of their said crafts, within any of our said cities or townes corporate, or by any of thẽ for the time being, or by their lawfull deputie or deputies, shall go with the saide wardens or other gouernors there as no wardens be, to make search, according to the aboue remẽbred actes of Parliamẽts made in the 14. & 15. yeeres of our raigne, which if they refuse to doe, & that proued before ẏ Chancellor of England, or before the Maior of London, & in other cities before the chiefe persons of the said cities or townes for the time being, that then the same housholder or housholders so offending, denying, or refusing the same, shall no longer the same his occupation exercise or vse within this our realme, vpõ paine, peril, & danger, expressed in ẏ afore remẽbred acts & statuts. And that ẏ same strangers, artificers, denizens, or not denizens housholders, which will remaine & abide within our said realme, shall vpon lawful notice to them giuen by the Master or Wardens of their craft, or one of them, personally present themselues in ẏ comõ hall or meeting place of their said crafts, within our said cities & townes, there as they be inhabiting, and then & there euery of them to receiue & take their othes & be sworne vpon the holy Euangelist before ẏ said master & wardens of their said craft or misterie, within our said citie & townes corporate, to be faithfull & true to vs, & to our heires kings of England, & to be obedient to vs & them, & to our & their lawes, & to al actes, ordinances, & decrees made & confirmed by vs & our counsell, or by our counsell, & duely & truely at al times whẽ they shalbe appointed by the Wardens of their felowship, craft, or misterie for the time being or their deputies, to make search with them, according to ẏ purport, tenor, or effect of a statute or act of parliament made in the 14. & 15. yeere of our raigne, & haue warning & monition therof by the Wardens or any of them, or any other their sufficiẽt deputie or deputies, in that behalfe to them made & giuen. And that they shalbe ready to go with the said Wardens to make the same search, & that they shal not giue notice to any stranger of the same search, vntil they with ẏ said Wardens come together to make ẏ saide search, & that they shal well, indifferently & truely behaue them in the same, setting all affection, fauor, malice, & dread of any creature, & all fraud & deceit apart, so help them God & al Saints, and by the holy Euangelist. And their othe so receiued in forme aforesaid, the saide strangers shall pay for their admission, according as our said subiects haue alway vsed to pay.

Denizens
Wardens
Refuse
Chancellor Maior
Artificers Denizen
Othes
Laws Decrees
Wardens
Search
Admission

It is also further decreed, that no stranger artificer or handicrafts man, borne out of our obeisance not being denizẽs, which at the daye of the making of this decree is not a housholder within this our realme, or kẽpeth any shop or shops within the said Citie & suburbes, or any other Citie, towne, or borough within this our realm, shal from that day forward, set vp or kẽp any house, shop or chamber within our citie of London, suburbs or parishes before rehearsed, or within any other city, town, borough or village within this our realm wherein he shall exercise and practise any handicraft or misterie, vpon paine to incurre and runne in such penalties as bee contained in the statutes before this time made & enacted. And that none of the saide strangers artificers, or handicrafts men, borne out of our obeisance aswel denizẽs, or other, shall assemble in any companye, felowship, congregation, or conuenticle, but onely in the common Hall of their crafts with our subiectes which be of the compasse of their said craft or crafts, at such time as they shalbe commaunded and warned by the Master and Wardens of the said craft or crafts, and at none other place or time, nor in any other maner, vpõ paine afore expressed.

Artificers
Denizen
Shops
London
Handicraft
Denizen Assemblies Conuenticles
Wardens

Prouided

Prouided alway that this decree and euery part thereof concerning the craft & Mysterie of Corduwayners, shall extend aswell to them that worke olde stuffe as new, within our citie of London, the suburbs of the same, or in any other Citie, towne, borough or village within this our Realme of England.

Cordwayners

London

Prouided also, that notwithstanding anie wordes comprised in this decree, the strangers artificers, denizens or not denizens, inhabiting in ỳ Universities of Oxford and Cambridge, & within the sanctuarie of S. Martins le graund within the Citie of London, shall enioy all the benefits & aduantages reserued vnto them by reason of any prouision made by Acte of Parliament expressed in the statut made in the xiiii. & xv yere of our raigne, so that the saide strangers denizens or not denizens, inhabiting within the said Sanctuarie of S. Martins le graund, be conformable to such direction & order as shalbee taken by ỳ reuerend Father in God Cuthbert Bishop of London, Sir Richard Broock knight chief Baron of our Eschequer, John Moore knight, one of the Iustices of our Bench, Sir John Dauncie & Sir John Allen knights, to whome wee haue of late directed our Letters patents, and by the same giuen them power & authoritie, and commaunding them & euery of them to cause the house of euery stranger and denizen artificer, inhabiting and dwelling within the said Sanctuarie, to bee searched and viewed how many seruants he or they kéepe, borne out of our obeisance, & they being al viewed & séene, then to appoint to euery of the said strangers housholders, inhabiting within the said Sanctuarie, by them in forme aforesaid, so tried, to be within the bounds and limits of the saide Sanctuarie, such number of seruaunts strangers, borne out of our obeisance, as they by their discretion shal thinke conuenient & sufficient, & not to be to any detrimẽt to our subiectes inhabitants within our said citie. Also commanding in our name all & euery the said strangers, denizens, housholders, ỳ they from henceforth do not kéep within their houses, or in any other houses, shop or chamber, within the said citie of London or the suburbs of ỳ same, any mo seruãts being borne out of our obeysãce, then shal be to them at that time by them appointed, as they wil auoid ỳ danger & penaltie of our lawes, & what they haue don in the premisses that they do certifie to vs & our Counsell in our starre chamber at Westminster at ỳ xv. day after Easter next cõming. In witnes wherof we will aswell ỳ said decrée, as al other the premisses shall be exemplified vnder our Seale.

Vniuersities

London

Sanctuary

Bishop of London

Seruants

Denizen

London Seruants

¶ The Act vpon the said decree.

¶ The said order & decrée, had, giuen & made by our soueraigne Lorde the king, his most honorable Counsell, & all & euery thing therein contained, specified, and declared, be holden and obserued firme and stable, and duely to bee put in execution in euery point and article, in manner and fourme as is aboue rehearsed, according to the purport, effect, and true meaning of the same.

And be it &c. that the acte made in the parliament &c. in the xiiii. yere of ỳ raigne of our said Soueraigne lord the king that now is &c cap. 2. (before 3.) concerning strangers artificers, for taking of apprẽtices, iourneymen, & couenant seruants, and euery article and prouision contained in the same acte, shalbee from henceforth put in due execution according to the true intent, meaning and purport of the same, aswell within the citie of London, as in all other Cities, Boroughs and townes corporate within this realme, & the same to indure perpetually, any thing conteined in the said act or decrée to the contrarie notwithstanding.

Apprentices Artificers Iorneyman

London

Prouided alwayes, that no artificer aliant or stranger, borne out of the kings obeisance being an housholder, or inhabiting within any of the Universities of Oxford & Cambridge, or within ỳ Sanctuarie of S. Martins le graund within ỳ Citie of London, shall from henceforth haue & retaine in their seruice, Journeymen or apprentices being aliants or strãgers borne, aboue the number of v. persons at one time, vpon paine of the penaltie contained in the said act, made in ỳ said xiiii. and xv. yeere of our saide Soueraigne Lord. The prouisions conteined or specified in the same act notwithstanding. An. 28. H. 8. cap. 16.

Artificer

Vniuersities

London Iorneyman Apprentice

v. persons

¶ Euery person or persons whatsoeuer they be, borne out of this Realme of Englãd, out of the kings obeisance made or hereafter to be made denizens doe pay your grace & to your heires, and to all and euery other person or persons of what estate, degrée or conditiõ he or they be, and

Denizens

to all and singuler officers & ministers of Cities, Boroughes, and Townes within this Realme of England, and to euery of them, al such subsidies, customs, tols, duties, & other summes of money for their wares, Marchandises, & other whatsoeuer goods, by whatsoeuer name or names the said subsidies, customs, tolles, duties, & other summes of money, or any of them bee named or called, as they shoulde or ought to haue paied before they were denizens, any graunt or graunts to them made or hereafter to be made, or any acte or acts, statute or ordinance to the contrarie made or had notwithstanding. Prouided alway that all & singular officers and ministers of euery citie, borough or town, wherin any such customes, tolls, duelties or summes of money shalbe demanded, as is aboue said, on this side the feast of Pentecost next comming, shal set vp or cause to be set vp in open place & places of euery such citie, borough or towne, a table or tables, by the which the certeintie and very duetie of euery such custome, toll & duetie, or summe of money, of such wares & marchandise to be demaunded or required as is aboue rehearsed, shal & may plainly appeare & be declared, to the intent that nothing bee exacted otherwise then in olde time hath bin vsed and accustomed, vpon paine of euery citie not doing the same to loose v.li. & euery towne corporate to loose xl.s. for euery moneth that the same table shal faile to be set vp, after the same feast, the one moitie of which forfaiture to be to the king our soueraigne Lord, & the other moitie to the partie that will sue for the same by writ, bill, plaint or information, in which action, the defendant shall haue no essoine, wager of lawe, ne protection allowed.

Subsidies Customes

Marchandise

Tolles

Denizen

Customes

Tables

Forf.

Prouided alway & bee it enacted by the authoritie aforesaid, that this acte, ne any other act or acts made or to be made in this present Parliament, concerning the premisses, be not in any wise preiudiciall or hurtfull to the Marchants of the house of Almaine, nor to any of them, hauing the house within the citie of London, commonly called Gildhall Theutonicorum, otherwise called the Marchants of the Stilyard in London, or to their goods or Marchãdises, by whatsoeuer name or names, they or any of them be called, but y^t they & euery of them shall haue & enioy all such liberties, franchises, customes & priuiledges, as they had the first day of this present Parliament: any thing or things specified in this act or in any other act or acts made or to be made in this present Parliament notwithstãding. Prouided alway that the tables so to be set vp in the Citie of London, touching Scauage within the same, shal first be viewed, examined & approued by the Chancellor & Treasorer of England, the President of y^e kings Counsell, the Lord priuie seale, the Lorde Steward of the kinges most honorable household, & the two chiefe Iustices of y^e Kings bench and common place for the time being, or by foure of them at the least, & by them subscribed. An. 22. H. 8. cap. 8.

Marchants of Almaine

Stilyard

Customes

Tables Scauage

Chancellor Treasorer

Iust. of both benches

6 All maner of estrangers borne out of his Graces obeysance, which heretofore haue beene made denizens, or that hereafter shalbe made denizens, from and after the first day of September next cõming, shalbe first bound and obedient by and to all the foresaid acts & estatutes, (s. An. 1. R. 3. cap 9. (before 2.) An. 4. H. 8. ca. 2. (before 3.) and An. 21. H. 8. cap. 16. (before 4.) and to all the contents of y^e same, and to all other actes and statutes of this Realme heretofore made nowe being in their force and not repealed, any Letters Patents or ordinances heretofore made, or hereafter to bee made to the contrarie therof in any wise notwithstanding. And that also in all and euery letters patents, of, or for the making of any denizen, from and after the last day of this present Parliament, to be made to any stranger, not being borne vnder the kings graces obeisance, shalbe conteined a Prouisor that he or they to whome such letters patẽts shal be so made and graunted, shalbe bounden and obedient by and vnto all the acts and estatutes of this Realme, as is aforesaid, and to all and euery the contents of the same, except it shalbe the kings most gracious pleasure to grant to any such alien, any speciall libertie or priuiledges, more or otherwise then is contained in the said estatutes, & in the case, al such liberties & priuiledges so to be graunted to any such alien, contrarie to the forme of any of the said estatutes, shalbe plainly, wholy, and particularly expressed, specified, and declared, by speciall words, aswel in the bill assigned with the kings graces hand, for obteining of any such grant, as in the letters patents to be made out of y^e Chauncery for and concerning the same.

Denizen

Letters patents

Denizen

Letters

Liberties Priuiledges

Bill

Letters P.

And furthermore bee it enacted by the authoritie aforesaide, that no Alien nor stranger

Den'zen

Vniuersities

Apprentice Iourneman

Denizen

Denizen Handycraft

Paine

Forf.

L.li. Moitie

Proclamation

Customs

ſtranger denizē, or not denizen, vſing any handicraft being borne out of ỹ kings graces obeiſance, inhabiting within the vniuerſities of Oxford or Cambridge, or within the precinct of S. Martins le grand in London or within any other ſuch like places priuiledged, ſhall from the feaſt of S. Michael the archangel next comming, retaine, haue or keepe in their ſeruice any apprentice, tourneyman or ſeruant, being aliens borne out of the kings obeiſance, aboue the number of two perſons at one time, vpon paine & penaltie contained in the ſaid act, made in ỹ ſaid xiiii. & xv. yeres of his graces raigne: any acte or Prouiſo heretofore made to the contrary in any wiſe notwithſtanding.

And that it be alſo enacted by the authoritie aforeſaid, that euery alien & ſtranger borne out of the kings obeiſance, not being denizen, which now or hereafter ſhall come, in, or to this realme, or elſewhere within the kings dominions, ſhall after ỹ ſaid firſt day of September next cōming, be bound by & vnto the lawes & ſtatuts of this realm, & to al & ſinguler the contents of the ſame. And that none of the kinges ſubiects ſhal retaine or keepe together at one time in his houſhold ſeruice or familie, aboue the number of foure ſtrangers, borne out of the kings obeiſance, nor that any alien being denizen, & vſing no handy craft, ſhal retaine & keepe in his houſhold ſeruice or familie together at one time, aboue the number of foure ſtrangers, vpō paine that the offendor & offendors contrary to this article, ſhal looſe and forfait for euery ſtranger borne out of the kings obeiſāce retained & kept aboue that number x.li. The moitie of all which forfaitures ſhalbee to the kinges highnes, his heires and ſucceſſours, and the other moitie therof to ſuch perſon or perſons as wil ſue for the ſame, by originall writ, bill, plaint or information, in any of the kings Courtes, in which ſuit none eſſoine, protection or wager of lawe ſhalbee admitted or allowed.

Prouided alway that this acte nor any thing therin contained, ſhalbe hurtfull or preiudiciall to ſuch Proclamation as the kings Maieſtie hath publiſhed & proclaimed, for, & concerning the payment of cuſtome for ſtrangers, granted by the goodnes of his Maieſtie, to endure for certain yeres, but that the ſame proclamatiō ſhal abide, be, and remaine in the ſame plight & ſtrength that it is, and as if this acte had neuer bin made, any thing in this acte to the contrary therof notwithſtanding.

Prouided alſo that euery Lorde of the Parliament may kéep the number of fiue ſtrangers borne out of the kinges obeyſance together at one time: any thing in this acte to the contrarie notwithſtanding. And it is further enacted by authoritie aforeſaid, that all leaſes of any dwelling houſe or ſhop within this Realme, or any the kinges dominions made to any ſtranger artificer, or handicrafteſman, borne out of the kings obeiſance, not being denizen, from and after the ſaide feaſt of Saint Michaell the Archangell next comming, ſhalbe voide and of none effect. And that no ſtranger artificer or handicrafteſman, borne out of the kings obeyſance, not being denizen, ſhal after ỹ ſame feaſt take any leaſe of any dwelling houſe or ſhop, within this Realme, or in any other the kings dominions, vpon paine to looſe and forfait for euery time doing contrarie to this acte C.s. and that no perſon after the ſame feaſt, ſhall graunt or let to farme any dwelling houſe or ſhops, to any ſuch ſtranger, artificer or handicrafteſman, not being denizen, to the intent to dwell or inhabite in the ſame, vpon like paine of one C. ſhillings. The moitie of which paine and forfaitures to bee to the king our ſoueraigne Lord, and the other moitie to ſuch as will ſue for the ſame in maner and forme, as in this act is aboue expreſſed. An. 32. H. 8. ca. 16.

Lord of the Parliamēt vſ. ſtrāgers

Leaſes

Artificers

Denizen

Lorde

Artificers

Denizen Leaſe

Forf. C.s. Graunt

Forf. Moitie

¶ Amendements.

BY the miſpriſion of Clearkes in euery place whereſoeuer it be, no proces ſhall be annulled or diſcontinued by miſtaking in writing one letter or one ſillable too much or too little, but as ſoone as ỹ thing is perceiued, by challenge of the partie, or in other maner, it ſhalbe hatfely amended in due fourme, without giuing aduantage to the partie that challengeth the ſame, becauſe of ſuch miſpriſion. Anno. 14. E. 3. cap. 6. Statut. 1.

Miſpriſion Proces

Letter Sillable

2 ¶ Whereas for to remoue diuerſities of opinions vpon the ſtatut of 14. E. 3 (before 1.) it was enacted 9. H. 5. cap. 4. That the Juſtices before whome ſuch plee or record is made or ſhalbe depending, aſwell by adiournement as by way of error or otherwiſe, ſhal haue power and authoritie to amend ſuch Record and Proces aſwel after iudgemēt giuen, as before by

Juſtices

Adiornemēt Error Record Proces

force of the said Statute made in the time of the said king Edward, which ordinãce should endure til ẏ nert parliamẽt, which should be first holden after the returne of the said king Henrie the father into England, from beyond the sea, & which now is determined by the death of the saide late king Henry the father: Our soueraigne Lord ẏ king, by the aduise & assent aforesaid, hath ordained & established, that the said Statute, & the effect of the same, made the said yere, shal hold strength, force & effect, in euery Record & proces of ẏ same, aswel after iudgement giuen vpon a verdict passed, as vpon a matter in law, pleaded, as a statute auailable and effectual in law, to endure for euer.

Record Proces Iudgement Verdict

Prouided alwaies that this Statute doe not extend to records & proces to the parties of Wales, nor to the records or processes whereby any person is or shalbee outlawed at any mans suit. Anno 4. H. 6. cap. 3.

Wales

Outlawed

3 ¶ For error assigned or to be assigned in any recorde, proces, or warrant of Atturney, Originall writ, or iudicial panel, or returne, in any places of the same raised or interlined, or in any addition, substraction, or diminution of wordes, letters, titles, or parcell of writs found in any such record, proces, warrãt of Atturney, writ, panel, or returne, (which rasings, enterlinings, addition, substractiõ, or diminutiõ, at the discretion of the kings Iudges of ẏ courts & places, in which the said records & proces by writ of Errour or otherwise be certified do appeare suspected) no iudgment nor Record shalbe reuersed nor annulled. And that the kings Iudges of the Courts & places, in which any record, proces, word, plee, warrãt of atturney, writ, panel or returne, which for the time shall be, shall haue power to examine such record, proces, word, plee, warrant of atturney, writ, panell, & returne, by them & by their Clerkes, and to reforme and amend them in affirmance of the iudgements of such records and proceſſes, al that, that to them in their discretion seemeth to be mispriſion of the Clerke, in such records, proceſſes, worde, plee, warrant of Atturney, writ, panel & returne, except appeales, indictments of Treason, & of felonies, & the outlagaries of the same, & the substance of the proper names, surnames, & additions left out in original writs, & writs of Origend, according to the statute another time made the second yere of king Henry, father to our Soueraigne Lorde the king that nowe is, and in other writs containing Proclamation, so that by such misprision of the Clerke, no iudgement shall be reuersed nor annulled. And if any record, proces, writ, warrant of atturney, returne or panel, be certified defective, otherwise then according to the writing, which thereof remaineth in the Treasorie, courts, or places, from whence they be certified, the parties in affirmance of ẏ iudgements of such Records and proces, shal haue aduantage to alleage variance betwixt the same writing and the saide certificat. And that found and certified, that same variance shalbe by ẏ saide Iudges reformed and amended according to the first writing. And moreouer it is ordained, that if any record, or parcel of the same writ, returne, panel, proces or warrant of Atturney, in the kings Court of Chauncerie, Eschequer, the one bench or the other, or in his Treasorie, be willingly stollen, taken away, withdrawen or auoided by any Clerke or other person, by cause whereof any iudgement bee reuersed, that such stealer, taker away, withdrawer & auoider, their procurators, concealors & abettors, being therof indicted, & & by proces thereupon made thereof duely conuict, by their own confession, or by enquest to be taken of lawfull men, whereof the one halfe shalbee of the men of ante Court of the same Courtes, and the other halfe of other, shalbe iudged for felons, & shal incurre the paine of felonie. And that the Judges of the said Courtes, of the one bench, or of ẏ other, haue power to heare & determine such defaultes before them, and thereof to make due punishment, as is aforesaid.

Error Proces

Warrant of atturney Writ Panel Returne Interlyned Addition Substraction Rasing

Reforme

Misprision

Appeales Indictments of Treason Proper names Surnames Additions

Proclamation

Certifie

Treasorie

Variance

Reforme

Chauncerie Eschequer Treasorie Stole

Indicted

Confession

Felonie

Heare and determine

Prouided alwaies, that if any such Record, proces, writ or warrant of atturney, panel or returne, or parcell of the same, be now, or hereafter shalbe exemplified in the kings Chauncerie vnder the great seale, & such exemplification there of Record enrolled, without any rasing in the same place, in the exemplification, and the inrolment of the same, that then for any error assigned or to be assigned in the said Record, proces, writ, warrant of Atturney, panel or returne, in any letter, word, clause, or matter of the same, varying or contrarie to the said exemplification & the inrolment, there shalbe no iudgement of the said records and proces reuersed nor annulled. An. 8. H. 6. ca. 12.

Record Proces Writ Warrant

Exemplified Great seale Rasing

4 ¶ The

Wilfriſion Records Proces

Error Returne Shirikes Cozoner Bailifes

Underſhirifes Clerkes

Letter Sillable

Wales

4 ¶ The kings Juſtices before whom any miſpriſion or default ſhalbe found, be it in any recordes & proces, which now be or ſhalbee hanging before them, aſwell by way of Error as otherwiſe, or in the returnes of the ſame made or to be made by ſhirifs, Coroners, Bailiffs of franchiſes, or any other, by miſpriſiõ of the clerks of any of ỳ ſaid courts of the king, or by miſpriſion of the ſhirifs, underſhiriffs, Coroners, the Clerks, or other officers clerks, or any other miniſters, in writing one letter, or one ſillable too much or too litle, ſhal haue power to amend ſuch defaults and miſpriſions by their diſcretion, and by examination thereof by the ſaid Juſtices, to be taken where they ſhal thinke needeful. Prouided that this ſtatute do not extend to the Records and proces in the parties of Wales nor to the proceſſe and records of outlagaries of felonies and treaſons, & the things depending vpon the ſame. An. 8. H. 6. cap. 15.

¶ Amercements.

Freeman

Freehold Marchãt Marchãdiſe Villeine Wainage

Othe Earles Barons Peers

Spiritual perſons

Eſchetor Commiſſioner Juſt. of aſſ.

Summons Diet & ter.

Title Borough Towne Freehold Freeman Marchant Villeine Gainure Peeres

A Freeman ſhall not bee amerced for a ſmal offence, but after the quantity of the offence. And for a great offence, after the manner thereof: ſauing to him his tenement or freehold. And a Marchant likewiſe ſhall bee amerced: ſauing to him his marchãdiſe. And any other villein then ours, ſhall be likewiſe amerſed: ſauing his wainage, if hee fall into our mercie. And none of the ſaid amercements ſhall be aſſeſſed, but by the othe of good & honeſt men of the vicinage. Earles and barons ſhall not be amerced but by their equals, & after the quantitie of their treſpas. No man of the Church ſhal be amerced after the rate of his ſpirituall benefice, but after his lay tenement, and after the quantitie of his treſpas. Mag. char. cap. 14. An. 9. H. 3.

2 ¶ No Eſchetor, Commiſſioner, or Juſticer ſpecially aſſigned to take certaine Aſſiſes, or to heare & determine certaine matters, from hẽceforth ſhal haue power to amerce for default of the commõ ſummons, but only the chiefe Juſticers, or the Juſticers in eire in their circuites. Marlb. cap 18. An. 52. H. 3.

3 ¶ No city, borough, towne, nor any man be amerced without reaſonable cauſe & according to the quantitie of his treſpas, that is to ſay, every frée man ſauing his freehold, a marchant ſauing his marchandiſe, a villeine ſauing his gainure, & that by his or their equales. Weſt 1. cap. 6. An. 3. E. 1.

¶ Annates and firſt fruits.

Pope Archbiſhops Biſhops

Cõſecratiõ

Repeales

IN the Parliament begun Anno 21. H. 8 and ended An. 27. H. 8. there was an acte made not printed, againſt Annates & firſt fruites to bee paied to the Pope by Archbiſhops and Biſhops. And after An. 25. H. 8. cap. 20. the former act was confirmed, and alſo further thinges enacted againſt the ſaide Annates and firſt fruits, and alſo an other appoynted for the electing and conſecrating of Archbiſhops and Biſhops within this Realme. But Anno 1. & 2. P. & M. cap. 8. the ſaid two acts were repealed, and after reuiued An. 1. Eliz. which acte of An. 25. is in Rome 2.

¶ Apparance.

Feliſer Trigenter Officer Entrie

Plaintiff

Appears Juſtices

Sworne

Suit

Officers

BEcauſe that diuers of the Kinges liege people before this time haue bin outlawed and greatly vexed and diſeaſed in diuers ſuites, aſwell before the king in his bench, as in the common bench, in the records of which ſuites the entries haue bẽn made, that the plaintifs in the ſame ſuits, obtulerunt ſe in propria perſona ſua, where ỳ ſame plaintifs neuer appeare to ſuch ſuits, nor neuer had knowledge of the ſame, to the greate miſchiefe of the ſaid liege people, if remedy bee not prouided in this party. Our ſaid ſouereign lord the King, willing in this caſe to prouide conuenient remedy, hath ordayned and ſtabliſhed by authoritie of this preſent Parliament, that no maner Filizer, Origenter, nor none other officer from henceforth ſhall make ſuch entrie in any maner ſuite, except that the playntife in the ſame ſuite, before that ſuch entrie be made, doe appeare in his proper perſon before ſome of the ſayde Juſtices of the place where the plee is or ſhall be depending. And there he ſhall be ſworne vpon a Booke, that hee is the ſame perſõ, in whoſe name the ſame ſuit is ſued, or that ſome other credible perſon of the Kings Counſell make ſuch Othe for him. And this ordinance ſhall endure till the next Parlyament. Anno 10. Henr. 6. capit. 4. This Acte is made perpetuall, as appeareth by the next here 2.

2 ¶ The ſaid ſtatute (of An. 10. Hen. 6. ca. 4. before 1.) before affirmed, holden and kept to endure for euer. And ỳ no Officer

contained in the said statute shall do to the contrary of the same, vpon payne of forfaiture of xl.s. to the king, euery time that hee of that shall bee attaynted by due examination, made by any of the Iustices of the same place, before whom any entry or record is, and that euery Atturney which hath not his warrant entred of Record in all his suits, wherein processe of Capias & Exigend be awardable, the same terme in the which the Exigend is awarded or before, and vpon that be attainted by like examination, for euery time that hee so offendeth, he shall incurre the payne aforesaid. An. 18. H. 6. cap. 9.

Forf.

Iustices

Atturney

Warrant

Proces

Exigent

Capias

Attaint

Paine

¶ Apparell.

Cloth Furres Repealed

ANno 11. E. 3. cap. 2. & 4. Cloth made out of the Realme and Furres were forbidden to be worne, but it is repealed vt patet infra 4. & 5.

2 ¶ Anno 37. E. 3. cap. 8. 9. 10. 11. 12. 13. and 14. certaine actes were made for Apparell, but they were repealed by 38. E. 3. cap. 2.

3. ¶ An. 3. E. 4. ca. 5. & An. 22. E. 4. ca. 1. seuerall acts for Apparell were made, but they were after repealed by 1. H. 8. ca. 14. & by 24. H. 8. ca. 13. vt patet infra 4. & 5.

4 ¶ An. 1. H. 8 cap. 14. A long acte was made for Apparell, and thereby all former acts for apparel made void and repealed, & after An. 6. H. 8. ca. 1. a long act was made for Apparell, but it was repealed by another long act made for apparel. An. 7. H. 8. cap. 7. And after that act of 7. H. 8. was repealed by Anno 24. H. 8. cap. 13. vt patet infra 5.

5 ¶ For the better repressing of the inordinate excesse of apparel by some moderation, & for a reasonable order like to be obserued, & perfourmed in the wearing thereof: Bee it &c. That no person or persons, of what estate, dignitie, degrée, or condition soeuer they be, from the feast of the purification of our Lady, which shalbe in the yere of our Lord 1533. vse or weare in any maner their apparel, or vpon their horse, mule, or other beast, any silke of the colour of purpure, ne any cloth of Gold of tissue, but onely the King, the Quéene, the kings mother, the kings childre, ỳ kings brethren and sisters, & the kings vncles & aunts: except that it shalbe lawfull to all Dukes and Marqueses, to weare & vse in their doublets & slæueles coates, cloth of gold of tissue, and in none other their garmẽts, so that the same to be worne by such dukes and Marquises exceed not the price of v. li. the yard.

Purpure silke Cloth of gold Tissue

Exception

Prouided that this word of (Purpure) extend not to any mantell of the order of the Garter. And that no man vnder the estate of an Earle, from the same feast, vse or weare in his apparell of his bodie, or vpon his horse, mule, or other beast, or harneis of the same beast, any cloth of gold or siluer, of tincell, satten, or any other silke or cloth mixed or embrodred with gold or siluer, nor also any furres of Sables: except that it shall bee lawfull for Vicounts, the Prior of S. Io. of Ierusalem within this Realme, and Barons, to weare in their doublets or slæueles coats cloth of gold, siluer or tincell. Also it is enacted, that no man vnder the estate of a Duke, Marquese, Earle, & their children, or vnder the degrée of a Baron, vnlesse hee be a knight that is a companion of the Garter, from the said feast, weare in any part of his apparel anie woollen cloth made out of this realme of England, Ireland, Wales, Calys, Berwick, or the marches of the same, except the bonets onely. Ne also weare in any maner apparell of his body, or on his horse, mule, or other beast, or harneis of the same beast, any veluet of the colour of crimzen, scarlet or blew, ne any furres of black Jenets or Luserns, ne any maner of embrodery. And that no man vnles he bee a knight after ỳ said feast, weare any coller of gold, named a coller of SS. And that no man vnder the degrée of a Barons son, or of a knight, except he may exped yerely in lands or tenements, rents, fées, or annuities, to his owne vse for terme of his life, or for terme of another mans life, or in the right of his wife, CC. li. ouer all charges, shall after the said feast, vse or weare any Cheine of Gold, bracelet, ouch, or other ornament of Gold, in any part of his or their apparell, or the apparell of his or their horse, mule, or other beast, except euery such cheine, iewel, ouche, or ornamẽt be in weight one ounce of fine gold, or aboue, & except rings of gold to be worne on their fingers with stones or without. Ne also shall weare any manner of Veluet in their gownes, coats with slæues or other vttermost garmẽts, nor any furres of Libardes, nor also shall weare any maner embroderie, pricking or printing with golde, siluer or other like, in any part of their apparell, or on their horses, mules or other beastes. And that no man vnder the

Cloth of gold, Siluer tincell Satten Cloth or silke mixed or embrodred with gold or siluer Furres of sables Exception

Outlandish woollē cloth

Veluet Crimzen scarlet or blacke Jeners, blacke Lucerns Embrodery

Coller of ss

Chaine of gold or other ornaments of gold, except rings vnder the weight of one ounce

Veluet in vppermost garment

saide

laide ẽstates & degrées, other then such as may dispend in lands, tenements, rentes, fées, or annuities, as is afore saide, a hundred pounds by yere ouer al charges, shall after the said feast weare any Satten, damaske, Silke, Chamlet or Taffata, in his gowne, coate with sléeues, or other vttermost apparel or garment, nor any maner of veluet, otherwise then in sléeueles iackets, doublets, coises, partlets, or purses. Nor also shall weare any Furre whereof the like kinde groweth not within this realme of England, Ireland, Wales, Caleis, Barwike, or the Marches of ỳ same, except Foines, Jenets, called grey Jenets and Bogie. And that no man vnder the said degrées, other then the sonne & heire apparant of a knight, or the sonne & heire apparãt of a man of thrée hundred Marks by yére ouer all charges, and such other men as may dispend in lands & tenemẽts, rents, fées, annuities, or other yérely profits, as is afore saide, xl.li. by yeere ouer all charges, from the said feast, weare in their gownes, or any other their vttermost apparel, any chamlet or silke, ne also weare in any other parte of their apparell, any silke other then satten, damaske, taffata, or sarcenet, in their doublets, & sarcenet, chãlet, or taffata in lining of their gowns, and the same, or veluet in their sléeues, coats, iackets, ierkins, coyls, cappes, purses or partlets, the colors of scarlet, crimzen, and blew, al waies except: Nor shall weare any furre of foynes or Jẽnets, called grey Jẽnets, nor any other furs wherof the like kind is not growen within this realm of England, Ireland, Wales, Caleis, Barwicke, or the Marches of ỳ same (except before excepted) Ne shal weare any maner of Aglets, buttons, brouches of gold, or siluer gilt, or counterfait gilt, or made wt any other deuise or any weight. Nor shal weare any cheine of gold of lesse weight and value then x. ounces of Troy weight of fine gold. And that no man vnder the said degrées, other then such Gentlemen as may dispend in lands and tenements, rẽts, fées, or annuities, as is afore said, xx.li. by yere ouer al charges, from & after the saide feast, weare any manner of silke in any apparell of his body, or of his horse, mule or other beast, except it be satten, taffata, sarcenet or damaske, in his doublet or coyle, & chamlet in his sléeues, iackets, and a lace of silke for his bonnet, or points, laces, girdles or garters made or wrought in England or Wales: Nor shal weare any furres of black conie, or bogie. And that no man vnder the saide degrees, other then such as may dispend in lands & tenements, rents, fées or annuities (as is afore said) v.li. by yeere ouer all charges, from and after the saide feast, weare any maner of cloth of ỳ colors of scarlet, crymzen or violet engrained, nor any silke in their doublets or iackets, nor anie other cloth in any garmẽt aboue the price of vi.s.viii.d. the broadyard, nor any other thing made out of this realm, except chamlet in their doublets & iackets. And that no Seruingman, or other yeoman taking wages, or such other as may not dispend of frée-hold xl.s. by yeere, after the said feast, shall weare any cloth in his hosen, aboue the price of ii.s. the yard, & that none of their hosen bee garded or mired with any other thing that may be séene on, or through the vtter part of their hosen, but with the selfe same cloth only, nor in his gown, coate, or iacket, or other garment, any cloth aboue the price of iii.s. iiii d. the broad yarde, except it be his Maisters liuery, nor any maner furre, except it bee Conie called grey cony, black lambe, or white lambe of English, Welsh, or Irish growing. Nor shall weare any shirt or shirtband, vnder ỳ vpper coppe, coyfe, bonnet or hat, garnished, mirt, made or wrought with silke, gold or siluer, nor shal weare any bonnet or shirtband, made or wrought out of this realme of Englãd or Wales. Neuertheles it shal be lawfull for him to weare a silke riband for his bonet, and also the recognisance or badge of his lord or Maister, & a horne tipped or fleued with siluer gilt or vngilt. And also they & all other persons to weare on their bonnets, all such games of siluer gilt or vngilt, as they or any of them may win by wrastling, shoting, running, leaping, or casting of ỳ barre, & also Maisters of the ships or other vessels, & Marriners to weare whistles of siluer with the cheine of siluer to hang the same vpõ, any former clause in this act heretofore mentioned to the contrary notwithstãding. And that no husbandman from the said feast, weare in his hosen, any cloth aboue the price of x s. the yard, or any cloth in his gowne aboue the price of iiii.s. the broade yarde, or in his iacket or coate aboue the price of ii.s. viii.d. the broad yard, nor in his doublet any other thing thẽ is wrought within this realme, Fustian & Cannas only excepted, nor any maner of Furre in any his apparel. And that no seruingman in husbãdry, or

Satten Damaske Silke Chamlet Taffata in gowne or other vttermost garmẽt Veluet but in sleeueles iackets Doublets Coises Partlets Purses Diuerse kinds of fur except Foynes Jenets Bogie

Chamlet Silke Satten Damaske Taffata Sarcenet

Veluet

Foynes Jenets

Aglets Buttons Brouches

Cheine of x. ounces

xx.li.

Satten Taffata Sarcenet Damaske Silke lace Points Laces Girdles Garters

Black conie Bogie

v.li.

Cloth Silke

vi.s.viii.d.

Chamlet

Seruingman Yeoman

xl.s.

Cloth ii.s.

Cloth iii.s.iiii.d.

Grey cony Black lãbe White lãbe

Silke Gold or siluer

Silk ribãd Badge

A horne

Games

Maisters of the ships Whistles of siluer

Husbandmen Cloth ii.s.

ii.s.viii.d.

Fustian Cannas Furre

Seruants

or Journeman in handicrafts, taking wages after and from the feast aforesaide, weare in his hosen anie cloth above the price of xvi.d the yard, nor shal weare any cloth in his gowne, iacket, or coate above the price of ii.s.viii.d. the broad yard, nor in his doublet any other thing then fustian, canuas, leather or woollen cloth, nor any maner of furre in any of his apparell.

xvi.d.

ii.s.viii.d. Fustian Leather Cloth Furre

Prouided alwaies, that all such officers and seruants, wayting or attending vpon the king, the Quæne, the Prince or Princesse, dayly, yerely or quarterly in their houshoulds, or being in their Check-roll, as shall be admitted, assigned, and licenced by his grace, to vse or weare any manner apparel on their bodies, horses, mules, or other beasts, otherwise then is before expressed, shall nowe lawfully do the same, according to the licence which shalbee giuen vnto them in that behalfe: The same licence to be declared in writing by the K. highnesse, or the lord Steward of his most honorable houshold, or the lord Chamberlaine, knowing the kings most gratious pleasure in the same. Prouided also that the Vicechamberlain, Steward, Treasorer, & Comptroller of the French Quæns honorable houshold, and euery of them for the time being, after & from the said feast, may weare in their gowns, coats, iackets, doublets, and other their apparel, veluet, satten, & damaske, being of the colours of black, tawny, or russet, and also Cheynes and brouches of gold, of such value as they will, at their libertie: this present act, or any thing therein mentioned to the contrary notwithstanding.

Officers Kings Seruants

Check roll Licence

Lord Steward & Chamberlaine

Vicechamberlaine Steward Treasorer Cõptroller

Veluet Satten Damaske Cheines Brooches

Prouided also, that the Lord Chauncelor, and the Lord Treasurer of England, the President of the kings Councel, & the Lord Priuie seale for the time being, (of what estate or degree soeuer they bee, besides those rowmes) may weare in their apparell, velvet, satten, & other silkes of any colours, except purpure, & any maner furres, except black Jenets: any thing in this acte mentioned to the contrary notwithstanding. Be it &c. that after the said feast, none of the Clergie vnder ye dignity of a Bishop, Abbot, or Prior, being a lord of the Parliament, weare in any part of his or their apparell of their bodyes, or on their houses, any maner of stuffe wrought or made out of this Realme of Englande, Ireland, Wales, Calice, Barwick, or the Marches of the same. Except that it shalbe lawful to al Archdeacons, Deanes, Prouosts, Wardens, Prebendaries, Doctors or bachelers in diuinitie, Doctors of the one law or the other, & also Doctors of other sciẽces, which haue taken the degree, or be admitted in any vniuersitie, to weare sarcenet in ye lining of their gowns, black satten or black chãblet in their doublets and sleeueles coats, & blacke velvet or black sarcenet, or black satten in their tippets & riding hoods or girdles, & also cloth of the colours of scarlet, murrey or violet, & furres called grey, black budge, foynes, shankes or minuer, in their gownes and sleeueles coates: any thing before mentioned to the contrary notwithstanding. And that none of the clergie vnder the degrees aforesaid, shal weare any maner of furres, other then black conie, Budge, grey cony, shankes, calaber, grey, fitch, fore, lambe, otter & beuer. And that none of the clergie vnder ye degrees aforesaid, other then Masters of art, & Bachelers of the one law or the other, admitted in any vniuersitie, or such other of the said clergy as may dispend yerely xx.li. ouer all charges, shal weare in their tippets any maner of Sarcenet or other silke.

Prouosts Wardens Prebendaries Doctors Bachelers in diuinity

Sarcenet Satten Chamlet Veluet

Cloth Furre Budge Foynes Shankes Minuer

Clergy Furres Black cony Shankes Calabar Gray Fitch Fox Lambe Otter Beuer Masters of art Bachelers xx.li. Tippets

Prouided also that this act, or any thing therein contained shall not extend nor bee hurtfull or preiudicial to any of the kings most honorable Counsell, ne to Justices of the one Bench or the other, the Barons of the Kings Eschequer, the master of the Rolles, Seriants at the law, the Masters of the Chancerie, ne to any of the Counsell of the Quæne, Prince or Princesse, Apprentices of the Lawe, the Kings, the Quænes, the Princes, and the Princesses Phisitions, Maiors, Recorders, Aldermen, Shiriffes, Bailiffes elect, and all other head Officers of Cities, Townes and Boroughs corporate, Wardens of occupations, the Barons of the fiue Ports, that is to say, to all the sayd Officers and persons that now bee, or heretofore haue bẽn in like rowme, place, office, or authority, or hereafter for the time shall be, aswel in ye time as after ye they haue bẽn in any such place, office, rowme or authoritie, but that they shall nowe at all times weare after the said feast, all such apparell in and vpon their bodies, horses, mules, or other beasts, and also Citizens and Burgesses shall and may weare such hodes of cloth, and of such colours, as they haue heretofore vsed to weare: any thing in this acte mentioned to the contrarie notwithstanding,

Kings counsell Justices of both bẽche Barons of the Esche. Master of the Rolles Seriants Masters of the Chãcery Counselers Apprentices at Law Kings phisitions Maiors Recorders Aldermen Shiriffes Bailiffes Wardens Barons of v. Ports Officers

Citizens Burgesses Hoodes of cloth

Archdeacons Deanes

Velvet Damaske Satten

ding. Except that it shal not be lawfull to any of them to weare Velvet, Damask or Satten of the colours of crimzen, violet, purpure or blew, otherwise then by the continue of this acte, in any of the clauses before mentioned, is by reason of their

Lands

landes or otherwise permitted, limitted or assigned. Ne also this acte or any thing therein mentioned, shal extend to Embas-

Embassadors

sadours or other personages, sêt from outward Princes, or to Noble men, or other comming into the kings realme, or other part of his obeisance, to visit, sée, or salute his grace, or to sée the Countrey, and not minded to make long or cõtinual demurre in the same: Ne to any Henchman,

Yerchmen Herauld Pursuant at armes Minstrils Players

Herauld, or Pursuant at armes, Minstrels, players of Enterluds, sightes, reuelles, iustes, turneys, barriers, solemne watches, or other Martiall feats, or disguisings, or to men of warr, being in ỳ kings

Men of warr

wages of warres: nor to anie man for wearing any apparell giuen vnto him by the kings highnes, the Quéene, the Frech Quéene, the Prince or Princesse: Ne to a-

Sword bearer

ny Sword bearer of the Citie of London, or of any citie, borough, or towne corporate: Ne also shal extend to any Vtterbar-

Vtterbarriter

reller of any of the Innes of Court, for wearing in any of his apparel such like & furr, as is before limited for men that may

Silke Furre

dispend in lands, tenements, rents, fées, or annuities for terme of life, xx. li. ouer all

xl li. Student

charges: nor to any other Student of the Innes of the Court, or Chaunceric: Or to

Gentleman

any gentleman being seruant to any lord, knight, squire, or gentleman of this realm, whose Master may dispend xl. li. ouer all

xl li.

charges, for wearing (by such Student or gentle man being seruant) of doublets, partlets of satten, damaske, or chamblet, or iackets of chãblet, which doublets, part-

Apparell giuen

lets, or iackets be giuẽ vnto them by any of their parents, masters, or kinsfolks, so alwaies they be not of the colours of crimzen, purpure, scarlet or blew, or for wearing of any furres, wherof ỳ like groweth

Furre

within this Realme, Wales or Ireland,

Warrens

Warrens and black Cony except.

It is also further enacted, that if any man vse or weare at any time after ỳ said feast any apparel or other the premisses, contrary to the tenor & forme aforesaid, then hee so offending shal forf. the same apparell, &

Forf. of the Apparel, or the value, x. s. iiii. d. for euery day

other ỳ premisses so by him vsed or worne vpon his persõ, horse, mule, or other beast, wherewith soeuer it be garnished, embro-

dered, doubled or mixed, or ỳ value therof, and also iii. s. iiii. d. in the name of a fine, for euery day that he shal so weare ỳ same contrary to the tenor & purport of this act. And that euery man that wil may lawfully sue for the same, by action of Detinue, to

Action of Detinue 10. Dayes

be commenced within x. d. daies next after the beginning of the terme next insuing, after any such time & cause of forfeiture so giuen, in the which action the defendant shall not be suffered to wage his law, nor any essoine or protection shal be to him allowed in that behalfe: The one halfe of the

Partis

which forfeiture & fine shalbe to the kings highnes, & the other halfe to him or them that will sue for the same, in forme and within the time before limited.

And it is further enacted by the authority aforesaid, that it shall bee lawfull to the

Iust. of P. in their sessions Edicte in his Turne Steward in his Leete Aldermen in his ward Enquire

Iustices of peace in their sessions, the shiriffe in his Turne, the Steward in any Lete or Lawday, the Aldermen in their wardes, & to all other persons hauing authoritie to inquire of bloodshed & fraies, to inquire of euery of the said offences & forfeitures, & the parties offending against this statute, & so presented, shall make fine in maner & forme and after the rate aforesaid. Ouer this it is enacted by authoritie aforesaide, that all other acts made for reformation of excesse in apparell or array, at any time before this present parliamẽt, & al & singuler articles, prouisions, forfeitures & penalties mẽtioned in the said former acts or any of them, be from hẽceforth vtterly void, repealed, extinct, & of none effect, & all transgressions, offences, sũmes of money, penalties & forfeitures, for any thing done cõtrary to ỳ said former acts or any of them, before this time made for reformation of excesse in Apparel, be clerely remitted, pardoned & released, & the offendors in that behalfe, & euery of them to bee thereof discharged and acquited for euer.

Assesse the fine of iii. s. iiii. d.

Other acts repealed

Prouided alwaies that this act, nor any thing therin cõtayned, be hurtful or preiudiciall to any Spiritual or Temporal person, in, or for the wearing any ornaments of ỳ Church, vsed for executing diuine seruice, or for wearing their amices, mãtiles, habites or garments of Religion, or other things, which they vsed, or be bound vnto by their romes, promotions, or religions: Ne also to any Graduates, Beadles, or Ministers to ỳ Graduates in vniuersities & Schooles, for wearing of their habites or hoods, with furrs, linings, or otherwise, after such forme as heretofore they haue or accustomed to do: any thing in this present

Spirituall persons Temporal persons Church Diuine seruice

Graduates Beadles

acte

act made to the contrary notwithstãding.

Prouided also that this act, nor any thing therein contained, be preiudicial or hurtfull to any person or persons for wearing of any linnen cloth, made or wrought out of this realme, or other parts of the kings obeysance, ne to any person being of the degrée of a Gentleman, for wearing of any shirt made, wrought, or embroydred with threde and silke onely, so the same worke embroidered bee made within this realme of England, Wales, Calice, Berwike, or the Marches An. 24. H. 8. cap. 13.

Linnē cloth

Gentleman Shirt Embroidery

6 ¶ Be it enacted, that no person borne within this realme, or the Dominions of the same, other then the sonne and heire apparant of a Knight, or other then such as may dispend xx. li. by the yere, in lands, offices, fees, or other yerely reuenues for terme of life, or bee worth in goods CC. li. shall after the first day of Aprill next comming, weare any maner of silke, in or vpon his hatte, bonet, nightcap, girdle, scabard, hose, shoes, or spurleathers, vpon paine of three moneths imprisonment, and forfaiture of x. li. for euery date wearing, contrary to the tenor of this act.

Heire of a knight xx. li. Offices CC. li.

Silke Hatte

Imprīt. Forf.

And bee it &c. That Justices of Assise in their circuits, Justices of Peace in their sessions, Shirifes in their Turnes, Stewards in Leetes and Lawdayes, Maiors, shiriffes, and bailiffs of Cities, boroughs, and townes corporate, in their Courts, shall and may inquire, heare, & determine from time to time, al and euery the said offences committed or done within the lymits of their seueral iurisdictions & authorities, and where any such forfaitures shal happen to bee found within the precinct of any Citie, borough, town corporate, Leete or Lawday: then the Maior, Shirifs, and Bailifes of the said cities, boroughes, and townes, & owner of the saide Leete or lawday, to haue one moitie of the saide forfaitures, and the other moitie to bee to any subiect of this realme, that will sue for the same in any court of Record, by action, information, bill, or otherwise, in which no wager of law, protection or essoine shal be allowed. And where such forfaiture shalbe found out of any Citie, Borough, Towne, Leete or lawday, that the moitie of al such forfaitures shal be to the King & Quenes Maiesties, and the heires of the Quene, and the other moitie therof to any of their subiects that will sue for the same, by bill, plaint, action, information, or otherwise, in any Court of Record, as is aforesayde, in the which no wager of Law, protection, or essoyne shal be admitted or allowed. And that all and euery such person & persons, as haue authoritie by vertue of this act, to heare and determine the premisses, may vpon the conuiction of euery such offendour, awarde proces vnto the Shiriffe of any Shire within this Realme, for the apprehension of the sayde offendour, which being apprehended, shall be committed by the Shiriffe vnto the gaole of the sayde Shire, there to remaine without baile or mainprise, vntil the said offendor hath paid the said forfaiture, wherein he is so conuicted. And be it further enacted by the authoritie aforesaide, that if any person or persons, of what estate, condition, or degrée soeuer he or they be, after the said first day of Aprill next comming, knowing any seruant or seruants, of his or their, to offend contrary to this acte, doe not put the same out of his or their seruice, but shall kéepe in his or their seruice the same offendor or offendors by the space of xiiii. dayes next after such knowledge had, or else being so put out of his or their seruice, shall retaine the same offendor or offendors, to his or their seruice againe within one yére next ensuing the time of committing any such offence, the same person or persons so kéeping or retayning againe, in, or to his or their seruice any such seruant or seruants offending contrary to the tenor of this act, as is aforesaid, shall for euery his or their offence forfait C. li. of lawfull money of England. The moitie whereof to be to the king & Quénes Maiesties vse. & the heires and successors of the Quéne, & the other moitie to him that will sue for the same in any Court of record, by action, bill, plaint, information, or otherwise, wherein no wage of law, essoine, or protection shalbe admitted or allowed.

Proces Execution Capias

Imprīsonment without baile

Seruant

xiiii. dayes

One yere

Forf. C. li. Moitie

Prouided alwaies and be it enacted, that this act or any thing therin contained, shal not extende to any person being of, or aboue the degrée of a Knights sonne or daughter, or being wife to any of them, nor to such as haue bēen, be, or shalbe Maior, Bailife, Alderman, or head Officer in any city, borough or towne corporate, or to the wife of any of them, nor to any of the kings or Quénes seruants in ordinarie wages, attendant and wearing the king and Quénes ordinary lineries, but that they and euery of them may vse & weare, as they or any of them might lawfully vse and weare before the making of this acte.

Knights sonne

Maiors Bailifes Aldermen

Kings seruants

Lineries

Prouided

Prouiso Prentice

Prouided alſo, that no perſon ſhall bee cõpelled by this acte to put away his prẽtice or hyred ſeruant, before the end of the terme before agreed betweene them, nor that any Maſter ſhall forfeit or loſe anie payne or forfeiture for the keeping of his apprentice or hyred ſeruant after his offence contrary to this act, vnto the end of the terme before agreed betwixt them: anything abouesaide to the contrary notwithſtanding.

Prouiso Women

Prouided alſo that women may weare in their Cappes, hats, girdles, and hoodes, as they or any of them might vſe & weare lawfully before the making of this acte.

★ An. 1. & 2. P. & M. cap. 2.

7 ¶ Anno 5. Eliz. cap. 6. An acte was made againſt the ſelling of forreine ware, concerning apparell, otherwiſe then for ready money, To endure to the ende of the next Parliament, & ſo now it is expired.

¶ Appeales.

Imprſ. Women

NO man ſhall bee taken or imprſoned vpon the appeale of any woman, for the death of any other then of her husbãd, Mag. chart cap. 34. An. 9. H. 3.

Outlaw

2 ¶ Forasmuch as it hath bẽn vſed in ſome countreys to outlaw perſons being appealed of commandemẽt, force, ayd and receit, within ẏ ſame time that he which is appealed for the dẽde is outlawed: It is prouided & granted by the king, that none be outlawed vpon appeale of commandement, force, ayd, or receit, vntill he that is appealed of the dẽde bee attaynted, ſo that one like law bee vſed therein through the Realme: Neuertheleſſe, he that will ſue appeale, ſhal not by reaſõ of this, intermit or leaue to cõmence his appeale at ẏ nert County, aſwell againſt them, as againſt them which bee appealed of the dẽde, but the Exigent againſt them ſhall remayne, vntill ſuch as be appealed of the dẽd be attainted by outlawrie or otherwiſe, Weſt. 1. cap. 14. An. 3. E. 1.

Outlawed

Commandement Force Ayde Receit

Exigent

Attaint Outlawry

Abate

3 ¶ It is prouided alſo, that no appeale ſhalbe abated ſo ſlightly as they haue bẽn heretofore, but if the appealor declare the dẽd, the yeere, the day, the houre, the time of the king, & the towne where the dẽde was done, and with what weapon he was ſlaine, then the appeale ſhal ſtand in effect. And an appeale ſhall not be abated for default of freſh ſuit, if the party ſue within the yeere & day after the dẽde done, Glouceſter cap. 9. An. 6. E. 1.

Yeere Day Houre Time Towne Weapon Abate Freſhſuit

4 ¶ Becauſe that many do maliciouſly procure falſe appeales to bee ſued by appealors of no ſubſtance. Bee it &c. That whenſoeuany being ſo appealed of felony ſurmiſed vpõ him, doth acquite himſelf in due maner, eyther at the ſuit of the appealor, or of the king, the Juſtices before whome the appeale was heard & tryed, ſhal puniſh the appealor by a yeares imprſonment and the appealors ſhall neuertheleſſe reſtore to the parties appealed their damages, according to the diſcretion of the Juſtices, hauing reſpect to the imprſonment & trouble that the party hath ſuſtayned by reaſon of ſuch appeales, and to the ſlander & infamie that they haue incurred by the imprſonment, or otherwiſe, and ſhall neuertheles be grieuouſly rãſomed towards the king. And if the appealor be not able to recompence the damages, it ſhalbee inquired by whoſe abbetment & malice the appeale was commenced, if the party appealed deſire it. And if it bee found by the ſame Enqueſt that any man is abbettour through malice, at the ſuit of the party appealed, he ſhal be diſtrained by a Judiciall writ, to come before the Juſticers. And if he be lawfully connict of ſuch malicious abbetment, he ſhalbee puniſhed by imprſonment, and ſhal pay damages, as before is ſaid of the appealor, Weſt. 2. cap. 13. An. 13. Ed. 1.

Felonie Acquit

Juſtices

Imprſt.

Damages Juſtices

Slaunder

Fine

Abbetment

Writ

Connict Imprſt. Damages

5 ¶ The kings pleaſure is, that thæues & appealors (whenſoeuer they will) may confeſſe their offences vnto Prieſtes, but let ẏ confeſſors beware that they informe not ſuch appealors erroniouſly, Articuli Cleri cap. 10 An. 9. E. 2.

Thæues

Confeſſion Prieſts

6 ¶ Whereas certayne Juſtices of late were aſſigned to take Aſſiſes in all ſhires of the realme, and alſo to deliuer the gaoles of the ſame ſhires, at every of their commings after the taking of ſuch Aſſiſes, as more playnely is contayned in a Statute made by the king therupon. Our ſoueraigne Lorde the king, at his Parliament at Weſtminſter the 28. yeere of his raigne, for more ſure obſeruation of his peace, and for felonies to be more quickly puniſhed, and priſoners to be ſoner deliuered, hath graunted, ordayned, and prouided, that whoſoeuer bee appealed by prouors being in priſons, which the ſame Juſtices doe deliuer (whereſoeuer in our Realme that ſuch appeales bee dwelling or lurking) that immediatly it ſhalbe commanded to the ſhirife in whoſe libertie the partie ſo appealed be cõuerſant or may be found

Juſtices Aſſiſes Gaoles

Peace Felonies Priſoners

Prouors

Juſtices

Shirifes

Writ

found by the kings writ vnder the testimony of the same Iustices, that hee doe take such persons appealed, & cause them

Gaolers

to be brought to the gaoles where the appealers be kept, that appealed them, & shal

Iustices

aunswere there before the same Iustices. And if they that be appealed wil put themselues vpon the countrey, it shall bee commanded in like maner by a Iudicial writ,

Countrey

by the same Iustices to the shirif, in whose libertie the felonies were done, of which

Shirife

they are appealed, that hee shall cause an

Enquest

Enquest of the Countrey to come before the same Iustices vnto the same place where the appealors bee kept vnto a certayne day. And the Shirifes and other (in whose keeping such appealors be detayned) shall receyue without contradiction those that bee appealed by such prouors, where the parties appealed bee taken in forme abouesaid, and brought to the same appealors, Statute of Appeales. An. 28. E. 1.

7 ¶ Because of diuers great inconueniences & mischieues that haue happened diuers times by reason of diuers Appeales made within the Realme. It is &c. That from henceforth all the appeales to bee made of things done within the Realme, shall be tryed and determined by the good lawes of the Realme, made and vsed in the time of the kings noble progenitors. And that all the appeales to bee made of things done out of the Realme of England, shal bee tried and determined before

Constables Marshals

the Constable and Marshall of England for the time being. And moreouer it is accorded and assented, that no Appeales bee from henceforth made, or in any wise pursued in the Parlyament in any time to come, An. 1. H. 4. cap. 14.

¶ Appeales to Rome.

FOrasmuch as this Realme is an Empire, whereof the king is supreme head, and consisteth of the spiritualtie and temporaltie, ouer which the king hath whole power and iurisdiction, notwithstanding the late vsurpatiõ of the See of Rome. Be it &c. That al causes testamentary, causes

Testament Matrimony Diuorce Tithes Oblations

of matrimonie and diuorces, rightes of tythes, oblations & obuentiõs, the knowledge whereof by the goodnes of Princes of this realme, and by the lawes & customes of the same appertaineth to the spirituall

Spiritual iurisdiction

iurisdiction of this Realme, already commenced, moued, depending, being, happening, or hereafter comming in contentiõ, debate or question within this Realme, or within any the kings dominions or Marches of ỳ same, or elswhere, whether they concerne the king our soueraign Lord, his heires or successors, or any other subiects or resiãts within the same, of what degrée soeuer they be, shall bee from henceforth heard, examined, discussed, clerely, finally and definitiuely, adiudged and be determined within the kings iurisdiction and authoritie, and not elswhere, in such Courts spiritual and temporall of the same, as the natures, conditions, and qualities of the causes and matters aforesaid in contentiõ or hereafter happening in contention shal require, without hauing any respect to any custome, vse or sufferãce, in hinderãce, let or preiudice of the same, or to any other thing vsed or suffered, to the cõtrary thereof by any other maner person or persons, in any maner of wise: any forreine inhibitions, appeales, sentences, summons, citations, suspentions, interdictions, excommunications, restraints, iudgemẽts, or any other proces or impediments, of what nature, names, qualities or conditions soeuer they be, from the See of Rome, or any other forreine Courts or Potẽtates of the world, or from and out of this realme, or anie other the Kings Dominions or Marches of the same, to the See of Rome, or to any other foreine Courts or Potentates, to the let or impediment therof in any wise notwithstanding. And that it shal bee lawfull to the King our Soueraigne Lord, and to his heires and successors, & to all other subiects or resiants within this realme, or within any the kings Dominions or Marches of the same, notwithstanding that hereafter it should happen any excommengement, excommunications, interdictions, citations, or any other censures of forrein proces out of any outward parties to be fulminate, prouulged, declared, or put in execution within this saide Realme, or in any other place or places, for any the causes before rehearsed, in preiudice, derogation or contempt of this said act, and the very true meaning and execution thereof, may and shall neuertheless aswell pursue, execute, haue and inioy the effects, profits, benefits and commodities of all such proces, sentences, iudgements and determinations, done or hereafter to bee done in anie the saide Courts spirituall or temporall, as the cases shal require, within the limmits, power and authoritie of the Kings saide Realme and Dominions,

Watches

Determine

Spiritual court

Customs

Inhibitions

Rome

Excommunications Interdictions Citations

Proces Sentences Iudgement Spiritual courts

Marches

nions and Marches of the same. And those onely and none other to take place, and to be firmely obserued and obeied within the same, as also that al ẏ spiritual Prelates, Pastors, Ministers, and Curates within this realme, & the dominions of the same, shall and may vse, minister, execute, & do, or cause to be vsed, ministred, executed and done, al Sacraments, Sacramentals, diuine Seruices, & all other things within the said realme and Dominions, vnto all the subiects of the same, as Catholike and Christian mẽ ought to do: any former citations, proclames, inhibitions, suspẽsions, interdictions, excommunications or appeales, for or touching any of the causes aforesaid, frõ or to the See of Rome, or any other forein Prince, or forein Courts, to the let or contrarie thereof in any wise notwithstãding. And if any of the said spirituall persons, by the occasion of the said fulminations of any of the same interdictions, censures, inhibitions, excõmunications, appeales, suspensions, summons, or other forein citations, for ẏ causes before said, or for any of thẽ, do at any time hereafter refuse to minister, or to cause to bee ministred the said sacramentes and sacramentals, & other diuine seruices, in forme as is aforesaid, they shall for euerie such time or times that they or any of them do refuse so to do, or to cause to be done, haue one yéeres imprisonment, & to make fine and ransome at the kings pleasure.

Prelates Ministers Curates

Sacramẽts Diuine seruice

Rome

Spirituall persons

Sacramẽts

Imprisõ. Fine

And it is further enacted by thauthority aforesaid, that if any person or persons inhabiting or resiant within this realme, or within any the kings dominions or Marches of the same, or any other person or persons, of what estate, cõdition or degree soeuer he or they be, at any time hereafter, for, or in any the causes aforesaid, doe attempt, moue, purchase, or procure, frõ, or to the See of Rome, or from or to any other forein Court or Courts out of this realme, any maner forein proces, inhibitions, appeales, sentẽces, summons, citations, suspensions, interdictions, excommunications, restraints, or iudgements, of what nature, kinde or qualitie soeuer they be of, or execute any of the same proces, or do any act or actes, to the let, impediment, hinderance or derogation of anie proces, sentence, iudgemẽt or determination, had, made, done, or hereafter to be had, done, or made in any Courts of this Realme, or the kings said Dominions or Marches of the same, for any the causes

Marches

Proces

aforesaid, contrary to the true meaning of this present acte, and the execution of the same: that then euery such person or persons so doing, & their faultors, comfortors, abbettors, procurors, executors & coũsellors, & euery of them, beyng conuict of the same, for euery such default, shall incurre and runne in the same paines, penalties & forfaitures, ordeined and prouided by the statute of Prouision & Premunire, made in the xvj. yére of the raigne of the right noble Prince king Richard the second, against such as attempt, procure or make prouisiõ to the See of Rome, or elswhere, for any thing or things to the derogation, or contrary to the prerogatiue or iurisdiction of the Crowne and dignitie of this Realme. And furthermore in eschewing the said great enormities, inquietations, delates, charges & expẽses hereafter to be sustayned in pursuing of such appeales & forraine proces, for & concerning the causes aforesaid, or any of them: doe therefore by authoritie aforesaid, ordaine and enact, that in such cases, where heretofore any of the kings subiects or resiants, haue vsed to pursue, prouoke or procure any appeale to the See of Rome, & in all other causes of appeales, in, or for anie of the causes aforesaid, they may and shall from henceforth, take, haue, & vse their appeals within this Realme, and not elswhere, in maner and forme as hereafter insueth, & not otherwise, that is to say, first, from the Archdeacon or his Official, if the matter or cause be there begun, to the Bishop Diocesan of the said See; if in case any of the parties be grieued. And likewise if it be cõmenced before the Bishop Diocesan or his Cõmissarie, from the Bishop Diocesan or his Commissary, within xv. daies next ensuing the iudgement or sentence thereof there giuen to the Archbishop of the prouince of Canterburie, if it be within his prouince, and if it be within the prouince of Yorke, then to the Archbishop of Yorke, and so likewise to al other Archbishops in other the kings Dominions, as the case by order of Justice shall require, & there to be diffinitiuely & finally ordered, decreed and adiudged according to Justice, without any other appellation or prouocation to anie other person or persons, court or courts. And if the matter or contẽtion for any of the causes aforesaid, be or shalbe commenced by anie of the kings subiects or resiãts before the Archdeacon of any Archbishop or his Cõmissarie,

Fork.

Premunire

Rome

Archdeacon

Bishop

Cõmissary

xv. dayes

Archbishop Caterburie

Yorke

Justice

Court

sarie, then the partie greeued shall or may take his appeale within xv. daies next after iudgement or sentence there giuen to the Court of the Arches or audiẽce of the same Archbishop or Archbishops, & from the said Court of the Arches or audience within xv. daies then next insuing after iudgement or sentence there giuen to the Archbishop of the same prouince, there to be diffinitiuely and finally determined without any other or further proces or appeale thereupon to be had or sued.

Arches
Audience
Iudgement
Sentence
Determine

Proces

And it is &c. that all and euery matter, cause, and contention now depending, or that hereafter shall be commenced by any of the kings subiects or resiants for any of the causes aforesaid, before any of the said Archbishops, that ỳ same matter or matters, contention or contentions, shall bee before the same Archbishop where the said matter, cause or proces shall bee so commenced, diffinitiuely determined, decreed, or adiudged, without anie other appeale, procuration, or any other forraine proces out of this realme to be sued, to the let or derogation of the said iudgement, sentence, or decree, otherwise then is by this act limited & appointed. Sauing alwaies the Prerogatiue of the Archbishop & Church of Canterbury, in all the aforesaid causes of appeales, to him & to his successors to be sued within this Realme, in such & in likewise as they haue bene accustomed & vsed to haue heretofore. And in case any cause, matter or contention now depẽding for the causes before rehearsed, or any of thẽ, or that hereafter shall come in contentiõ for any of the same causes in any of the forsaide Courts, which hath, doth, shal, or may touch the king, his heirs or successors kings of this realme, that in all and euery such case or cases, the partie greeued as before is said, shall or may appeale from any of the said Courts of this realme, where the said matter now being in contention, or hereafter shall come in contention, touching the king his heires or successors, as is aforesaid, shall happen to be ventilate, commenced or begun, to the Spirituall Prelates & other Abbots & Priours of the vpper house assembled & connocate by the kings writ in the Conuocatiõ, being or next insuing within the prouince or prouinces where the same matter or contention is or shal be begun, so that euery such appeale be taken by the partie greeued, within xv. daies next after the iudgement or sentence thereupon giuen or to be giuẽ. And that whatsoeuer be done, or shalbe done, and affirmed, determined, decreed & adiudged by the foresaid Prelates, Abbots and Priors of the vpper house of the said Cõuocation, as is aforesaid, appertaining, concerning or belonging to the king, his heires and successors, in any of these foresaid causes of appeale, shall stand and be taken for a finall decree, sentence, iudgement, diffinition & determination, and the same matter so determined neuer after to come in question & debate, to be examined in anie other Court or Courts. And if it shal happen any person or persons hereafter to pursue or prouoke any appeale contrarie to the effect of this act, or refuse to obey, execute, & obserue all things comprised within the same concerning the sayd appeales, prouocations, & other forraine proceses to be sued out of this realme, for any the causes aforesaid: that then euery such person or persons so doing, refusing or offending cõtrary to the true meaning of this act, their procurors, faultors, aduocates, coũsellors and abbettors, and euery of them, shal incurre into the paines, forfaitures & penalties, ordeined and prouided in the said statute, made in the said xvj. yeere of king R. 2. and with like proceese to bee made against the offẽdors, as in the same statute made the xvj. yeere more plainely appeareth. An. 24. H. 8. cap. 12. This acte was repealed An. 1. & 2. P. and M. and after renewed An. primo of Queene Elizabeth, as appeareth in Crowne 6.

Prelates vpper house Conuocatiõ

Examine Court

Forf.

Proces

Archdishop

Procuratiõ

Cãterbury

Courts

Abbots

Writ

Prouince

xv. daies
Iudgement

¶ Apprentice.

ANno 12. R. 2. cap. 2. An act was made, that a child which had vsed husbãdrie til the age of xij. yeares, should abide still at the same labor, But it seemeth to be repealed by Anno 5. Eliz. cap. 4. after in Laborers 38.

2 ¶ Anno 2. H. 4. cap. 17. It was enacted, that none that could not dispend xx. s. by yeere, in land or rent, should put their children to be apprentices within any Citie or Borough, But this is also repealed by An. 5. Eliz. cap. 4. after in Laborers 38.

3 ¶ Euery person of the aforesaid occupations (S. of Worsteede, Sayes, & Stamin makers) within your countie of Norfolke (the which the iij. Wardens of the saide occupations within your foresaid county, yeerely chosen, shall enable to keepe a prentice) shall by this present act, be at libertie

Worsteed makers Norfolke Wardens

bertie to take and kéepe at al times one or two apprentices, any person or persons hereafter put to thaforesaid occupation, so that he passe not two at once at the most. And in likewise hereafter euery person shal be at his libertie to put any apprētice to the aforesaide occupations: any acte or ordinãce afore made to the contrary notwithstanding. An.12.H.7.cap.1.

Libertie
Occupation

This Statute seemeth to remaine in force still by a special prouiso in 5. Eliz.cap.4.infra. Laborers 38.

¶ Appropriations.

BEcause that much harme hath come to the Parishioners by appropriations of benefices. Be it ec. That in euery licence from henceforth to bee made in the Chaunccrie of appropriation of any parish Church, it shalbe expressie conteined and compriſed, that the Diocesan of the place vpon the appropriation of such Churches, shal ordaine according to the value of such Churches, a conuement summe of money to be paied and distributed yéerely of the fruites and profites of the same churches, by those that shal haue the said churches in proper vse, & by their successours, to the powre parochians of the said Churches, in aide of their liuing and sustenance for euer. And also that the Vicar bee well and sufficiently endowed, An.15.R.2.cap.6.

Licence
Chauncerie
Church
Fruites
Successors
Poore
Vicar

2 ¶ An.4.H.4.cap.12. It was enacted that the said statute of An.15.R.2.cap.6. (before 1.) should be kept & put in execution, and appropriatiõs made since the statute contrarie thereunto, to be reformed before a certaine time or els to be void, except Haddenham. And all Vicarages annexed or appropriated since An.1.R.2. to be voyd. And that frõ henceforth in euery church so appropried, a secular person be ordeined Vicar perpetuall, canonicallie, instituted & induct in the same, and cõuenablie indowed by the discretiõ of the Ordinarie, to do diuine seruice, and to informe the people and to kéepe hospitalitie there, (except the Church of Haddenham aforesaid) And that no religious be in any wise made Vicar in any Church so appropried, or to be appropried by no way in time to come, An.4.H.4.cap.12.

Haddẽham
Church
Vicar
Diuine
Seruice
Hospitalitie
Haddenhã
Religious

¶ Approuements.

BEcause many great men of England (which haue infeoffed knights & their

Infeoffe

freholders of small tenementes in their great manors,) haue cõplained that they cannot make their profite of the residue of their manors, as of their waste woods and pastures, whereas notwithstanding the same feffées may haue sufficient pasture as much as appertaineth to their holde. Thus it is prouided & granted, that when soeuer such feoffées doe bring an Assise of Nouel disseisin for their cõmon of pasture, And it is acknowledged before the Justiciers, that they haue asmuch pasture as sufficeth for their hold, and that they haue frée egresse & regresse from their hold vnto the pasture, then let them be contented therewith, and the on whom they haue complained, shall goe quite, for that they haue made their profit of their lãds, waste woods & pastures. And if they alledge that they haue not sufficient pasture, or sufficient egresse & regresse according to their hold, then let the trueth be inquired by assise. And if it be found by the Assise, that the same beforesaid haue disturbed them of their egresse or regresse in any thing, or that they haue not sufficient pasture (as is aforesaid) then shall they recouer their seisin by the view of the Enquest, so that by their discretion and othe, the plaintifes shall haue sufficient pasture, and sufficient egresse and regresse, in forme aforesaid. And the disseisors shall be amerced, & shall yéeld damages as they were wont before this prouision. And if it be certified by the Assise, that the plaintifes haue sufficient pasture, with frée and sufficient egresse & regresse, as before is said, let the other make their profite or approuement of the residue, and goe quite of the Assise, Merton cap.4.An.20.H.3.

Freeholders
Waste woods Pastures
Feoffees
Assise of Nouel diss.
Common of pasture
Justices
Egresse
Regresse
Assise
View
Enquest
Othe
Disseisors
Amerce
Damages

2 ¶ As in a Statute made at Merton (before 1.) it was graunted, that Lords of waste woods and pastures might improue the said waste woods & pastures, notwithstanding the contradiction of the tenants, so that tenants had sufficient pasture to their hold, with frée egresse & regresse to the same. And for asmuch as no mention was made betwéene neighbours, manie Lords of waste woods & pastures haue bin troubled heretofore by the cõtradiction of neighbors hauing sufficient pasture. And for because forreine tenãts haue no more right to common in the wast woods or pastures of any Lord, then the Lords owne tenants: It is ordained, that the statute of Merton, prouided betwéene the Lord and his tenãts, frõ henceforth shall hold place

Waste woods
Pastures
Improue
Egresse
Regresse
Neighbors
Forein tenants

betwéene

betwéen Lo3ds of waſt woods & paſtures, and neighbo3s: Sauing ſufficient paſture to their tenãts and neighbo3s, ſo that the Lo3des of ſuch waſte woods and paſtures may make imp3ouements of the reſidue, & this ſhal be obſerued fo3 ſuch as claime paſture as appurtenãt to their hold. But if anie do clayme cõmon of paſture by ſpeciall feoffement o3 graunt, fo3 a certaine number of beaſtes, o3 otherwiſe then hee ought to haue of cõmon right, ſeeing that the couenant reſtraineth the law, he ſhall haue ſuch recouerie as hee ought to haue by fo3me of the graũt made vnto him, by occaſion of a Windmil, berkarie, neceſſarie dairie, inlarging of a court o3 Courtilage, from hencefo3th no mã ſhall be greeued by Aſſiſe of Nouel diſſeiſin of commõ of paſture. And where ſometime it chanceth y one hauing right to imp3oue, doth leaue a ditch o3 an hedge, & ſome by night, o3 at another ſeaſon whẽ they ſuppoſe not to be eſpied, doe ouerth3ow the hedge o3 ditch, & it cannot be knowen by verdict of the aſſiſe o3 Jury, who did ouerth3ow the hedge o3 ditch, & men of the to3nes nere, wil not indict ſuch as be guilty of the fact, the to3nes nere adioyning ſhall bee diſtrained to raiſe vp the hedge o3 ditch againe at their owne coſt, and to yéld damages, Weſt.2.cap.45. Anno 13.E.1.

Imp3oue-ments

Common paſture Feoffement

Will Windmill Berkarie Courtilage Aſſiſe

Imp3oue Ditch Hedge

Indict

Diſtraine

Damages

3 ¶ The two Statutes afo3eſaide of Merton cap.4. and Weſt.2.cap.45. (before. 1. and 2.) & all b3anches, clauſes, articles, ſentences, matters and points contained and ſpecified in them and euery of them, now not repealed, ſhall from henceforth be good & effectual, and alſo ſtand and be in their full ſtrength, force, and effect. And becauſe that ſuch perſons as ſhall b3ing Aſſiſe of Nouel diſſeiſin vpõ the ſaid Eſtatutes, o3 vpon any of them, ſhall by force of the ſame eſtatute recouer but onely ſingle dammages, which is thought to be a ſmal recompence fo3 the ſame. Therefo3e be it &c. That al ſuch perſon and perſons, as ſhall at any time hereafter b3ing Aſſiſe vpon a b3aunch o3 article of the ſaide eſtatutes, o3 any of them, and haue iudgement to recouer, ſhal haue his o3 their damages treble, by the iudgement of the Court, where ſuch Aſſiſe & iudgemẽt ſhal be had. And where in diuers Countries of this realme there had bene builded vpon commons o3 waſte grounds certaine neceſſarie houſes with ground, vnder the quantitie of iij. acres, and not aboue three acres incloſed, to and with the ſame, and in ſome place there is incloſed a garden, o3chard o3 pond, out of, o3 in ſuch waſtes o3 groundes, which exceed not the quantitie of two acres, o3 there aboutes, which doth not hurt, and is much commoditie to the owner thereof, & to others. Be it &c. that the ſaid two fo3mer acres, no3 any of them, no3 any thing in them contained, ſhall extend to any ſuch houſes, ground, o3 other thing ſo incloſed, as is laſt herein befo3e mentioned, ne ſhall cauſe any perſon o3 perſons to loſe o3 fo3fait any paine, dammage o3 penaltie fo3 the ſame.

B3aunch of a Statute Judgement iij. damages

Commons Waſt ground

iij. acres Incloſe

Garden Orchard Pond ij. Acres

Incloſeth

Prouided alway and be it enacted, that if anie ſuch houſe hath bene heretofo3e builded vpon any waſte ground, as is afo3eſaid, and that there be aboue the number of three acres incloſed to the ſame, that then the ſaid houſe & three acres parcell of the ſame incloſure, ſhall ſtill remaine, ſtand, abide, and continue in like and the ſame fo3me and degrée, as it now doth, that the ouerplus of the ſaid three acres ſo incloſed, as is afo3eſaid, ſhall and may bee layed open by the owner o3 owners of the ſame waſtes: any thing in this act, o3 in any of the ſaid fo3mer acts to the contrarie in any wiſe notwithſtanding, Anno 3.E.6.cap.3.

¶ Archerie.

IN the Statute of Weſtminſter, as appeareth in Robberie 2. An.12.R.2.cap. 6. It is enacted what perſon ſhall haue Bowes & Arrowes: But thoſe partes of thoſe Statutes that cõcerne hauing of Bowes and Arrowes be repealed by 33. H.8. cap.9. as appeareth in Playes and games.

Bowes Arrowes

Repealed

2 ¶ An.3. H.8.cap.3. and An.6. H.8. cap.2. were two Statutes made fo3 the maintenãce of Archerie with lõg bowes, But both thoſe Statutes be repealed by 33. H.8. as appeareth in Playes and games 2. And there is a good Statute made for the maintenance of Archerie with long bowes. See the Statute.

Lõg bowes

Repealed

¶ Armour.

EDward by the grace of God, king of Englãd, Lo3d of Irelãd, Duke of Aquitaine, to his Iuſtices of his bench greeting: Whereas of late befo3e certain perſons deputed to treat vpõ ſundrie debates had betweene vs & certaine great men of our realme, Amongſt other things it was acco3ded,

accorded that in our next Parliament after, prouisions should be made by vs & by the cõmon assent of the Prelates, Earles & Barons, that in all Parliaments, treaties, & other assemblies, which should be made in the realme of England for euer, that euery mã shal come without al force and without armour well & peaceably, to the honour of vs, & of the peace of vs and our realme. And now in our Parliament at Westminster after the said treatise, the Prelates, Earles, Barons and the Comminalty of our realme there assembled to take aduise of this busines, haue said that to vs it belongeth, & our part it is by our roial seignorie, streightly to defend wearing of armour, and al other force against our peace at all times when it shal please vs, & to punish thẽ which shall do contrary, according to the lawes & vsages of our Realme. And hereunto they are bound to aide vs as their soueraigne Lord at al seasons when need shall be. Wee command you that ye cause these thinges to be read afore you in the said bench, & there to be inrolled. Giuen at Westminster the 30. day of October, the 7. yere of our raigne. Statute of Armour An. 7. E. 1.

Parliament

Peace

Inrolled

2 ¶ In Stat. Armour. It is ordeined how many squires the Earles, Lordes and Knights shall haue at tornies, and what signes, harneis, weapons & other things squires & herolds and other shall beare at torneis & what shall be forfaited and lost at tornies. Tempore E. 1.

Esquires
Lordes
Tornеies
Signes
Harnes
Weapons
Herauld

3 ¶ The king will that no man from henceforth shall be charged to arme himself, otherwise thẽ he was wont in ỳ time of his progenitors kings of England. And that no man be cõpelled to goe out of his shire, but where necessitie requireth, and the sodaine cõming of straunge enemies into this realm. And thẽ it shal be done as hath bin vsed in times past for the defence of the Realme. An. 1. E. 3. Statute 2. cap. 5.

Enimies

☞ 4 ¶ Be it enacted, that no man great nor small of what condition soeuer he be, (except the kinges seruaunts in his presence, & his ministers in executing of the kings precepts, or of their office, and such as be in their companie assisting them, and also vpon a crie made for armes to keepe the Peace, and the same in such places where such actes happen) bee so hardie to come before the Kings Justices, or other of the kings ministers doing their office, with force, nor to bring force in affray of the countrie, nor to goe nor ride armed by night or by day in faires, markets nor in presence of the Justices, or other ministers, nor in any place elswhere, vpon paine to forfait their armour to the king, & their bodies to prison at the kings pleasure. And that the kings Justices in their precincts, shirifes & other ministers of the king in their Bailiwicks, Lords of franchises & their Bailifes in the same, & Maiors, Bailifes of Cities & Boroughs, within the same Cities and Boroughs, & Borowholders, & Wardens of the peace within their wardes shall haue power to execute this act. And that the Justices assigned at their comming downe into the country, shal haue power to inquire how such officers & Lords haue exercised their offices in this case, and to punish them whom they finde that haue not done, that that pertaineth to their office. An. 2. E. 3. cap. 3. Statute Northampton.

Armed

Foyl.
Imprisõ.

Justices
Shirifes
Maiors
Bailifes

Wardens of Peace

★

5 ¶ The king prohibiteth that from henceforth no man shal ride armed within the Realme, contrary to the statute of Northhampton thereupõ made, nor with launcegay within this realme, the which launcegaies be clerely takẽ away within the said Realme, as a thing prohibited by our Soueraigne Lord the king, vpon paine of forfaiture of the said launcegaies, armors and other harneis whatsoeuer, in whose hands or possessions they be found, that beare them within this realme, contrary to the statute and ordinances afore said, without the Kinges speciall licence. An. 7. R. 2. cap. 13.

Armed

Launcegay

Foyl.

Licence

★

6 ¶ It is accorded that no seruant of husbãdrie nor labourer, nor seruãt of artificer, nor of vitailer, shal hereafter weare any baselard, dagger nor sword, vpon the forfaiture thereof, but in time of war for the defence of the realme of Englãd: And then by the seruay of the arrayours that then shall be, or in traueiling through the coũtrey with their masters, or in the message of their masters. And that ỳ shirifes, Maiors, Bailifes & Constables shal haue power to arrest, & shall arrest al that shal doe to the contrarie, & shall seise and keepe the said baselardes, daggers & swords, vntill the Sessions of the Justices of peace, & shal present the same before the said Justices in their Sessions together with the names of those that did weare them. An. 12. R. 2. cap. 6. Statute Cantabrigiæ.

Seruant weare dagger, sword

Constables Arrest

Seise

Present Sessions Just. of P.

But see if this be not repealed by the general repeale in the Statutes 5. Eliz. cap. 4. after in Laborers 38.

☞ 7 ¶ Bee it enacted that the statute of Northampton An.2.E.3.cap.4.& of 7.R.2.cap.13.be fully holden & kept and duely executed, & that the said Launcegaies bee wholy taken away, vpon the paine cõtained in the said statute of Northãpton, and also to make fine and rãsome to the king. And moreouer that no Lord, Knight, nor other little or great, shall goe nor ride by night nor by day armed, nor beare sallet nor scull of yron, nor other armour, vpon paine aforesaid, saued & except the kings officers & ministers in doing their offices. An.20.R.2.cap.1.

Launcegaies

Fine

Armed

☞ 8 ¶ For the better furniture and defence of this realme, Be it enacted &c. that almuch of all & euery acte and statute concerning onely the kéeping or finding of horse, horses, or armour, or of any of them, heretofore made or prouided, & al and euery forfaiture and penaltie cõcerning onely the same, shalbe frõ henceforth vtterly void, repealed and of none effect.

Statutes Repealed

And be it further enacted by authoritie aforesaid, ý euery noble man, gentlemã, and other temporal person, after the rate & proportion hereafter declared, shal haue & kéepe in readines such horses, geldings, armour & other furniture for the warres at the leall, & in such sort and maner as is and shall be in this act hereafter expressed & declared. That is to say, all and euerie person temporall hauing any honours, lordships, manors, houses, lãds, medows, pastures or woods of estate of inheritance or fréehold, to the cléere yerely value of one M.li. or aboue, shall from & after the first day of May, which shalbe in the yere of our Lord God, 1558. haue, find, and kéepe, sustaine and maintaine within this Realme of England, of their owne proper and at their owne proper costes & expences fiue horses or geldings able for demilãces, whereof three of thẽ at the least to be horses with sufficient harnesse, steele saddles, and weapon requisite and appertaining to the said demilances, horses or geldings, & v. light horses or geldings able & mete for light horse men with the furnitures of harneis and weapon requisite for the same. And also fortie corselets furnished, xl. almaine riuets, or in steede of the said xl. almaine riuets, fortie coates of plate, corselettes or brigandines furnished, fortie pikes, xxx. long bowes, xxx. sheafe of arrowes, xxx. steele cappes or sculles, twentie blacke billes or halberts, twentie haquebuttes, and xx. morians or sallets. And euery person temporall hauing any honours, Lordships, manors, houses, lands, meadowes, pastures or woods of any such estate, as is aforesaid, to the cléere yerely value of M. markes or aboue, and vnder the cléere yerely value of a M.li. shal haue, find, sustaine & maintaine within this Realme, of, and at their owne proper costs & expẽces iiij. horses or geldings able for demilances, whereof two at the least to be horses with sufficiẽt harnesses, and weapon and saddles meete & requisite to the said demilances, horses or geldings, and fiue light horses or geldings able and meete for light horsemen, with furniture of harneis and weapon requisite for the same. And also of armour & weapon xxx. corselets furnished, xxx. almaine riuets, or in steede of the saide almaine riuets, xxx. coates of plate, corselets, or brigandines furnished, xxx. pikes, xx. long bowes, xx. sheafe of arrowes, xx. steele caps or sculs, ten blacke bils or halberts, x. haquebuts, and x. morians or sallets. And euery person temporall hauing honors, Lordships, manors, houses. lãds. medowes, pastures or woods of any such estate as is aforesaid, to the cleere yeerely value of CCCC.li. or aboue, and vnder the cleere yéerely value of a M. markes shall haue, find, kéepe, sustaine and maintaine as is aforesaid. ij. horses, or one horse and one gelding, able for demilãces with sufficient furniture of harneis, steele saddels, & weapons for the same, as is aforesaid, & iiij. geldings able for light horsemẽ with sufficient harnesse and weapon for the same, and also xx. corselets furnished, twentie almaine riuets furnished, or in steede of almaine riuets, twentie coates of plate, corselets or brigandines furnished, twenty pikes, fiftene longbowes, fifteene sheafes of arrowes, fifteene steele caps or sculs, vi. haquebuts, & fiue morians or sallets. And that euerie person temporall hauing Lordships, manors, houses, lands, medowes, pastures or woods, of any such estate as is aforesaid, to the cleere yeerely value of CC. li. or aboue, & vnder the cleere yeerely value of CCCC. li. shall from the saide first day of May, haue, keepe, sustaine & maintaine one great horse or gelding, able for a demilance, with sufficient furniture of harneis, steeled saddle, and two geldings able for light horsemen, with harnesse & weapõs sufficient, as is aforesaid for the same, and also x. corselets furnished, x. almaine riuets, or in the place of almaine riuets,

Tẽporal men

Freehold M.li.

Freehold M. markes

Freehold 400.li.

Freehold 200.li.

r. coates of plate, cõselets or brigãdines furnished, r. pikes, viij. longbowes, eight sheafe of arrowes, 8. steele caps or sculles. iij. haquebuts, & three morians or sallets. And euery person temporall hauing any Lordships, manors, houses, landes, meadowes, pasture or woods, of any such estate, as is aforesaid to the cleere yerely value of one C. pound, or aboue, and vnder the yerely value of CC. pounds, shall from & after the said first day of May haue, keepe & maintaine, as is aforesaid, ij. geldings able & mete for light horsemen, with sufficient harnesse & weapõ requisite for the same. And also ij cõselets furnished, three almaine riuets, or in steed of them so many coates of plate cõselets or brigãdins furnished, three pikes, three long bowes, iij. sheafe of arrowes, three steele caps or sculles, two haquebuts, & two morians or sallets. And also euery person temporall hauing Lordships, manours, houses, lãds, medowes, pastures or woods, of any such estate as is aforesaid, to the cleere yerely value of a C. markes or aboue, and vnder the yerely value of a C. li. frõ the said first day of May, shall haue, keepe, maintaine, and sustaine one gelding able & mẽt for a light horsemã, with the harneis and weapon sufficient and requisite for the same, two cõselets furnished, two almain riuets, or in steed of the same, two coates of plate, or brigandines furnished, ij. pikes, two long bowes, two sheafe of arrowes, two steele caps or sculs, one haquebut, one morian or sallet. And also euery person temporal hauing Lordships, Manors, lãds, houses, meadowes, pastures or woods of any such estate as is aforesaide, to the cleere yeerely value of xl. poũds or aboue, or vnder the yeerely value of a C. marks, shall from & after the said first day of May haue, maintaine and keepe two cõselets furnished, two almaine riuets, or in steed of the same, two coates of plate, cõselets or brigandines furnished, two pikes, one long bow, one sheafe of arrowes, one steele cap or scull, two haquebuts, ij. morians or sallets. And also euery person temporall hauing Lordships, manors, houses, lands, meadowes, pastures or woods, of any such estate, as is aforesaide, to the cleere yerely value of xx. li. or aboue, & vnder the yeerely value of xl. li. shall frõ the said first day of May, haue, keepe, & maintaine one cõselet furnished, one pike, one haquebut, one murrian or sallet, one long bow, one sheafe of arrowes, & one steele cap or scull. And also euery person temporall, hauing Lordships, manors, houses, landes, meadowes, pastures or woods, of any such estate as is aforesaid, to the cleere yeerely value of x. li. or aboue, & vnder the yeerely value of xx. li. shall from & after the said first day, haue, keepe, and sustaine one almaine riuet, coat of plate or brigandine furnished, one haquebut, one murrian or sallet, and one long bow, & one sheafe of arrowes, one steele cap or scull. And also euery person temporall, hauing Lordships, manors, houses, landes, meadowes, pastures or woods, of such estate as is aforesaid, to the cleere yeerely value of vi. li. or aboue, & vnder the yeerely value of x. li. shall frõ & after the said first day of May, haue, keepe, & sustaine one coate of plate furnished, one blacke bill or halbert, one long bowe, one sheafe of arrowes, and one steele cap or scull. And also euery person temporal, hauing goods or cattels to the value of one M. markes or aboue shall frõ the said first day of May, haue, find, keep, sustaine & maintaine as is aforesaid, one horse or gelding, able for a Demilance, with a sufficient harneis, steele saddle, & weapon requisite and conuenient for the same, and one Gelding able and meete for a Lighthorseman, with harneis and weapon sufficient and requisite as is aforesaid for the same, or xviij. cõselets furnished in the steed of the said horse and gelding, and furniture of the same at his choyse. And also shal from the said day haue, find, keepe & maintaine of armour and weapon, two cõselets furnished, two almain riuets, or for the same almain riuets, two coates of plate, two cõselets, or two brigandines furnished, two pikes, foure lõg bowes, foure sheafe of arrowes. iiij. steele caps or sculs, and three haquebuts, with three murrians or sallets. And also euery person temporall hauing goods or cattels to the value hereafter in this present acte specified and declared, shall from and after the said first day of May, haue, finde, keepe, sustaine, and maintaine such geldings, armour, weapons & furniture for warre, as is hereafter declared: That is to say, hauing to the value of CCCC. li. or aboue, & vnder the value of a thousand Markes, one gelding able and meete for a light horseman, with a sufficient harneis and weapon requisite and meete for the same, or ix. cõselets furnished, at his election, & also shall haue, find, & keepe one other cõselet furnished, one pike, two

Freeholde C. li.

Freeholde C. Markes

Freeholde xl. li.

Freeholde xx. li.

Freeholde x. li.

Freeholde vi. li.

Goods M. Markes

Goods 400. li.

almaine riuets or plate coates, or brigandines furnished, one haquebut, two long bowes, two sheafes of arrowes, and two steele caps or sculs. And hauing in goods & cattels to the value of CC.li. or aboue, and vnder iiij.hundred, one corselet furnished, one pike, two almaine riuets, plate coats, or brigãdines furnished, one haquebut, one murrian or sallet, y. long bowes, and two sheafes of arrowes, & two sculs or steele caps. And hauing in goods & cattels to the value of a C.li. or aboue, & vnder two hundred, one corselet furnished, & one pike, one paire of almaine riuets, one plate coate, or paire of brigandines furnished, two longbowes, and two sheanes of arrowes and two sculs. And hauing as is aforesaide, in goods & cattels to the value of xl. pouds or aboue, & vnder a C. pounds, two paire of almaine riuets, or two coats of plate, or brigãdines furnished, one long bowe, & one sheafe of arrowes, one steele cap or scull, and one blacke bil or halbert. And hauing as is aforesaide in goods and cattels to the value of xx. pouds or aboue, and vnder xl. pouds, one paire of almaine riuets, or one coate of plate, or one paire of brigandines, two longbowes, y. sheafs of arrowes, two sculs, or two steele caps, & one blacke bill or halbert. And hauing as is aforesaide, to the value of x.li. or aboue, & vnder xx. pounds, one long bowe, one sheafe of arrowes, with one steele cap or scul, and one blacke bill or halbert. And also that euery person tempozall, not being aboue charged by this acte, hauing or that hereafter shall haue any annuitie or annuities, or yeerely fee or fees for terme of life, or of any estate of inheritance or any copihold or copiholdes for terme of life, or of any estate of inheritãce, to the cleere yeerely value of xxx. pouds or aboue, shall be charged and chargeable with such furniture of warre, as is aforesaid, in euerie degree, qualitie and condition, according to the proportion and rates before expressed, limitted and appointed for goods and cattels. And be it further enacted by the authoritie aforesaide, that euery person which by vertue of the acte made in the Parliament holden at Westminster in the 33. yeere of the raigne of king Henry the eight, (cap. 5. after Horses 7.) was bounde by reason that his wife should weare such kind of apparel or other thing, as in the same statute is specially mentioned and declared, to keepe or finde one great Stoned trotting horse. (Viz.

Goods 200.li.

Goods C.li

Goods xl.li

Goods xx.li

Goods x.li.

Goods Annuitie Fees Copihold

xxx.li.

Wife Apparell

Euery person temporall, whose wife (not beyng diuorced, nor willingly absenting her selfe from him) doth weare any gowne of Silke, French hoode, or bonnet of velnet, with any habilment, paste, or edge of golde, pearle, or stone, or any Cheine of golde about her necke, or in her partlet, or in any apparell of her bodie: Except the Sonnes and heires apparant of Dukes, Marqueses, Earles, Viconts, and Barons, and of others hauing hereditamentes to the yeerely value of sixe hundred Markes, or aboue, during the life of their fathers. And Wardes hauing hereditamẽts of the yeerely value of two hundred pounds.) And is not by this acte before charged, to haue, maintaine, & keepe any horse or gelding, shall from the said first day of May, haue, keepe, and maintaine one gelding, able and mete for a light horseman, with sufficient harnets and weapon for the same, in such maner and forme, as euerie tempozall person hauing Lordships, houses, lands, meadowes, pastures, or woods, of such estate as is aforesaide, of the cleere yeerely value of one hundreth Markes, is charged or appointed to find, haue, and maintaine by this present act.

And be it further enacted by the authority aforesaid, that if any person chargeable by this act, as is aforesaid, shall by the space of any three whole Moneths, after the said first day of May, lacke or want the said number and kinds of horses, geldings, armour, weapon, and furniture aforesaid, or any of them, after such a rate, proportion, maner, and forme, as in this acte aboue is limitted, declared and appointed: That then euery such person shal forfaite and lose for euery such three Moneths that he shall so lacke and want the same number & kinds of horses, geldings, armour, weapon, & furniture or any part thereof, for euery horse or gelding so lacking x. pounds, and for euery Demilance and furniture of the same iij.li. and for euery Corselet and furniture of the same xl.s. and for euery almaine riuet, coate of plate or brigandine, and the furniture of the same xx.s. and for euery bowe & sheafe of arrowes, bill, halbert, haquebut, steele cappe, scull, murrine, & sallet x. shillings. The one moitie of which said forfaitures shall bee to the King and Queene, our soueraigne Lorde and Ladie, and to the heires and successors of the same our soueraigne Ladie, and the other moitie to him or them that will sue for the same in anie court

Lacking iij. Moneths

Fork.

x.li.

iij.li.

xl.s.

xx.s.

x.s.

Moitie

court of Recorde, by bill, plaint, action of debt, or information, in the which bill, plaint, action, or information, no wager of law, essoine, or protection shalbe allowed or admitted.

Inhabitãts

And be it further enacted by the authoritie aforesaide, that the inhabitants of euery citie, borough, towne, parish, & hamlet within this realme, other then such as are specially charged before in this acte, shal haue, find, kepe, sustaine, and maintaine, at their common charges and expẽces, such harneis and weapõ, and suche thereof as shall be appointed by the commissioners of our said Soueraigne Lord & Lady, and of the heires & successors of the same our Soueraigne Ladie, for the Musters or viewe of Armour within such citie, borough, towne, parish or hamlet, there to be kept in such place, as by the said Commissioners shall be appointed. And the numbers & kinds thereof to be written & comprised in a paire of Indentures, to be made betwẽne the said commissioners, or two of them at the least, & twelue, eight, or foure of the chiefest of euerie such citie, borough, towne, parish, or hamlet, whereof one parte to remaine with the chiefe Officer of the same citie, borough, towne, parish or hamlet, & the other part to remaine with the Clerke of the peace of the Shire or Countie where such citie, towne, borough, parish, or hamlet, shall stand or be. And if the same inhabitants of euery such citie, borough, town, parish, or hamlet, other then such as are specially (as is aforesaid) charged, shall lacke or want such harneis or weapons, or anie part therof, as shal be vnto them appointed by the said commissioners for the musters and view of armour, as is aforesaid, by the space of anie three moneths together, nerte after any such appointment made, that then the same inhabitants shal forfait for euery the said 3. moneths for euery such harneis or weapons so lacking, after the rate aboue limited: The one moitie thereof to be to our said soueraigne Lord and Lady, and to the heires and successours of our said soueraigne Ladie, and the other moitie to him or them that will sue for the same in anie of the Courtes of Record of our said soueraigne Lord & Ladie and of the heires and successors of the the same our Soueraigne Ladie, by bill, plaint, action of debt, or informatiõ, wherin no wager of law, essoine, or protection shalbe admitted or allowed.

Common charges

Commissioners of musters

Indenture

Clerke of the peace

3. moneths

Forf.

And bee it further enacted, &c. that the Lorde Chancelour of Englande for the time being, shall haue full power and authoritie by vertue of this present act, from time to time to graunt out Commissions vnder the great seale of England, to the Justices of peace within euery Shire or Countie of this realme, or to so manie of them, as by his discretion shalbe thought meete and conuement for the appointing and limiting of the said harneis and weapons, to be found, kept and maintained in euerie such Citie, Borough, Towne, Parish, and hamlet, at the common charges of the inhabitants therof, as is aforesaid.

Chancelor

Comissions Iust. of p.

Prouided alwaies that this act, or anie thing therein contained shall not extend to take away or discharge any tenant or ferner of his seruice or couenãt towards his Lorde, for the finding of Horse, Armour, or weapon, or for doing of seruice by himselfe or any other, which by the tenure of his lande or ferme, he is bound to doe at the time of the making of this acte, but that he shal yeld, pay, & do the same in as large, ample maner & form, as though this act had never bin had ne made. And be it further enacted by the authority aforesaid, that the Justices of P. of euery shire, shal haue power and authoritie by vertue of this acte, from time to time, to make search and view, of, and for the said furnitures of horses, geldings, armour & weapon, to be found, maintained and kept by anie person aboue said, hauing lordships, manours, houses, landes, meadowes, pastures, or woods, to the cleere yeerelie value of CC.li. or vnder, and not aboue the yeerelie value of CCCC.li. or to be found, maintained or kept by anie person or persons chargeable by this acte, by reason of his or their goods, cattels, annuities, fees, or copiholdes, as is aforesaid, and to heare and determine at their Quarter sessions all and euerie the defaults committed or done contrarie to this act, within the coũtie where such sessions shalbe kept, by inquisition, presentment, bill, or information before them exhibited, or by examination of two lawfull witnesses, at the discretion of the same Justices, & to awarde proces therupon, as though they were indicted before them by verdict of xij. men or more. And vpon the conuiction of the offẽder by information or suit of any other thẽ the king or Quẽne, or of the heirs or successors of the Quẽne, to make estreates of

Tenant Coutnant

Tenure

Iust. of P.

Search

Vnder 400 li. land

Yeare and determine Quarter Sessions

Enquire

Examination

Discretion Proces

Estreats

of the one moitie of the said forfaitures to be leuied to the vse of our said soueraigne Lord and Ladie, or of the heires or successors of the same our soueraigne Ladie, as they vse to do of other fines, issues, and amerciaments, growing in the sessions of peace, and to award execution of the other moitie for the complainãt or informer against the offendor, by Fieri facias or Capias, as the Kings Iustices at Westminster may do and vse to doe. And if any such conuiction shall hereafter happen at the onely suit of our said soueraigne Lord and Ladie, or of the heires or successors of the same our soueraigne Ladie: that then the whole forfaitures to be executed & leuied to their vses only. And be it further enacted by the authoritie aforesaid, ỹ whensoeuer anie person shall at any time hereafter be conuicted by vertue of the acte for any default or thing mentioned in this act that then the same person shall not otherwise or otherwes be vered, troubled, sued, or conuicted for the same default or thing, wherefore he shalbe so conuicted.

Execution

Fieri facias Capias

Conuict

And bee it moreouer enacted by the authoritie aforesaid, that if any souldier shal at any time hereafter make sale of his horse, harneis, and weapon, or anie of the contrary to the forme of the saide statute made in the said 2. & 3. yere of the said late king, (It is meant of 2. and 3. E. 6. cap. 2. which see in Captaines 6.) that then not only the same souldier shall incurre the penaltie of that statute, but also the saide sale made by such souldiers to anie person or persons knowing him to be a Souldier, shal be void & of no effect, against him, or them that found or set foorth the saide horse, herneis and weapons, or any of the, to or for the furniture of such souldier to serue with the same.

Souldier Sell

Sale

Void

Prouided alwaies, that no person shall be impeached or troubled for any offence done contrarie to this act, vnlesse presentment or suit therof be had, made, or taken within one yeere next after the offence done: any thing in this act to the contrarie thereof in any wise not withstanding.

Presentmẽt

One yeere

Prouided alway, and bee it enacted by authoritie aforesaide, that if at any time hereafter it shall fortune any person or persons aforesaid to be sued or impeached, for any forfaiture or penaltie, for not hauing sufficiẽt harneis & weapons, or keeping such furniture of corselets, pikes, haquebuts, or murrians, as by this acte is before limitted, rated and appointed, and for his or their excuse and auoidre shall alleadge and plead that the same furniture so lacking, could not by him or them conueniently be had, gotten, or prouided, for want and lacke of the same within this realme, according to the tenor and purport of this act, the same matter of want and lacke, as is aforesaid, shalbe allowed and taken for a good & sufficient answere & barre in the law, in case it be true, and if the same be denied or trauersed, that therupon an issue shalbe ioyned, & that the triall shall be of euery such issue, onely had by the certificate to be made by the Lord Chancelor, L. Treasorer, the L. President of the Counsell, the Lord Steward of the kings and Quẽns most honourable houshold, the Lord Priuie seale, the Lord Admiral, and the Lord Chamberlain of the said houshold, or by 3. of them in writing vnder their seales, or the seales of three of them: this present act or any statute, lawe or vsage heretofore had to the contrary notwithstãding.

Plead

Trauerst

Prouided also & be it enacted by the authoritie aforesaid, ỹ no person or persons chargeable by vertue of this act, to or for ỹ finding or hauing of any horse, gelding, armor, weapon or furniture for the war, as is aforesaid, shall be charged with the same, or with any of them, both for his manors, houses, lãds, meadowes, pastures, & woods, & also for the goods, cattels, kerns, leases, copyholds, rents, and annuities.

Prouided also, and be it further enacted by the authoritie aforesaid, that this acte, or anie thinges therein contained, shall not in anie wise extend or be adiudged or interpreted, to abrogate, repeale, or make voide any parte, sentence, matter, clause, article, or thing contained or specified in the Statute made in the 33. yeere of the raigne of the late noble prince of worthie memorie K. Henrie the 8. for or concerning the hauing of Longbowes and Arrowes, and the vsing, order, exercising, & maintenance of Archerie and shooting in longbowes (which see in Plaies 2.) but that the same statute, and euery article, clause, sentence, & thing therein contained and specified, touching, or in any wise concerning the hauing of longbowes, arrowes, vsing, order, exercising or maintenance of Archerie, & shooting in longbowes, shal stand and remaine in force, and be obserued, performed & kept, according to the tenor, effect, & true meaning of the said acte, vpon the paines contained in the same, as though this act had not bin had ne made: this

33. H. 8. c. 9.

this p̄sent act o̅ any thing therein contained to the contrarie in any wise notwithstanding.

P̄vided also, that if it shall fortune the said furniture of armour aforesaid, or any parte thereof, at any time hereafter to bee lost̄e or spente in anie seruice of defence of the realme, or els the horses or geldings aforesaid to be killed or destroied, or els by some other occasiō to be dead, that in such case or cases, no person or persons shall be charged with any forfaiture or penaltie aforesaid, for not hauing such quantitie or number of armour, horses or geldings, as is aforesaid. so that he or they within one yeere next after such losse or want doe supplie the same againe in all points, according to the true meaning & purporte of this acte: anie thing in the same act to the contrary therof notwithstanding.

One yere Supply

P̄vided also, that the want of any gantlet or gantlets, shall not be deemed, accompted, or taken for any lack or want of furniture for a corselet, any words before exp̄essed sounding to the contrarie notwithstanding.

Gauntlet

P̄vided also and be it enacted by the authoritie aforesaid, that euerie person & persons charged with the finding of any haquebut, ẏ his or their seruant or seruāts shal & may exercise and vse shoting in the same haquebut, at such marks, as is limited and appointed by the statute made in the 33. yeere of the raigne of king H.8. (which see in Crosslebowes 2.) or at their own p̄oper games, so that they carie not, or vse not the same haquebut in any high way, vnles it be comming or going to or from the Musters, or marching towards or from the seruice or defence of ẏ realme: any clause or article in the said acte of the 33. yere, to the contrary notwithstāding.

Haquebut

33. H. 8. c. 9.

Highway

Musters

P̄vided alway that this acte, ne anie thing therein contained, shall extend to charge any person or persons, dwelling or abiding within the Countries of North Wales, and South Wales, and within the countie Palantine of Lancaster and Chester, or either of them, with the finding or hauing of anie haquebut, but that they & euery of them shal and may at their wil, libertie and pleasure, haue and kēpe in steede & place of euerie haquebut charged by this act one lōg bowe, & one sheafe of arrowes, ouer and besides such other armour and munition, as is by the lawes of this realme limited and appointed: any thing in this acte to the contrarie notwithstanding.

Wales Lancaster Chester

Longbow

P̄vided alwaies, that the Lord Chācelor of England, or Kēper of the great seale for the time being, shall & may from time to time by vertue of the King and Quœns highnesse commission, name, assigne and appoint commissioners in euerie citie, borough, and towne corporate, wherein there bee Justices of the P. as wel in England as in Wales, so many of the same Justices of peace, with such & as many other persons to be ioined with thē, dwelling out of the said cities, boroughs, and townes corporate, as he or they shall thinke meete, to take view of armour in euery of ẏ same cities, boroughs, & towns corporate, according to this p̄sent acte, & also to assigne what harneis and armour shalbe p̄vided & kept by the inhabitants of euerie such Citie, Borough, and towne corporat, as is aforesaid, according to this p̄sent act. An. 4. & 5. P. & M. cap. 2.

Chancelor L. Keeper

Commissioners

Just. of P. Wales

View Cities &c.

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9 ¶ If any person or persons, hauing at any time hereafter the charge or custodie of any armour, ordinance, munition, shot, powder, or habiliments of warre, of the Quœnes Maiesties, her heires or successors, or of any victuals p̄vided for the victualing of any Souldiers, Gunners, Mariners or Pioners, shall for any lucre or gaine, or wittingly, aduisedly, & of purpose to hinder or impeach her Maiesties seruice, imbesil, purloine, or conuey away any the same armour, ordinance, munition, shot or powder, habiliments of warre or victuals, to the value of xx. s. at one or seueral times: that thē euery such offence shalbe iudged Felonie, and the offendor & offendors therin to be tried, p̄ceeded on, and suffer as in case of felonie.

Armour

Victuals

Imbesil

Felonie

P̄vided alwaies, and be it enacted &c. that none shall bee impeached for any offence against this statute, vnles the same impeachment be p̄secuted or begun wthin the yere next after the offence done. And that this act, nor any thing therin contayned, nor any attaindor or attaindors of any person or persons, for any offence made felonie by this acte, shall in anie wise extend, or bee adiudged, interp̄eted, or expounded, to make the offendor or offendors to forfait or loose anie landes, tenements, or hereditaments, any longer thē only during his or their life or liues, or to make anie corruption of blood to anie the heire or heires of any such offender or offenders, or to make the wife of any such offen-

Within the yeere

Forf. Lands

Corruption of blood

Dower

offendor to lose or forfait her dower, or title of dower, of, or in any landes, tenements or hereditaments, or her action or interest to the same: any thing in this act contained, or any attaindor or attaindors hereafter to bee had for anie offence made felonie by this acte, to the contrarie notwithstanding. And that such person & persons as shall bee impeached for any offence made felonie by this estatute, shall by vertue of this acte be receiued & admitted to make anie lawfull proofe that hee can, by lawful witnes or otherwise, for his discharge and defence in that behalfe: any law to the contrarie notwithstãding. An. 31. Eliz. cap. 4.

Proofe

Discharge

¶ Arrowheads.

☞ WHereas Arrowsmiths doe make faultie heads of arrows & quarels not defensible, to the great preiudice of ỹ people and realme. Be it &c. that all the heads for arrowes and quarels after this time to be made, shalbe wel boiled or brased, & hardened at the points with stéele, & if any of the said arrowsmiths doe the contrarie, they shall forfait all such heads and quarels to the king, & shalbe also imprisoned & make a fine at the kings will. And that euery arrowhead & quarell be marked with the marke of him that made the same. And the Justices of peace in euerie Countie of England, and also the Maior and Shirifes, and Bailifes of cities & boroughs, within the same cities and boroughs, shall haue power to inquire of all such deceiptful makers of heads and quarels, & to punish them, as afore is said. An. 7. H. 4. cap. 7.

Arrowes Quarels Brased

Forf. Imprison

Marke Iust. of P. Maiors Shirifs Bailifes

Punish

¶ Arrests.

COncerning great men and their bailifs and others, except the kings officers (vnto whom special authoritie is giuen so to doe) which at the complaint of anie, or by their owne authoritie, attach other passing through their iurisdiction with their goods, compelling them to answere before them vpon contracts, couenants, & trespasses, done out of their power & iurisdiction, where indeed they hold naught of them, nor within the franchise where their power is, in preiudice of the king & his crowne, & to the damage of the people: It is prouided, that none from henceforth so doe, if any doe he shal pay to him that by this occasion shall bee attached, his dammages double, and shall bee grieuouslie amerced to the king. West. 1. cap. 34. An. 3. E. 1.

Bailifes

Attach

Goods Contracts Couenants Trespasses

Damages Amerce

2 ¶ Because that complaint is made to our Soueraigne Lord the king by the Cleargie of his said realme of England, that aswell diuers Priests, bearing the sweete bodie of our Lord Jesu Christ to sick people, and their clerkes with them, as otherwise diuers other persons of holy Church, whiles they attend to diuine seruice in the churches, churchyardes, and other places, dedicate to God, be sundrie times taken and arrested, by authoritie royal, and commandement of other temporal Lords, in offence of God, & of the liberties of holy Church, and also in disturbance of the diuine seruices aforesaid. The same our Soueraigne lord the king (who would be greatly displeased, if anie did in such maner) will & grãteth, and defendeth vpõ his grieuous forfaiture, that none do the same from henceforth, so that collusion or fained cause bee not found in any of the saide persons of holie Church in this behalfe. Anno 50. E. 3. cap. 5.

Cleargie Priests

Clerkes

Sacraments Churches Churchyards

Diuine seruice

Collusion

3 ¶ Because that the Prelates doe complain themselfe, that aswell beneficed people of holie Church, as other, be arrested and drawen out aswell of Cathedrall churches, as of others churches, and their churchyards, & sometime whiles they bee attending to diuine seruices, and also in other place, although they bee bearing the body of our Lord Jesus Christ to sick persons, and so arrested and drawen out, bee bound and brought to prison, against the libertie of holy Church: It is ordained, that if any Minister of the king or other, doe arrest any person of holie Church, by such maner, and thereof be duely conuict, he shall haue imprisonment, and there be raunsomed at the kings will, and make grée to the parties so arrested.

Prelates Priests

Cathedrall Churches Churchyardes

Sacrament

Prison

Imprison. Fine

Prouided alwaies, that the said people of holie Church, shal not hold thẽ within the Churches or Sanctuaries by fraud or collusion in any maner. An. 1. R. 2. cap. 15.

Sanctuaries Collusion

¶ Artificers.

IT is ordained, ỹ artificers, handicrafts people, shal hold them euery one to one mystery, which he wil chose, betwixt this and the said feast of Candlemas. And two of euery craft shalbe chosen to suruey that none vse other crafte then the same which he

Suruey

Iustices

Diers & ter. Trespasses

Imprisl. fine.

Women Brewers Bakers Woolli linnen cloth

Aliens

Brewers Bakers Surgeons Scriueners

Handicraftesmen

Void

be hath chosen. And that Iustices be assigned to enquire by proces, to heare and determine in this article, and that the trespassors in this article, shal be punished by imprisonment of two yere, and moreouer to make fine and ransome according to the quantitie of the trespas, and the Surueiors by the discretions of the Iustices to bee appointed. But the intent of the king & of his counsel is, that women, that is to say, brewers, bakers, carders, & spinners, & workers aswell of woll as of linnen cloth and of like, brawdsters & breakers of woll, and all other that do vse and worke handie works, may freely vse and work as they haue done before this time, without anie impeachment, or being restrained by this ordinance, Anno 37. E. 3. cap. 6.

2 ¶ Where diuers estatutes penall heretofore haue been made against strangers artificers, for exercising of handicrafts within this realme, and for képing of houses, apprentices, & seruants straungers, as by the said seueral estatutes more plainely is rehearsed: Sithence the making whereof, Beerebrewers and Bakers which bin common vitaillers, & also Surgeons and Scriueners being strangers, inhabiting and dwelling within this realme, haue bin put to trouble and great veration, by occasion of information brought against them vpon the saide statute, supposing that strangers vsing baking, brewing, surgerie, or writing, should be handicraftsmen: vpon ỹ which information great doubtes and ambiguities haue risen, whether strangers vsing any of the said mysteries or sciẽces, should bee vnderstode such handicraftesmen as were intended by anie the said statutes. For plaine declaration whereof be it enacted &c. That no person or persons strangers, being a common Baker, Brewer, Surgeon or Scriuener, shall be interpreted or expounded handicraftsmen, in, for, or by reason of vsing any of the saide mysteries or sciences of baking, brewing, surgerie, or writing, & that all informations, suits, actions and proces, had, taken, or hereafter to be taken, vpon any of the said Statutes against any such stranger or straungers being Bakers, Brewers, Surgeons, or Scriueners, shal by authority of this present act be void and of none effect, An. 22. H. 8. cap. 12.

3 ¶ Forasmuch as of late daies sellers of vitailes for their greater gaine, haue conspired and couenanted together to sell their victuals at vnreasonable price: And artificers, handicraftsmen and labourers haue made confederacies and promises, and haue sworne mutuall othes, not only that they should not meddle one with an others worke, and performe & finish that another hath begun, but also to constitute and appoint how much work they shal do in a day, and what houres and times they shall worke, contrarie to the lawes & statutes of this realm, and to the great hurt and impouerishment of the kings Maiesties subiects.

For reformation whereof it is enacted, that if any Butchers, Brewers, bakers, Pulters, Cookes, Costermõgers, or Frutrers, shal at any time from and after the first day of March nexte comming, conspire, couenant, promise or make anie othes, that they shall not sell their victuals but at certaine prices. Or if anie Artificers, workemen, or labourers, do conspire or couenant, or promise together, or make anie othes that they shall not make or do their workes but at a certaine price and rate, or shall not enterprise to take vpon them to finish that another hath begun, or shall doe but a certaine worke in a daie, or shall not worke but at certaine houres and times, that then euery person so conspiring, couenanting, swearing, or offending, being lawfully conuict thereof by witnesse, confession, or otherwise, shall forfait for the first offence x. pound to the Kings highnes, and if he haue sufficient to pay the same, and do also pay the same within vi. daies next after his conuiction, or els shall suffer for the first offence xx. daies imprisonment, and shall only haue bread and water for his sustenance. And for the second offence shall forfait twenty pound to the King, if he haue sufficient to pay the same, and do paie the same within fiue daies next after his conuiction, or els shall suffer for the second offence punishment of the pillorie, And for the third offence shall forfait fortie pounds to the K. if he haue sufficient to pay the same, and also doe pay the same within vi. daies next after his conuiction, or els shall sit on the Pillorie, and lose one of his eares, and also shall at all times after that be taken as a man infamous, and his sayings, depositions, or othe, not to be credited at anie time in any matter of Iudgement. And if it fortune any such conspiracy, couenãt, or promise to be had & made by anie societie, brother-

Butchers Brewers Bakers Poulters Cookes Costermongers

Artificers Labourers Conspire

Price

First offece Forf. x. li.

Imprisl.

2. offences xx. li.

Pillorie 3. offences xl. li.

Pillorie Loose one eare Infamous

Conspiracy

Corporatiõ

brotherhod, or companie of any crafte, mysterie or occupation of the vitailers aboue mentioned, with the presence or consent of the more part of them, that the immediatly vpon such act of conspiracie, couenant or promise had or made, ouer and besides the particular punishment before in this acte appointed for the offendour, their corporation shalbe dissolued to al intents, constructions and purposes. And it is &c. that all and singular Justices of assises, Justices of peace, Maiors, bailifes, & stewards of Leets, at al & euerie their sessions, Leetes & Courts shal haue ful power & authority to enquire, heare, and determine, all & singuler offeces committed against this statute, & to punish or cause to be punished the offendors, according to the tenor of this statute, An. 2. E. 6. ca. 15.

Corporatiõ dissolued

Just. of ass. Just. of P. Maiors Bailifes Stewards of Leetes Heare and determine Punish

In the same acte was an Article that none shall disturbe certaine Artificers named in that article, to worke in any of the craftes there named, in any Citie. Borough, or Towne corporate, with anie person, though the Artificers doe not dwell, or bee not free there &c. But this Article for the benefite of the Citie of London is repealed by 3. E. 6. cap. 20. And learne if the general words of 5. Eliz. cap. 4. (infra Labourers 38.) hath not repealed the rest of this Statute concerning Artificers, workemen and Labourers.

¶ Assault and Fraies.

Thedder

Brooke

Parliament Somerset

Maime Savage

Proclamation

K. bench

Attaint

Damages Judges

Inquest Fine

BEcause that Richard Thedder Esquier, which was come to this present Parliament with Thomas Brooke knight, one of the knightes chosen to the same Parliament for the countie of Somerset, and meniall seruant with the said Thomas, was horribly beaten, wounded, blemished and maimed by one John Savage: It is ordained & stablishe, that for so much as the same horrible deede was done within the time of the said Parliament, that Proclamation be made, where the same horrible deede was done, that the said John appeare and yeelde him in the Kings bench within a quarter of a yere after the Proclamation made, and if he do not, the same John Savage shall be attainted of the said deede, & pate to the partie grieued his double damages, to bee tared by the discretion of the Judges of the same bench, for the time being, or by Enquest if it neede be, and also hee shall make fine and ransome at the kings will. Moreouer it is accorded in the same parliament, that likewise it be done in time to come in case like, An. 5. H. 4. cap. 6.

2 ¶ If any assault or affray be made to any Lord spiritual or temporal, knight of of the shire, Citizen or Burgesse, cõming to the Parliament, or to the Counsell of our soueraigne Lord the king by his commandement, and there being and attending to the Parliament or Counsell of our soueraigne Lord the king: that then Proclamation shall be made in the most open place of the towne, by three seuerall daies where the affray was made, that ỳ partie that made such affray or assault, yeeld him before the King in his Bench, within a quarter of a yeere after the Proclamation made, if it be in the time of the terme, or otherwise, at the next day in the time of the terme following the saide quarter, and if he do not that he be attainted of the said deede, and pay to the partie grieued his double damages, to be tared by the discretion of the Justices of the same bench for the time being, or by inquest if it be needfull, and that hee make fine and ransome at the kings will. And if he come and be found guilty by inquest, by examination or otherwise, of such affray or assault, then hee shall pay to the partie thereby grieued his double damages found by the inquest, or to be tared by the discretion of the said Justices, & make fine and ransome at the will of our Soueraigne Lord the king, as aboue is said. An. 11. H. 6. cap. 11.

Parliament Counsell

Proclamation

Attaint

2. damages Justices

Enquest

Fine

Examination Affray

2. damages

Fine

¶ Assises.

Mordancester

Chief Just.

Knights of shires

Determine Circuite Difficultie

ASsises of Nouel disseisin, & of Mortdancester, shall not be taken but in their shires, and after this maner. Wee, or (if we bee out of the realme) our chiefe Justicers shall sende out our Justicers through euerie Countie once in the yere, which with the Knightes of the Shires, shall take the said Assises in those Counties, and those thinges that at the comming of our saide Justicers being sente to take those Assises in the Counties, cannot be determined, shall be ended by them in some other place in their circuite. And those things which for difficultie of some articles cannot bee determined by them, shall bee referred to our Justicers of the bench, and there shall bee ended, Magna charta cap. 12.

2 ¶ No

Escheator Shirife Bailifes Warrant

2 ¶ No Escheator, Shirife, nor other Bailife of the king, by colour of his office, without ſpecial warrant or commaundement, or authoritie certaine pertaining to his office; diſſeiſe any man of his freeholde; nor of anie thing belonging to his freehold. And if anie doe, it ſhal be at the election of the diſſeiſee, whether that the king by office ſhal cauſe it to be amended at his complaint, or that he will take the common law by an Aſſiſe of Nouel diſſeiſin, and he that is attainted thereof ſhall pay double damages to the plaintife, and ſhalbe grieuouſly amerced vnto the king; Weſt.1.cap.24.An.3.E.1.

Diſſeiſe Freehold

Office

Common law Attaint 2. damages Amerced

3 ¶ It is prouided alſo and agreed, that if any man be attainted of diſſeiſin done in the time of ỳ king that now is, with robberie of anie maner of good or moueable, & it be found againſt him by recogniſance of Aſſiſe of Nouel diſſeiſin, the iudgement ſhalbe ſuch, that the plaintife ſhal recouer his ſeiſin and his damages, aſwell for the goods and moueables aforeſaid, as for the ſoile, and the diſſeiſor ſhal make fine whether he be preſent or not (ſo as if he be preſent) hee ſhall be firſt awarded to priſon. And in like maner it ſhalbe done of diſſeiſin with force & armes, although there be no robberie done, Weſt.1.c.36.An.3.E.1.

Attaint Diſſeiſin

Robberie Recogniſ.

Iudgement

Damages

Freeholde Fine

Impriſon.

4 ¶ Aſſiſes of Nouel diſſeiſin, Mordanceſter and Darrein preſentment, ſhall bee taken in Aduent, Septuageſima, and Lent, euen aſwel as Inqueſts may be the taken, Weſt.1.cap.48.

Mordanceſter Darrein preſentment Aduent Lent

5 ¶ See Execution 2. of Aſſiſe by tenant by Elegit. And See Recogniſance 2. of Aſſiſe by tenant by ſtatute Merchant. And See Staple 8. of Aſſiſe by tenaunt by ſtatute Staple.

Elegit Statute merchant

6 ¶ Foraſmuch as there is no writ in the chancery, wherby plaintifes can haue ſo ſpeedie remedie, as by a writ of Nouel diſſeiſin: Our Soueraigne Lord the king, to the intent that Iuſtice may bee more ſpeedilie miniſtred, and delaies in plees may bee abridged and taken away, granteth that a writte of Nouel diſſeiſin ſhall holde place in moe caſes then it hath done heretofore. And graunteth that for Eſtouers of wood, and profite to be taken in woods by gathering of Nuts, Acorns and other fruits for a Corody and deliuerie of corne and other victuals and neceſſaries, & money to be receiued yeerely (in a place certaine) Toll, tronage, paſſage, pontage, pawnage, and ſuch like to be taken in places certaine, keeping of woods, parkes, forreſts, chaſes, warrens, pates, and other Bailiwikes, & offices in fee, from henceforth an Aſſiſe of Nouel diſſeiſin, ſhall lie, and in all caſes afore rehearſed, the writ ſhall bee as it was wont to bee, De libero tenemento. And as before times it hath lien and holden place for common of paſture, ſo ſhall it from henceforth holde place for common of turueland, fiſhing and ſuch like commons, which anie man hath appendant to freeholde, or without freehold by ſpeciall deede, at the leaſt for terme of life. In caſe alſo when anie holding for terme of yeeres, or in warde, alieneth the ſame in fee, and by ſuch alienation the freholde is transferred to the feoffee, the remedie ſhall be by a writ of Nouel diſſeiſin, and aſwell the feoffor as the feoffee ſhall bee had for diſſeiſors, ſo that during the life of anie of them, the ſaid writ ſhall holde place. And if by the death of the parties remedie happen to faile by that writ, then remedie ſhall bee had by a writte of Entre. And albeit that aboue mention is made of ſome caſes wherein a writte of Nouel diſſeiſin helde no place before, let no man think therfore ỳ this writ lieth not nowe where it hath lien before. And though ſome haue doubted whether a remedy may be had by this writ, in caſe where one feedeth vpon ỳ ſeuerall of another, let it be held for certain, that a good and a ſure remedie is giuen in ỳ caſe by the ſaid writ. And let them that bee named diſſeiſors beware from henceforth, ỳ they alleadge no falſe exceptions, whereby the taking of the Aſſiſe may bee deferred, ſaying ỳ another time an Aſſiſe of the ſame land paſſed betweene the ſame parties, or ſaying vntruely that a writ of more high nature hangeth betweene the ſame parties for ỳ ſame land, & vpon theſe & like matters do vouch rolles or records to warrantie, to the end that by the ſame vouching they may take away ỳ veſture of the land, and receiue the rents & profits to the great damage of the plaintife. And wheras before none other paine was had againſt him that falſely had alleaged ſuch vntrue exceptiõs, but only that after ſuch falſe ſurmiſes diſproued, the Aſſiſes ſhuld be taken. Our ſoueraigne Lord the king (to whom ſuch falſe exceptions be odious) hath ordained, that if any being named diſſeiſor do perſonally alleage that exception, if at the day to him giuen he faile of the warrantie ỳ he hath vouched, he ſhall be adiudged for a diſſeiſor without taking of

Forreſts Chaſes Warrens Bailiwikes Offices

Common of paſture Turueland Fiſhing Freholde

Alienation

Writ

Seuerall

Diſſeiſors Falſe exceptions

Rolles Records Vouch Veſture Profites

Exceptions

Eſtouers of wood Nutres Acornes Fruites Corodie Toll Tronage Paſſage Pontage Pawnage Woods Parkes

Adiudged Diſſeiſor

Damages of the Assise, & shall recouer the damages before inquired of, or to be inquired of after, to the double, & shal neuertheles haue a yeres imprisonmẽt for his falshod. And if the exception be alleadged by a bailife, ỳ taking of the Assise shall not bee delaied therefore, nor the iudgement vpon the restitution of the lands and damages.

Impris. Bailifes

Iudgement

Waiter Iustices Proue Plaintife Venire facias

Prouided neuertheleſſe, that if the waiter of such a bailif that was absent, come afterward before the same Iusticers that toke the Assise and offer to proue by the Record or Roll, that another time an Assise passed betweene the same parties for the same land, or that a plaintife at another time did withdraw his suite in a like writ, or that a plee hangeth by a writ of more high nature: a writ of Venire facias shalbe made to him for the same record, and when they haue the same, and the Iusticers do perceiue that the record so sent, would haue been so auaileable to him before iudgement, that the plaintife by force of the same should haue bin barred of his action, the Iusticers shal award immediatly a Scire facias against him ỳ first recouered, that he be before them at a certain daie, at the which the defendant shal recouer again his seisin and his damages (if he haue paied any by the first iudgement) with the damages also that he hath sustained after the first iudgemẽt giuen, which he shall recouer to the double, as before is said, & he that first recouered shall be punished by imprisonment, after the discretion of the Iustices. In the same maner if the defendant against whome the Assise passed in his absence, shew anie deedes or releases, vpon the making whereof the Iurie were not examined, nor could be examined, because there was no mention made of them in pleading, and probablie they might be ignorant of the making of those writings: The Iustices vpon the sight of those writings, shall award a Scire facias to the partie that recouered, that he appeare before them at a certaine day, and shal cause the Iurors of the same Assises to come before them. And if he proue those writings true by their verdict, or by the inrolment of them, he that purchased that Assise contrarie to his owne deede, shall be punished by the paine aforesaide. Neither shall the shirife from henceforth take an ore of the disseisee, but of the disseisor onely, and if there be many disseisors named in one writte, yet shall hee be contented with one ore, nor shal aske anie ore but of v.s. price, or the value. West. 2. cap. 25. An. 13. E. 1.

Damages Absence Deedes Releases Iurie Examine Pleading Scire facias Iurors Verdict Inrolment Paine Shirife Ore v.s.

7 ¶ Where one hauing no right to common vsurpeth common. what time an heire is in age, or what time a woman is couert, or whiles the pasture is in the hands of tenants in dower, by the curtesie, or other wise for terme of life, or yeres, or in fee taile, & the pasture be long vsed, many hold opinion ỳ such pastures ought to be said appurtenant to their freeholde, & that the possessioner ought haue action by a writ of Nouel disseisin, if he be forced of such pasture, but from hencefoorth this must be holden for lawe, that such as haue entred within the time that an assise of Mortdancester hath lien, if they had no common before, shal haue no recouery by a writ of Nouel disseisin, if they be forced, West. 2. cap. 46.

Common Vsurpe Infant Woman Dower Tenant by the curtesie Appurtenk Writ Forced Mortdancester

8 ¶ Where tenants in Assise of Nouel disseisin might not make Atturnies hereto fore: It is agreed that the tenants in assise of Nouel disseisin from henceforth may make Atturnies: Yet the K. intendeth not hereby that the tenants and defendants in assises of Nouel disseisin, shal plead by Bailifes at their owne pleasure, as they haue done heretofore, Statutum Eborum cap. 1. An. 12. E. 2.

Atturnies Bailifes

9 ¶ Forasmuch as it chaunceth manie times in Assises of Nouel disseisin, that the tenaunt doth plead against the plaintife, that he holdeth the lands being in demaund iointly with his wife, not named in the Writ, and sometime with a stranger, who likewise is not named in the Writte, and sheweth forth a deede testifyng the same, and demandeth iudgement of the Writ: It is agreed and ordained, that if the plaintife will offer to auer by assise, that the day of his writ purchased, he that alleaged the exceptiõ was sole tenant, so that neither his wife nor any other had any thing in the said lands, then the Iustices before whom the assise is arraigned, shall retaine the same deede safely in their keeping, vntill the Assise be tried betweene them thereupon. And they shal let the party absent to vnderstand by our writ vnder their witnessing, & also to the iointenant that is present, of whõ the deede maketh mention, that he be present at a certain day with the other tenant, for to answere vnto the party plaintif, aswel vppon the exception alleadged, as of the lands demanded & put in view, if it seeme expedient for him, at which day if both

Ioint Deedes Auerre Iustices Writ Exception View

that

that are named tenants do come in, & doe iustifie the same feoffement, they shal answere & maintain the exception alleaged by one of them, and further shall answere vnto the Assise, as though ỳ originall had bin purchased against both of them ioyntly. And if it be proued by Assise, that ỳ exception was alleaged maliciously for to delay the plaintif of his right, so that they held not the same land ioyntly, the day of the writ purchased, then albeit the same Assise do passe for the tenants, & against the plaintife, yet they that alleage the exception shalbe punished by one yeeres imprisonment, from whence they shall not be deliuered without grieuous fine. And let the Iustices be wel aduised, that from henceforth they do not allow an exception alleaged by the Bailifs of any such tenants, and if he that alleageth the exception absent himselfe at his day, & the other that is named iointenant doe appeare, although he iustifie the same deede and say, that he hath nothing in the aforesaid lands &c. neuertheles ỳ Assise shal passe against him that is absent by default. And if it be found by assise that they were not ioyntly seised the day of the writ purchased, and likewise that the tenant against whome the writ was purchased, or any other named in the writ did disseise the plaintife, then hauing regarde to them that were falsely & maliciously alleaged to the hurt of the partie, and to the disseisin that they made, the plaintife shall recouer his seisin & double damages, & they that alleage the false exception, shal haue the punishment aforesaide: But if neither of the tenants do come in at the day, then vpon their default the Assise shall passe against them. And if it be found that the same exception was lawfully & truely alleaged, and that they that alleaged it, were ioyntly seised before the plaintife purchased his writ against them, the assise shall passe no further, but ỳ writ shalbe abated. The same shalbe obserued if both or one do appeare, if it bee found by Assise that the exception was truely alleaged, as before is saide. The same order shalbe obserued in Assises of Mortdanceſter, and writs of Iuris vtrum, that the first daye that the parties appeare in court, if the tenant alleage the exception against the demaundant, shewing a deede thereupon, & the demaundant will offer to auerre by the Assise or Iurie, that the day of his writ purchased, be that alleaged the exception was sole tenant,

Feoffement

Originall Joint

Punish Imprit.

Fine Iustices

Bailifes

Default

Disseise

ii. damages

Default

Writ Abate

Mortdanceſter Iuris vtrum

Auerre

Sole tenant

hereafter the same maner of proces shall be vsed in assises of Mortdãceſter, & writs of Iuris vtrum, as before is ordained in Assises of Nouel disseisin, & like punishment shalbe awarded to the offendors. But in other writs whereby lands are demaunded, such proces shalbee made at the first day that the parties appeare in Court, if the tenant doe alleage the foresaid exception of a ioynt feoffement, & the demaundant wil offer to auerre by the Countrey, that the day of the writ purchased, he that alleaged the exception was sole tenant, then the same maner of proces shalbe obserued betwixt the parties, vntill a Iurie haue passed betwéene them therupõ. And if it be foundẽ by the Iurie that the same exception was truely alleaged, then the writ of the demaundant shal abate. And if it be founden by the Iurie that ỳ same exception was falsely and maliciously aleaged, to the hinderance of the partie, then the demaundant shal recouer his seisin of the lands in demaund, & the tenant shalbe punished by the paine abouesaid in a Writ of Nouel disseisin, as to the imprisonment, and as to the dammages according to the discretion of the Iustices, Anno 34. E. 1.

Proces Writ

Iurie

Abate

Imprit. Damages

10 ¶ An Assise of Nouel disseisin shall be from henceforth graunted and made of rent behind, due of tenements being in diuers Counties, to be holdẽ in the confine of the Counties, within which the tenements be. And thereupon the assise taken & tried by people of the saide Counties, in the same manner as is done of a cõmon of pasture being in one Countie, and appendant to tenementes in another Countie. And that aswel of disseisins don in times past, as of disseisins yet to be done, & that writs therupon at the suit of the plaintifs be made from henceforth in the Chancery without any maner of contradiction in a due forme, An. 7. R. 2. ca. 10.

Rent

Confines

Common of pasture Appendant

Disseisin

Writs

11 ¶ In case any lands or tenements be graunted by the kinges Patent without title found by enquest, or otherwise, there where the kinges entrie is not giuen by ỳ law: They that be put out or disseised of their freehold, shall haue a speciall assise of the Chancellors grant, without other suit to be made to the king in that behalfe, & if the persons hauing the kings letters patents, do pray in aide, a writ of Procedendo shalbe graunted by ỳ saide Chancelor, without making other suite to the king. And in case that they which be put out or

Patents

Entrie Disseised

Aide Procedendo

diſſeiſed, doe recouer againſt the perſons hauing ſuch patẽts, that then they which be ſo put out or diſſeiſed, ſhal recouer their treble damages. And that this ordinance & ſtatute hold place aſwell after the kings arriuall into Englande, as in all time to come, An. 1. H. 4. ca. 8.

lll. damages

12 ¶ Wheras daily the great men of the Realme do make forcible entries into other mens lands, and put out the poſſeſſors of the ſame, claiming ſometime in their own right, where their entrie is not lawfull, and ſometime in anothers right, where they haue nothing in reuerſion, in right, nor in demeſne, nor there is no affinitie nor coſinage betweene them & thoſe in whoſe right they haue entred, and alſo take their goods & cattels in manner of robberie, ſo that oftẽtimes they be in ſuch maner put out, and of their goods & cattels ſpoiled, that they haue nought to purſue for their right, & ſo by ſuch forcible entries & maintenance, the land tenants & poſſeſſors bee vtterly diſherited and deſtroyed: Our ſaide Soueraigne Lorde the king, minding to doe euen right to all his liege people, aſwel ẏ ſmall as the great, & ẏ his lawes be duely executed, at the grieuous complaint of the ſaide Commons, by the aduiſe & aſſent of all the Lordes aforeſaid, for to puniſh & chaſtiſe ſuch riots and forcible entries ſo made, & hereafter to be made againſt the lawes of the lande, hath ordained and ſtabliſhed, that if any man great or ſmal, of what eſtate or condition that he be, make any ſuch forcible entrie in his owne right, or to his owne vſe, or in any others right, or to anothers vſe by way of maintenance, or take to cary away any goods after ſuch forcible entrie, from the poſſeſſor of the freeholde, that if the partie grieued or other lawfull man will make othe in his name, that the entrie was made in ſuch forcible manner, that the Chancelor of England for ẏ time being, ſhal haue power by his diſcretion, to graunt a ſpeciall Aſſiſe in this caſe to ẏ partie grieued, of whatſoeuer valure the tenements be, without ſuing to the king. And if ſuch diſſeiſor bee attainted of ſuch diſſeiſin made in ſuch forcible maner, hee ſhall haue one yeres impriſonment, and yelde to the partie grieued his double damages. And if he be conuicted by the ſame Aſſiſe, that he hath taken or caried awaie any goods or cattels of ſuch diſſeiſees, the Iuſtices of the ſame Aſſiſe ſhall haue power for to heare and determine aſwell for our Soueraigne Lorde the king, as for the partie, of the goods & cattels ſo caried away, and to award to the ſame partie ſo grieued his damages. And that in euery ſuch eſpeciall aſſiſe bee named one of the Iuſtices of the one bench or of the other, or of the chiefe Baron of the Eſchequer, if he be a man of the lawe. And that hereafter no writ of Superſedeas be graunted to the contrarie of ſuch eſpeciall Aſſiſes, An. 4. H. 4. cap. 8.

Forcible entries

Goods Robberie

Maintenance

Chancelor

Diſſeiſor Attaint

Impriſ.

ſl. damages Conuict

Goods Iuſtices

Oier & ter.

Damages

Superſedeas

13 ¶ Anno 9. H. 5. cap. 3. The King commanded that his Iuſtices ſhould hold the Aſſiſes throughe his realme by the maner accuſtomed.

Iuſtices

14 ¶ An. 9. H. 5. ca. 3. and Anno. 4. H. 6. cap. 2. and An 8. H. 6. ca. 13. and An. 14. E. 4. cap. 2. foure ſeuerall Acts were made to endure for certaine yeeres, wherein were enacted, that Recoueries in Aſſiſe ſhould not be preiudiciall to them in the reuerſion which were beyond the Sea with the king in his ſeruice, if they were not named in the Aſſiſe.

Iuſtices Abate

Reconeries

Reuerſion

15 ¶ The panels of eſpecial Aſſiſes ſhal be arrayed, & a copie indented of the ſame by the Shirife deliuered to the plaintifes, tenants, and defendants, fiue dayes at the leaſt before the Seſſion of the Iuſtices, if they the ſame demaund. And as to the returne or anſwere of the Bailifes of franchiſes, they ſhall make their returnes or anſweres to the Shirifes of ſuch ſpeciall Aſſiſes, fiue daies before the Seſſion, in the maner as afore. And that vpon paine of xl. li. to be paied by the ſaid Shirifs or bailifes to the king, as often as they or any of them do contrarie to this ordinance or ſtatute, An. 6. H. 6. cap. 2.

Panel

Shirifs

Returne

xl. dayes

Paine

Bailifes

Adiorne

16 ¶ Whereas diuers perſons often times do ſue Aſſiſes of Nouel diſſeiſin before Iuſtices aſſigned, againſt diuers perſons, and by craft and colluſion for to haue their writs of their ſaid Aſſiſes directed to the Coroners of the Counties where the tenements be, for to make execution of ẏ ſaid writs, do name in their ſaide Aſſiſes, the ſhirifs of the ſame Countie one of the diſſeiſors, where he is not nor neuer was diſſeiſor, nor tenant of the tenemẽts in demaund, wherby oftentimes the ſaid Aſſiſes be awarded by the fault of the tenants which haue no knowledge of thoſe aſſiſes, in ſo much that they found not any Aſſiſe againſt them of the ſhirife in the file, nor haue no ſuſpicion of any ſuch Aſſiſe taken againſt the Shirife and them: Our ſoueraigne Lord the king, willing in this caſe to

Colluſion

Writs Coroners

Shirifs

Fyle

Peticion

to prouide remedie of the assent & authoritie aforesaid, hath ordained, that in all such Assises purchased at this time hanging, or hereafter to be purchased betweene any persons whatsoeuer they be, before any such Justices, in which Assises any such Shirifes be named disseisor, if the tenants in the said Assises, or any of them wil auerre, that the said Shirif is not, nor neuer was disseisor nor tenant of the tenements in demaund, but was named disseisor by collusion, the auerrement shalbe receiued. And if it be found by the said Assise, that the said Shirife is not, nor neuer was disseisor nor tenant of the tenemẽts, but was named disseisor by collusiõ, then the said Justices shal doe to be abated the said writ purchased or to be purchased in the forme abouesaid. And that the plaintife or plaintifes be in the grieuous mercie of the king, Anno. 11. H. 6. cap. 2.

Auerre

Justices Abate

See the like Statute in Conisance An. 9. H. 4 cap. 5. and Anno 8. H. 6. cap. 26.

17 ¶ That the plaintife in euery Assise from henceforth may at his pleasure seuer and abridge his plaint of any part or partes, whereunto any barre is pleaded, in such like maner as he or they might doe in cases that plées in barre had bene had and deuided to any certaintie or number of acres in the plaint, and that the plaint for the residue of the part or partes of the landes not abridged, shallbee and stand good and effectuall in the law, An. 21. H. 8. cap. 3.

Abridge

¶ Attainder.

ANno 11. R. 2. ca. 5. &c. certaine persons were attainted by Parliament.

2 ¶ Anno 5. H. 4. ca. 1. & Anno 7. H. 4. cap. 12. certaine persons were attainted by Parliament.

3 ¶ See Vses 8. of attainder of Empson and Dudley.

4 ¶ Anno 25. H. 8. cap. 12. an act was made concerning the attainder of Treason of Elizabeth Barton Nunne of Canterburie, Richard Master, Edward Bocking moonke, John During and Hugh Rice, & Richard Risby obseruant Friers, & Henry Gold, of misprision of Treason of John Fisher Bishop of Rochester, Th. Gold, Thomas Laurence, John Adelton, and Thomas Abel &c.

Misprision

5 ¶ See Crowne 4. of the attainder of Anne Bollen, and her brother and others.

6 ¶ An. 33. H. 8. ca. 21. an act was made for the attainder of treason of Quéene Katherin Howard, the Lady Rochforde, Culpeper & Derham, and of the attainder of Misprision, An acte of Treason of the Duches of Norfolke, the Countesse of Bridgewater, Lorde William Howard, and diuers other men and women. Treason

7 ¶ In Anno 2. E. 6. cap. 17. An acte was made for the attainder of Treason of Sir William Sherington knight, and after Anno 3. E. 6. cap. 13. he was restored to his bloud. Treason Restored

8 ¶ In Anno 2. E. 6. cap. 18. a great long act is made for ỳ attainder of Treason of Sir Thomas Seimor Lord Admirall, and after Anno 3. E. 6. cap. 14. Marie Seymor his daughter was restored to her bloud. Treason Restored

9 ¶ In Anno. 1. M. 1. Parliamento 2. Sessione, cap. 16. An act was made for the confirmation of the attainder of treason of John Dudley Duke of Northumberland, Thomas Cranmer Archbishop of Canterburie. Willia Marques of Northampton, John Earle of Warwicke, Sir Ambrose Dudley knight, Guilford Dudley Esquire; and Jane his wife, Henry Dudley Esquier, Sir Andrew Dudley knight, Sir John Gate knight, and Sir Thomas Palmer knight, with diuers articles concerning that matter. Treason

10 ¶ Anno 13. Eliz. Reg. cap. 16. An act is made for the confirmation of the attainder of Charles Earle of Westmerland, Thomas Earle of Northumberland, and many other knights, Esquiers, and Gentlemen.

11 ¶ Anno. 28. Eliz. cap. 1. An act was made for the confirmation of the attainder of Thomas Paget late Lord Paget, Frances Englefield knight, & many other Esquiers and Gentlemen.

12 ¶ Anno 35. Elizabeth cap. 5. Another act was made for confirmation of the attainder of the saide Sir Francis Englefield; with an explanation and confirmation of the Quéenes Maiesties title to his lands and tenements.

¶ Attaint.

THe king of his office shal frõ henceforth grant Attaints vpon inquests in plée of land, or of freehold, or of any thing touching freehold when it shall séeme to him necessarie, West. 1. cap. 37. Anno 3. E. 1. Freehold

Iurie

Justices Iurors

Appeare

Graund distresse

Proces

Original Damages Tresp̃as

Chancellor

Justices

Iurors

Periurie

Just. of both benches

Essoine Protection

Juries

Just. of the common bench Nisi prius.

Writs of Tresp̃as

Damages

Bill of tresp̃as

e ¶ Of proces to runne in Juries of attaint because that by the law ẏ same hath not bin of late vsed, Justices haue not taken Juries vntil all ẏ first Jurors which were alive did appeare before them in court. And those Jurors doubting to bee attainted, would rather loose their issues then appeare in Court, by meanes wherof the plaintifes were greatly delaied, and false othes seldome times punished: It is therefore ordained & established, that if the first Jurors which shal be liuing appeare not in Court before ẏ Justices which shal be assigned such Juries to take, at the first graund distres vpon them returned, or ẏ returne be made, that they haue nothing wherby they may be distrained, that then by their absence, there be no delay made of the Jurie, obseruing in all other things ẏ proces in such Juries vsed, this notwithstanding, West. 4. de Vic' & viridi cera.

3 ¶ A writ of Attaint shalbee granted aswel vpon the principall, as vpon the damages of such writ of Tresp̃as. And that the Chancelor which shalbe for the time, shall haue power to graunt such writs of Attaintes without speaking therefore to the king. And in such and al other cases of Attaints, the Justices shal not let to take the Attaints for the damages not payed, Anno 1. E. 3. cap. 6.

4 ¶ Whereas Jurors haue the lesse doubted to be periured, by reason of ẏ long delayes that haue bẽn in Attaints, before the Justices of ẏ one bench & of the other, and before other Justices: It is enacted, that no essoine of ẏ kings seruice nor protection shalbe from henceforth allowed in such Juries, no more then in assises of Nouel disseisin. And that fiue dayes by the yeere bee giuen before the Justices of the common Bench in the saide Juries at the least. And that a Nisi prius be aswel giuen in such writs as in other. And whereas it is contained in a Statute late made at Westminster in the first yere of the reigne of our soueraigne Lord the king that now is, after the Coronation, that Attaints should be graunted in writs of Tresp̃as: It is accorded & established, that writs of Attaint shalbe from henceforth graunted aswel in plees of Tresp̃as moued without writ as by writ, before Justices of Record, if the damages iudged doe passe xl. s. Anno 5. E. 3. cap. 6. & 7.

5 ¶ The writ of Attaint shalbe granted from henceforth, aswell vpon a bill of Tresp̃as, as vpon a writ of Tresp̃as, of inquestes which be to be taken in time to come, without hauing regard to the quãtitie of the damages, An. 28. E. 3. cap. 8.

Damages

6 ¶ Euery man against whome they passe, may haue the Attaint aswell in plee reall as personall. And that the Attaint be granted to the poore people which will affie that they haue nothing whereof to make fine (but onely their countenance) without fine, and to al other by easie fine, An. 34. E. 3. cap. 7.

Real Personall Poore people Affie

7 ¶ It is accorded and assented, that if the tenant for terme of life, tenant in dower, tenant by the curtesie of England, or tenant in taile after possibilitie of issue extinct, be impleaded, and plead to an inquest, and loose by the othe of twelue, or that they loose by default, or in other maner, that he to whom the reuersion of the tenements so lost pertaineth at the time of such iudgement giuen; his heires and his successors shal haue an action by writ of Attaint, to attaint the same othe, if they wil alligne the same othe to be false, and also by writ of Errour, if errour bee found in the record of such iudgement, aswell in the life of such tenants that doe so loose, as after their death. And if such iudgement erroneous be reuersed, or such false othe be founde, that the tenaunt that did loose by the first iudgement (if he be in life) shall bee restored to his possession of the tenements so lost, with the issues in the meane time, and the partie pursuing, to the arrerages of the rent if any bee due of the same tenements. And if such tenant bee dead at the time of the iudgement giuen vpon such writtes of Attaint and of Error, that restitution of the saide tenements bee made to the partie pursuing, with the issues after the death of the saide tenant, together with the arrerages of the rent, if any to him were due in the life of the tenant.

Tenant for life T. in dower T. by curtesie T. in taile Enquist Othe Error Reuers Issues Arrerages Restitution

Prouided neuertheless, that although the tenant, which so did loose by the first iudgement be in life, and the party pursuing will allege, that ẏ same tenant was of couin, & of the assent of the demandant which recouered, ẏ such tenements ought to bee lost, that restitution of the same tenements bee made to the same party pursuing, with the issues and arrerages, as afore is said. Sauing to such tenãt his action by writ of Scire facias out of the same iudgement so reuersed or giuen, or writ of Attaint, if he will trauerse the couin and assent aforesaid, and otherwise not, An. 9. R. 2.

Couin Restitution Issues Arrerages Scire facias Trauers Collusion

R.2.cap.3.

Verdicts Bailifes R. Bench Common place Lincolne

8 ¶ See Anno 13.R.2.cap.1. how that of a verdict taken before the Maior and Bailifes of Lincolne, Attaint shalbe sued in the kings Bench or Common place, and the Jurie shall bee of the Countie of Lincolne.

9 ¶ See Anno 3.H.5.cap.5 how that of a verdict taken before the Maior & Bailifes or Shirife of Lincolne, Attaint shall bee sued in the kings Bench or common place, and the Jurie shalbe of the countie of Lincolne, though Lincolne were made a Countie by it selfe.

Periurie Jurors

10 ¶ Our soueraigne lord the king, by the grieuous complaint of his commons, considering the great mischiefs had within the Realme, and yet not remedied, and also the great damage and disinheritance that commeth by the vsual periurie of Jurors impanelled in enquestes, aswell in the Courtes of our Soueraigne Lord the king, as of other, the which periurie aboundeth and increaseth daily more then it was wont, for the great gifts that such Jurors take of the parties in plees sued in the said Courts, in so much that the greater part of the people that haue to sue in the said Courts, leaue their suites for the mischiefe aforesaid, and namely for cause of the delayes that be in the writs of Attaint, for that in times past in writs of attaint when the graund Jurie had appeared in Court, and were readie to passe, one of the tenants or defendants, or of the petite Jurors named in such writs, sometime haue pleaded false and faint plees, which were not triable by ỹ graund Jury of the attaint, and by that cause delaied the taking of such graund Juries, til such plees were tried: And afore such plees tried and found for the plaintife, another of the Jurors, tenants or defendants might plead another such false and faint plee, after the last continuance in the same attaints, and so euery of the defendants, Jurors, or tenants after other might plead such false and faint plee, and delaye the graund Jurie when it was readie to passe. And though that all such false and faint plees were found against thẽ which pleaded them, no paine was ginẽ to them by the common lawe. For cause of which delaies the graund Juries in Attaintes haue bin grieuously vered and trauailed, and the plaintifes in such Attaints put to so great costs, and thereby impouerished, that they might not sue forth their saide suites, wherefore the Jurors be the more incouraged to be periured and make their false othes in such cases: Our saide Soueraigne Lorde the king, willing vpon that to prouide remedie, at the request of the saide Commons, and by the assent of the Lordes abouesaide, hath ordained and stablished, that the parties plaintifes in all such Attaints, shall recouer their damages and costes against all such tenãts, Jurors and defendants, which they haue sustained in that behalfe, Anno 11. H. 6.cap.4.

Delaies

Graund Jurie

Petite Jurie Faint plees

Delaies

Recouer damages

11 ¶ No Shirife, Bailife of franchise nor Coroner, in actiõs or writs of Attaint of plee of lande, of the yerely valour of xl.shillings, or more, nor action of attaint of dedes, concerning landes or tenements of like value or more, nor personal, wherof the iudgement of the recouerie shal extende to the summe of xl. pound or more, shal returne or impanel in any inquisition or inquest, any persons but such as be inhabiting within his bailiwik, which haue estate to their owne vse, or they to whose vse other persõs haue estate, of fee simple, fee taile, or freeholde, in lands and tenements of the yerely value of xx.li. or more in his bailiwike, out of auncient demeine, the fiue Portes, and the tenure of Gauelkinde: nor shall not returne in the Kings Court lesse issues in the said actions of attaint then xl. shillings at the first writ of distresse, and an C.shillings at the second writ of distresse, and the double at euery other writ of distresse against the persons impanelled and returned to be sworne in the same actiõs. And that no person of lesse sufficiencie of freeholde then of the yerely value of xx.li. in forme aforesaide, shalbee sworn in the kings Court vpon any issue in the saide actions of Attaint, if he be for the same by the plaintifes in due forme challenged. And that also as often as any Shirife, Bailife of franchise, or Coroner, doe contrarie to this ordinance, hee shall pay, and by this statute be bound to pay to the king ten pounds, and to the plaintifes in the said actions and writtes of Attaint for their delaie other x.li. And if any of the forreine answers and plees be tried and found against any of the saide defendants, that then the same iudgement against the same defendants & for the saide plaintifes shalbe giuen by the kings Justices, and the consideratiõ of his Courts, as by the law should be giuen against the same defendants, in case that the graund

Shirifes Bailifes Coroners

Returne Panel Enquest

xx.li.

v. Portes Gauelkind Returne Issues

Writ of distres Impanel Returne Sworne Freehold

xx.li.

Challenge Shirife Bailifes Coroner

Fine

Forein plee

Judgement

Courts

Graund Jurie

Jurie in the saide actions and writs of Attaint vpon the points and articles of the same writs had passed against ỳ saine defendants, and with the said plaintifs. And that by the same iudgements none other of the saide defendants, but they against whom the foresaid forsine aunswers and plées be found & tried, shalbee hurt or endamaged. And that this statute touching ỳ office of Shirifes, Bailifes of franchises, & Coroners, in returning of the saide persons of the sufficiencie of frœhold, of ỳ yerely value of xx. li. and that no person of lesse sufficiencie of frœhold be sworn in the said actions, and writs of attaint, shal not extend to Cities & Boroughes within the said realme, nor to the inhabitants in any of them.

Returne xx.li.

Prouided alwaies, that if in any of the said Counties there be not persons inhabiting vnder the estate of a Barõ, of possessions of lands & tenements of ỳ yerely value of xx li. in the same Countie in the forme aforesaid, to suffice the number to be impanelled & returned in the said actions & writs of Attaint, that then the Shirifes & Bailifes of franchises, & Coroners of the same countie shal impaneli & returne in ỳ same actions & writs, persons there inhabiting, of the most sufficient of possession of yerely value of landes and tenementes within the value of xx li. in the same countie, in the forme aforesaide. And that to such persons the saide challenge shall not extend, that he is not of possession of lãdes and tenements of the yeerely value of xx. li. in the same countie. And that as often as any of the same Shirifes, Bailifes, or Coroners do contrarie to this article, hæ shal pay to the king x. pound, and to the plaintifes x. pound in forme aforesaid: An. 15.H.6.cap.5.

Baron

Shirifes Bailifes Coroners

Challenge xx.li.

Fort.

12 ¶ Those men that haue estate to their vse, and also they to whose vse other men haue estate of fée simple, fée taile, or frœhold in lands or tenemẽts of the yerely value of xx. li. of the tenure of Gauelkind, shalbe returned & impanelled in all such attaints as be aboue recited (before 11) which Attaints be not now hanging, but may hang in time to come, in ỳ same maner & forme, as any other person may be returned & impanelled, by force of the said statute made in the said xv. yeere, An. 18.H.6.cap.2.

Gauelkind Impanel

13 ¶ No person ne persons hereafter be impanelled, summoned or sworne in any Jurie or Enquest in court within ỳ same Citie, (videlicet of London) except hee be of landes, tenements, or goods & cattels, to the value of xl. marks. And that no person nor persons hereafter bee impanelled, summoned or sworne in any Jurie or enquest in any Court within the said Citie, for lands or tenemẽts, or action personal, wherein the debt or dammages amounteth to the summe of xl. markes or aboue, except he be in lands & tenements, goods or cattels, to the value of a C. markes, & the same matter and cause alleaged by any of the said parties by way of challenge, and so found shalbee admitted and taken in euery of the same Courtes as a principall challenge. And that euery such person hereafter to be impanelled or summoned to appeare in any Jury or enquest before any of the said Judges of the same citie, making default at first summons, lose and forfait in illues xii.d. and at the second default two shillings, and so at euery such default after that, the illues and penalties to be doubled. And all such illues lost in the Maiors court, shalbee forfaited, leuied and perceiued to the vse and behoofe of the Maiors and Cominaltie of the saide Citie. And all such illues lost in the Shirifes Court or courts, shalbe forfaited, leuied and perceiued to the vse of the Shirifes of the same Citie for the time being, toward their fée farme.

London

xl. Markes

Impanel

100. marks

Challenge

Judges Default Forf. Illues xii. & li. Default

Illues double Maiors court

Fort. Vse Shirifes court

Fee farme

And also bee it enacted by like authoritie, that the partie grieued by any vntrue or false verdict hereafter to be giuen in any of the Courts of the said Citie, shall & may haue and sue Attaint by bill in the Hustings in London, holden for Common plées before the Maior and Aldermen of the same citie for the time being, & thereupon a precept to bee awarded and made by the same Maior to euery Alderman of the said citie, or his deputie in his absence, to present and certifie the names of foure indifferent and discreete persons of good fame, and euery of them of substance of an hundred pounds or more, Citizens of the same citie dwelling in his ward, to the Maior and Aldermen of the saide citie for the time being, at the Hustings of common plées within the same citie, then next ensuing to bee holden, of which persons so presented and certified, the saide Maior and fiue Aldermen, or moe, holding the same Court of Hustings, shall take, name and impanell xl viii. by their discretion, thought most able, sufficient and indifferent, and the Maior and his succes-

Falst verdicts. Courts Bill Hustings Common plees Maior

Precept Aldermen

Certifie

C.li.

Maior

6 Aldermen

Sworne Jurie

Sufficient Indifferent

sors

fors Maiors of the said Citie, shal do to be
summoned the said xl viii. persons so by the
said Maior & Aldermen named and impa-
Juroꝛs / Petie Jurie nelled, & also the Juroꝛs of the petie Ju-
rie, and the partie oꝛ parties named as te-
nants oꝛ defendants in the said bill of at-
taint, to appeare beforꝛe the Maioꝛ & Al-
Hustings dermen of the same citie, at the Hustings
of common plées then next to be holden in
the same Citie. And if the same Attaint
then oꝛ any other time happen to remain
vntaken, foꝛ, oꝛ by default of Juroꝛs, by
Default Chalenge Tales challenge, oꝛ otherwise, that vpon euery
Tales graunted, the saide Maioꝛ & Alder-
men shall impanel the said persons which
were certified by ẏ said Aldermen oꝛ their
deputies, & omitted out of the said panell,
oꝛ put therein other person oꝛ persons be-
ing Citizens of the saide Citie, and of the
C. li. Plees substance of an C. li. oꝛ moꝛe. And also ẏ
all the plee & plées to be alleaged oꝛ plea-
ded, by, oꝛ foꝛ the tenant oꝛ defendant, te-
Petie Jurie nants oꝛ defendants, oꝛ by any of the Ju-
roꝛs of the petie Jurie in ẏ same attaint,
and triable by any Jurie oꝛ Enquest, shal
be tried within the same Citie, and by the
enquestes of the same, and in none other
place ne Countie. And that none of ẏ said
petie Jurie, ne other parties named in a-
ny such bil of Attaint, shal oꝛ may haue a-
Challenge Array Poll Insufficient ny challẽge to the array, oꝛ to any person
oꝛ poll therin being impanelled, foꝛ lacke
of sufficient of goods oꝛ of landes. Quer
Judgment that be it pꝛouided & enacted, that ẏ iudge-
ment in any such Attaint, shall not extend
Punishment Proces to any lands oꝛ tenemẽts, ne to other pu-
nishmẽt of the petie Jurie, neither pꝛoces
to be in the same Attaint, then is limitted
and appointed in this pꝛesent acte. And if
the xx viii. persons of the said xl viii. persons
swoꝛne in the same attaint, finde that the
Petie Jurie False verdict. Judgement Juroꝛs named in ẏ petie Jury, haue made
& giuen an vntrue verdict: that then the
iudgement shalbe against the party defẽ-
dant in the same Attaint, as is vsed in at-
Writ taint sued by writ at ẏ common law. And
furthermoꝛe the iudgemẽt in the same at-
taint shalbe against the petie Jurie, that
Forf. xx. li. euery of the Juroꝛs of the same petie Ju-
rie, shall foꝛfait & loose xx. pound oꝛ moꝛe,
by the discretion of the Maioꝛ and Alder-
men of the saide Citie, keeping the same
Vse Hustings, oꝛ any other Hulting of cõmon
plées to such vse & behoofe, as other issues
and penalties béene foꝛfeited and lost in
any action oꝛ plaint commenced beforꝛe ẏ
Maioꝛ and Aldermen of the same Citie,
Imprisl. and his body to be imprisoned, there to re-
maine without baile oꝛ mainpꝛise vi. Mainpꝛise
Monethes, oꝛ lesse, by the discretion of the
Maioꝛ and Aldermen of the same Citie
foꝛ the time being, and to be disabled foꝛ
euer to be swoꝛn in any Jurie beforꝛe any Disabled Tempoꝛall iudge
tempoꝛal Judge.

And ouer that, be it enacted by the same
authoꝛitie, that if it bee founden by the
graund Jurie in the same attaint, that the Grand Jurie
petie Jury haue giuen a true verdict: that True verdict
then the graund Jurie shall haue autho-
ritie and power to enquire if any of the Enquire
petie Jurie tooke oꝛ receiued any summe
of money, oꝛ other reward, oꝛ pꝛomise of
money oꝛ other reward, of the named de- Reward Money
fendants oꝛ tenants in the same Attaint,
oꝛ of any other person oꝛ persons by the
commaundement, couin, oꝛ assent of any
of them, to, oꝛ foꝛ the intent of their ver-
dict giuen, whereupon the same Attaint is
grounded. And after any such coꝛruption Coꝛruptiõ
by the saide graund Jurie founden: that
then the Juroꝛ oꝛ Juroꝛs of the said petie
Jurie that is foundẽ so defectiue in taking
and perceiuing any summes of money, oꝛ
other reward, oꝛ pꝛomise of reward, shall
loose, foꝛfait, and paye to the plaintife oꝛ Forf.
plaintifes named in the same Attaint, x.
times the value of the summe oꝛ other re- x. Times
ward so taken, perceiued oꝛ pꝛomised, in
foꝛme aboue said, and to suffer impꝛison- Imprisl.
ment without baile oꝛ mainpꝛise vi. Mo- Mainpꝛise
nethes, oꝛ lesse, by the discretion of the said
Maioꝛ and Aldermen, and to bee disa-
bled foꝛ euer to be swoꝛne in any Jury be- Disabled
foꝛe any tempoꝛall Judge.

And ouer that be it enacted, that such de-
fendant oꝛ tenant, defendants oꝛ tenants Defendant
in the same Attaint, shal loose, foꝛfait and Forf.
pay, to such vse & behoofe, as other penal-
ties béen foꝛfeited within the same Citie,
ten times the value of the summe of mo- x. Times
ney, oꝛ other reward, by him oꝛ them so
giuen to any of the said petie Jury. And ẏ
same defendant oꝛ tenant, defendants oꝛ
tenants to be impꝛisoned, there to remain Imprisl.
without baile oꝛ mainpꝛise, during vi. Mo-
nethes oꝛ lesse, by the discretion of the said
Maioꝛ & Aldermen. And if any debts and Debt Damages
dammages, oꝛ costes, be recouered in ac-
tion wherupon such Attaint is grounded,
& by the same attaint it be found, that the
petie Jurie haue giuen a false serement, False sereꝛment Recouery
that then foꝛ the recouerie & restitution of
the same debt & dammages and costes, the
plaintife oꝛ plaintifes in euery Attaint,
shall & may sue an action of debt against Action of debt.
the same defendãt oꝛ tenant, by writ, bill,

or plaint, in euery of the kings Courtes, wherein the same defendant or tenant, & euery of them, shal not be receiued to doe his law. And ouer that be it enacted, that if any plaintife or plaintifes in any such Attaint commenced before the said Maior and Aldermen, vpon any record remaining within the same Citie, and therin be nonsuit, or if the first serement therein be affirmed, that then he or they shall haue imprisonment, and make fine by the discretion of the Maior & Aldermen of ỳ said Citie for the time being, and that fine to be & go to the Maior & comminaltie of the saide Citie. And if there bee two or moe plaintifes in any such Attaint ordained by this estatute, and any of them die, or bee nonsuit, the other by this acte shalbe enabled to sue for the procéding of the same Attaint, and notwithstanding the death of the defendant or tenant, defendants or tenants, or any of the petie Jurie named in the said attaint, so that there be two of the same petie Jurie aliue, the same attaint shal not abate. And also be it ordained by the same authoritie, that if any of the Jurors of the same graund Jurie impanelled & summoned in forme aforesaid, at the summons make default, so that the attaint remaineth to be taken for the default of Jurors: that then euery of the same Jurors so making default, loose and forfait for the first default xl.s. and at the second default v. li. and at euery default after that x.li. & like proces to be made & sued there against the graund Jurie & the petie Jurie, & the partie & parties as is to be made & sued in attaint sued at the common lawe. And that the same proces bee made returnable at euery Hustings of cõmons pléas, and that the attaint remaine not to be take after the first summons returned, for, or by the default of the defendant or tenant, defendants or tenants, or of any of the petie Jurie named in ỳ same attaint by this acte ordained, and that the said issues or penalties forfaited by any of the said graund Jurie, be forfaited, leuied and perceiued, to the vse of the Maior and Comminaltie of the said citie, and that no protection nor essoine bee allowed in this attaint by this act purueied.

Maiors Aldermen Record

Nonsuit Serement

Imptil.

Fine

Enabled

Defendãts

Graund Juris

Default Forf. li. default Proces

Graund Jurie Petie Jurie Common law

Summons

Issues Forf.

Maior

Protection

Prouided alway, that vpon al attaints hereafter to be commenced within ỳ citie vpon any record, wherein the triall & enquest was by halfe tongue, that the saide Maior and Aldermen shall impanell the graund Jurie in the same attaint, the one halfe of strangers of good fame, and of the substance of goods to the value of an C.li. and more, inhabiting within the same citie at large, and the residue of the same Jurie to bee of like value and substance of goods impanelled of Citizẽs, as is aforesaid, And ouer this be it enacted by ỳ same authoritie, that no act of attaint of the petie Jurie made in this present Parliament, nor nothing therin contained other then this present acte, nor none other penaltie or punishmẽt in any other act then is before contained in this present acte, be hurtfull, nor extende to any Jurie or enquest hereafter to bee taken before any Judge, of, and within the same Citie, An. 11. H. 7. cap. 21.

Record Trial Medier. ling.

Jurie

14 ¶ An. 11. H. 7. cap. 24. An act for attaints was made to endure to the next Parliament. And after An. 12. H. 7. cap. 2. it is continued to endure to the next parliament, And after An. 19. H. 7. cap. 3. it is continued to the next parliament, And after Anno 1. H. 8. cap. 11. it is continued to the next Parliament.

15 ¶ Vpon euery vntrue verdict hereafter giuen betwixt partie and partie, in any sute, plaint, or demaunde, before any Justices or Judges of record, where the thing in demaund & verdict therupon giuẽ extendeth to ỳ value of xl. li. & concerneth not the iopardie of mans life, the partie grieued by the same verdict shall haue a writ of Attaint against euery persõ hereafter so giuing an vntrue verdict, & euery of them, & against ỳ party which shal haue iudgement vpon the same verdict. And ỳ in the same Attaint there shall be awarded against the petie Jurie, the party, and the graund Jurie, summõs, resummons, and distres infinite, which graund Jurie shalbe of like number, as the grand Jurie is now in attaint, and euery of them that shal passe in the same, shal haue landes & tenements to the value of xx. Markes by the yére of frœhold out of the ancient demesne. And vpon the distresse which shall be deliuered of record vpon the same, open proclamation to bee made in the Courte where the distresse shalbe awarded more then xv. dayes afore the returne of ỳ same distres, & euery such distres shalbee made vpon the land of euery of the saide graund Jurie, as in other distresses is & hath bẽn vsed. And if the saide partie defendant, or the petie Jurors, or any of them appeare not vpon the distres, then the grand Jury to be taken against them, & euery of them that

Vntrue verdict Suite Justices

Verdict

xl. li.

Attaint

Sommons Resommons Distres infinite

20. Marks

Proclamation

xv. Dayes Distres

Def. Petie Jurie Graund Juris

Default

that so shall make default. And if any of the said petie Jurie appeare, then the party complaynant in that behalfe shal assigne the false serement of the first verdict vntruely giuen, whereunto they of the petie Jurie shall haue no answere, if they be the same persons, and the writ, proces, returne, and assignement good and lawfull, except that the demandant or plaintife in the same attaint hath before bẽn nonsuit or discontinued his suit of attaint takẽ for the same, or hath for the same verdict in a writ of Attaint had iudgemẽt against the said petie Jurie, but onely that they made true serement, which issue shalbe tryed by xviij. of the said graund Jurie, & the partie shall plead, that they gaue true verdict, or anie other matter, which shall be a sufficient barre of the saide attaint. And that plẽ notwithstanding, the graund Jury to be taken without delay, to enquire, whether the first Jurie gaue true verdict or no. And if they find that the same pety Jurie gaue an vntrue verdict, then euery of the said pety Jury to forfait xx.li. whereof the one halfe shalbe to the king our Soueraigne lord, and the other halfe to the partie that sueth. And ouer that, that euery of the saide petie Jurie shall seuerally make fine and raunsome, by the discretion of the Justices, before whome the said false serement shalbe found, after their seuerall offences, defaults, & sufficiencie of euery of the saide petie Jurie. And after that, that those of the said petie Jurie so attainted, shall neuer after bee in any credence, nor their othe accepted in any Court. And if such plẽs as the partie pleadeth (which is a barre of the said attaint) be found, or dẽmed against him that so pleadeth, then the partie that so sueth shall haue iudgement to be restored to that hee lost, with his reasonable costes and damages. Forseene alway, that any Utlarie in action or cause personall, or Excommengement pleaded or alleaged in the party plaintif or demandant, shal be takẽ but as void plẽ, & to that he shall not be put to answere And that in all the foresaid proces, such day shall be giuen as in a writ of Dower, and no essoine or protectiõ to lye nor to be allowed in the same. And if the saide graund Jurie appeareth not vpon the first distres had against them, so that the Jurie for their default doe remayne, he that maketh default shal forfait to the king xx. shillings, and vpon the second distresse xl.s. and after making default, for euerie such default v. pound.

Assigne False serement

Writ Proces Returne Assignemẽt

Nonsuit Discõtinue

Judgement True serement

Barre

Forf. Poittie

Fine Justices

Disabled

Barre

Judgement

Damages Utlagarie Excommengement

Voyd

Proces Day Essoyne Protection

Distresse

Default Forf.

And euery penaltie and forfaitures to bee against them, and euery of them that shal bee named in the Tales, as is afore exprest, against euery of the saide graund Jurie aforesaid. And that for and by the death of the partie, or any of the saide petie Jurie, the said attaynt shall not abate nor be deferred against the remnant, as long as two of the said petie Jurie be aliue. And if hereafter any false verdict be giuen in any action, suit, or demaund, afore any Justice or iudge of recorde, of any thing personal, as debt, trespasse, and other like, which shal bee vnder the value of xl.li., that then the partie greeued shall haue Attaint, with such processe and plees, as afore rehearsed, and delayes to be taken away, as is afore remembred: Except that in this case of Attaint, euery person of the graund Jurie that may dispend v. Markes by the yere of freehold out of ancient demesne, or is worth an C. Markes of goods and cattels, shall bee able to passe in the same attaint. And if the petie Jurie bee attainted, that then they shall in this case of attaint, euery of them forfait v.li. wherof one halfe shall be to the king, and the other halfe to the party after the forme afore rehearsed. And ouer that to make fine and raunsome by the discretion of the Justices, as is aforesaide. And if there bee not persons of such sufficiencie within the shire or place where any of the saide Attaints shall bee taken as may passe in the same: Wee it ordayned by the authoritie aforesaide, that then one Tales shall bee awarded into the shire next adioyning. by the discretion of the iustices afore whom the same attaints shall be taken, which shall bee warned to appeare vpon like paines, as is aforesaide, and enabled to passe in the saide attaints, as if they were dwelling in the shire wher the same attaint shall be taken. And that the same lawes, actions and remedie ordained by this present act be kept, for and to all them that shall bee grieued by such vntrue verdicts, of any inheritance in discent, reuersiõ or remainder, or of any freehold in reuersion, or remaynder. And if the partie in attaint giuen by this act, be nonsuit, or the same discontinued: that then the same partie so nonsuit, or so discontinuing the saide Attaynt, make fine and ransome by the discretion of the Justices, afore whom the said attaint shalbee taken & depending. And that all attaints hereafter to be taken, shal be takẽ before the king in his bench, or afore the Justices of the common

Forf.

Tales

Debt Trespasse

Proces

v. Markes

C. Markes

Forf. Poittie

Fine

Sufficiency

Tales

Shire

Nonsuit Discontinuance

Fine

K. Bench

mon

Common place Niſi prius

mon place, and in none other Courts. And the Niſi prius ſhall be graunted by the diſcretion of the Juſtices vpon the diſtreſſe, and euery of the ſaid petie Jurie may appeare and aunſwere by Atturney in the ſaide Attaynt. And that the moitie of the ſaid forfaiture of the petie Jurie ſhall bee leuied to the vſe of our ſouereigne Lorde

Atturney Moitie

Capias Fieri facias Elegit Action of debt Forf. Executors

by Capias ad ſatisfaciendum, or Fieri facias, or Elegit, or by action of debt, againſt euery perſon of the petie Jurie ſo forfaiting, and againſt his executors and adminiſtrators, hauing then ſufficient goods of their ſaid teſtators not adminiſtred, and the other moitie ſhall by like proceſſe be leuied to the vſe of the partie that ſueth any Attaint giuen by this act againſt euery of the ſaide petie Jurie, and his executors or adminiſtrators, hauing then ſufficiencie of goods, as aforeſaide, not adminiſtred. And

Judgement Reſtitution

the iudgement of reſtitution to the party grieued, ſuing this acte and execution of the ſame to be had, and like iudgement for the partie defendant or tenants to be diſcharged of reſtitution, as afore this preſent act (in caſe of a graund attaint) had bin vſed.

Graund attaint

And if there be diuers plaintiks or demandants in Attaint, that the nonſuit or releaſe of anie of them, ſhall not bee in anie wiſe hurtfull or preiudicial to the reſidue, but that they and euery of them in ſuch caſes may bee ſummoned and ſeuered, like as it is vſed when there be diuers demandants in action reall.

Nonſuit Releaſe

Action real

Be it alſo ordained &c. that in euery writ of Attaint hereafter to be taken, by or vpon this acte, the which ſhalbe ſuch as other writs of Attaints bee, & after the Teſte of the ſame writ ſhal be writtē theſe words, Per Statutum continuatum vſque annum xxiij. Domini Henrici 8. Dei gratia Angliæ & Franciæ Regis fidei defenſoris, & Domini Hiberniæ.

Writs Teſte

And alſo it is enacted, that this acte ſhall take effect for verdicts hereafter to bee giuen, and to continue to the laſt day of the next Parliament.

Verdicts

Prouided alway, that this acte bee not preiudiciall to a Statute made in the 13. yeare of the late King of famous memorie king Henry the 7. (S. cap. 21. before 13.) for puniſhment of Periurie in vntrue verdicts giuen in plaints ſued in the Courtes of the Citie of London, but that it ſhall be at the libertie of all perſons, for and vpon any vntrue verdict giuen in any Courtes of the ſame Citie, to ſue their Attaints vpon this eſtatute, or elſe vpon the ſaide ſtatute made in the ſaid 13. yeare, at their own pleaſures and willes, An. 23. H. 8. cap. 3.

Periurie

London

This Acte is continued 28. H. 8. cap. 9. 31. H 8. cap. 7. 37. H. 8. cap. 23. 7. Ed. 6. cap. 11. 1. Ma. 2. Parli. capit. 13. 1. M. 2. Parli. cap. 12. 1. and 2. Phil. & Ma. cap. 16. and 2. and 3. P. & M. and 4. and 5. P. & M. cap. 9. it is continued to the laſt daye of the next Parliament, And it is continued 1. Eliz. capit. 19. vnto the ende of the next Parliament, which began 5. Eliz. and ended 8. Eliz. And this Statute then diſcontinued was reuiued 13. Eliz. cap. 25. and made perpetuall.

Reuiued

16 All and euery manner perſon and perſons being Citizens of your ſaid Citie (ſ. of London) and being in value of goods and cattels to the ſum of CCCC Marks, may bee impanelled and returned by the Shirike of your ſaid Citie in euery attaint hereafter to be brought by vertue of the ſaid ſtatute (ſ. of An. 23. H 8. cap. 3.) vpon verdicts hereafter to be giuen by your ſaid Citizens, without any challenge for the inſufficiencie of freehold of any of them, to bee made by any of the ſaid parties in anie ſuch attaint, vpon ſuch verdicts hereafter to bee giuen, And that the Juſtices for the time being, ſhall ſit onely at the Guildhall of the ſame Citie, or at ſome other conuenient place within the ſame Citie, & there to ſweare the graund Jurie, & to take the verdicts in ſuch Attaints hereafter to bee taken. And that the ſaid Citizens hereafter be not compelled nor diſtrayned to appeare in any ſuch Attaint hereafter to bee taken vpon any vntrue verdict giuen, or hereafter to be giuen in London, but only within the limits of the ſaide Citie, of, and for the triall of the ſame: The former acte, or any thing therein contayned to the contrary in any wiſe notwithſtanding, Anno 37. H. 8. cap. 5.

London 400. marks Shirikes

Verdicts

Challenge Inſufficiency

Juſtices Guild hall

Sweare

London Triall

¶ Attourney.

Freeman Countie Tithing Hundred Wapentake

EVery freeman which oweth ſuit to the County, Tithing, Hundred, and wapentake, or to the Court of his Lord, may freely make his Atturney to do thoſe ſuits for him, Merton cap. 10. An. 20. H. 3.

Circuit

2 Such as haue land in diuers ſhires where the Juſtices make their circuits, & that haue land in Shires where the Juſtices make not their circuit, that feare to be impleaded, & are impleaded of other lands in the ſhires where they haue no circuit, as before the Juſticers at Weſtminſter,

Implead

or

K. Bench

or in the kings Bench, or before Iusticers assigned to take Assises, or in any County before Shirifes, or in any Court baron, may make a generall Atturney to sue for them in all plees in the circuit of the Iustices moued or to bee moued, for them or against them, during the circuit, which atturney or atturneys shall haue ful power in all plees moued during the circuit, vntil the plee be determined, or that his Master remoue him, yet shall they not be excused thereby, if they shal bee put in Iuries and Assises before the same Iusticers, West. 2. cap. 10. An. 13. E. 1.

Shirifes Court baro

Iuries Assises

Chancery

3 ¶ See Mortmaine 4. That Atturneys may be made by writ out of the Chauncerie, and for whom, and for what things.

Premunire

Licence

4 ¶ Anno 7. R. 2. cap. 14. It was enacted, that they that were gone ouer, might aunswere in Premunire by their Atturneis, and those persons which from henceforth shall passe by the kings licence, and be of good fame, that at their request, the Chauncelor by the aduise of the Iustices, may graunt to them to make their generall Atturneis in the Chauncerie by the kings Patent before their passage, to answere aswell in the said writs of Premunire facias, as in other writs & plaints, in which case expresse mention shalbe made at the times of ỹ writs & plaints of Premunire facias. And this Patent so made, the said Atturneis from henceforth in absence of their Masters, may answere for them, and make other Atturneis vnder them before any Judge of the Realme, to doe and receiue in the said cause as much as in any other cause or matter, notwithstanding any statute made to the contrary heretofore, An. 7. R. 2. cap. 14.

Chancelor Iustices

Patent Premuntre

Absence

5 ¶ For the sundry mischiefs that haue happened to diuers by the great multitude of ignorant and vnlearned Atturneis more then heretofore: Be it &c. That all the Atturneis shal be examined by the Iustices, and by their discretions theyr names to be put in Roll, and they that bee good and vertuous, and of good fame, shall bee receiued and sworne, well and truely to serue in their offices, and especially that they make no suit in a forreine Countie. And the other Atturneys shal be put out, by the discretion of the said Iustices. And that their Masters, for whome they were Atturneys bee warned to take others in their places, so as in meane time, no damage nor prejudice come to their sayde Masters.

Examine Iustices

Good fame

Sworne

Forreine countie

And if any of the saide Atturneis do dye or cease, the Iustices for the time being by their discretion, shal make one other in his place, which is a vertuous man & learned and sworne, in the same manner, as afore is said. And if any such atturney be hereafter notoriously found in any default of record, or otherwise, hee shall forsweare the Court, & neuer after be receiued to make any suit in any Court of the King. And this ordinance be holden in the Eschequer after the discretion of the Treasorer, and and the Barons there. An. 4. H. 4 cap. 18.

Dle Iustices

Abiure

Eschequer Treasorer

6 ¶ No Steward, Bailife, nor Minister of Lords of franchises, which haue returne of writs, bee Atturney in any plee within the franchises or bailywik, where of he is or shalbe Officer or Minister in any time to come. An. 4. H. 4. cap. 19.

Steward Bailifes

7 ¶ Whereas many of the kings liege people be outlawed, and many waiued by erronious processe, and bee so impotent in their bodies by diuers maladies and infirmities, that they may not come in their proper persons before ỹ king in his bench, there to make their suit, to reuerse such erronious processe: It is ordayned and stablished, that euery Iustice of the one bench and of the other, and also the chiefe Baron of the Eschequer, shall haue power to examine the same persons, hauing such maladies and diseases, openly knowen, and therupon may the same Iustices and Baron, and euery of them by their discretion, Recorde their Atturney in this case.

Outlawed Impotent

Iust. of both benches

Examine

Prouided alwaies, that in the writte of Capias ad satisfaciendum, the common lawe shall holde place. Anno 7. H. 4. capit. 13.

Capias ad satisfaciendum

8 ¶ An. 5. H. 5. It was enacted, that all persons vntil the next Parliament might make their Atturneis in Hundreds, Wapentakes, and Court barons.

Hundreds Wapentakes Court baro

9 ¶ An. 5. H. 5. cap. 1. It was enacted to endure to the next Parliament, that all Abbats, and other religious in Lancashire & Yorkeshire, might make Atturneys in Wapentakes. And after Anno 9. H. 6. cap. 10. this acte was continued during the kings pleasure.

Abbats Religious Lancashire Yorkeshire

10 ¶ Anno 2. H. 6. cap. 3. It was enacted that the Duke of Bedforde (then ouer the Sea) might sue and be sued by his Atturney.

11 ¶ An. 15. H. 6. cap. 7. It was enacted to endure at the kings pleasure, that al Abbats and other Religious, might make atturneis in Wapentakes in Yorkeshire.

Yorkeshire

12 ¶ An.

Abbat of Fountaines

12 ¶Anno 33. H. 6 cap. 6. It was enacted, that the Abbat of Fountaines and his successors, might wage their law in court barons and Wapentakes by Atturney, and do their law by a deputie.

13 ¶Wheras in times past there were but vi. or viii. common Atturneys in the citie of Norwich, and the Shires of Norfolke and Suffolke, & now there bee more then 80. the greater part of them hauing nothing else to liue on, and being vnskilfull, and yet haunt faires and Markets, & sturre men to suit for trifling causes, tryable in Court barons, to the great disquiet of the Coũtrey. Be it &c. that there shal be but vi. common Atturneis in the sayde Countie of Norfolke, and vi. common Atturneys in the saide countie of Suffolke, and ii. common Atturneys in the said citie of Norwich, to be Atturneis in Courts of record. And that all the said viii. Atturneis bee elect and admitted by the said iij. chiefe Justices of our soueraigne Lord the king for the time being, of the most sufficient and best instructed by their discretions. And that the election and admission of all Atturneys, which shal be elect and admitted by the said Justices for the time being, aboue the said number in the saide Counties, shal be void and of none authoritie or record. And if any person or persons vsurpe or presume to be Atturney in Court of record, in the saide Counties, or Citie, otherwise then before is specified, & that found by inquisition taken before the Justices of peace in the saide city or Counties (which shall haue power by vertue of this ordinance, to inquire thereof in their sessions, or in any other manner lawfully prowed) that thẽ he or they that so presume, if they bee thereof lawfully conuict, shall forfait xx. pounds, as often as he or they be so conuict: The one halfe thereof to be taken to the kings vse, and the other halfe to his vse which for the same will sue. And bee that therefore will sue, shal haue an action of debt against any such person which so presumeth to be Atturney: And such proces and recouerie in the same, as lyeth in an action of debt at the common lawe vpon an obligation.

vi. Norfolk
vi. Suffolke
ii. Norwich
Chiefe Just.
Election
Void
Just. of P.
Forf.
Moitie
Action of debt
Proces Common law

Prouided alwayes, that the saide ordynance begin & first take effect at the feast of Easter next comming and not before, if the same ordinãce seeme reasonable to the Justices, An. 33. H. 6. cap. 7. But it seemeth that the Iustices thought it not reasonable, because it hath not been put in vre.

14 ¶An 7. H. 7. cap. 2. It was enacted, that they that should goe with the king in his warres, in the voyage that then was toward, should make general Atturneys, or speciall Atturneis.

Warres

¶Auditours.

ANno 33. H. 8. cap. 39. An acte was made for the erection of the Court of generall Surueyors of the kings landes, with diuers matters concerning the Auditors of those landes. And see thereof in Courts 2. diuers matters concerning the kings Auditours.

Surueyors

¶Auowrie.

WHereseuer any manors, lands, tenements, & other hereditaments be holden by any maner person or persõs, by rents, customes, or seruices, that if the Lord of whome any such manors, landes, tenements, or hereditaments bee so holden, distrayne vpon the same mannors, landes, or tenements, for any such rents, customes or seruices, and replevin thereof be sued, that the Lorde of whome the same landes, tenements, or hereditaments be so holden, may auow, or his Bailiffe or seruant make cognisance, or iustifie for taking of the said distres vpon the same lãds, tenements or hereditaments so holden, as in landes or tenementes within his fée or seignorie, alleaging in the saide auowrie, cognisance and iustification, the same mannors, landes, and tenementes, to bee holden of him without naming of anie person certaine to bee tenaunt of the same, and without making any auowrie, iustification, or cognisance vpon any person certaine. And likewise the Lorde, Bayliffe or seruant, to make auowrie, iustification, or cognisance, in like maner and forme vpon euery writ sued of Second deliuerance. And also bee it enacted by the saide authoritie, that euery auowant, and euery other person and persons that make any such auowrie, iustification, or cognisance, as Bailife or seruant to any person or persons in any Replegiare or Second deliuerance, for rentes, customes, seruices, or for dammage feasant, or other rent or rents, vpon any distresse taken in any landes or tenements, if the same auowry, cognisance, or iustification be found for them, or the plaintifes in the same bee nonsuit, or otherwise barred, that thẽ they shall

Lands
Distraine
Replevin
Auow
Tenant
Writ
Bailife
Customes
Services
Damage feasant
Distresse
Non suit

Damages Costes

Writs

Ayde

Plees Disclaime

Auantage

shall recouer their dammages and costes against the sayde plaintifes, as the same plaintifes should haue done or had, if they had recouered in the Replegiare or Second deliuerance found against the saide defendants. And bee it also ordayned, that the said plaintifes and defendants in the saide writs of Replegiare, or writs of Second deliuerance, and in euery of them, shall haue like plées, and like ayd and praiers in al such auowries, cognisances, and iustification (plées of disclayme onely except) as they might haue had before the making of this acte, and as though the said auowrie, cognisance, or iustification had been made after the due order of the common law.

And it is further enacted by the said authoritie, that all such persons as by the order of the common lawe maie lawfully ioyne to the playntifes or defendantes in the saide writs of Reglegiare or Second deliuerance, aswell without proceſſe as by proceſſe, shall from henceforth ioyne vnto the saide plaintifes or defendants, as well without proceſſe as by proceſſe, and to haue like plées and like auantages in all things (disclaime onely except) as they might haue done by the order of the common law before the making of this Acte, Anno 1. H. 8. cap. 19.

¶ Aduowſon.

Writs Darreine presentment Quare impedit

Present Clerke Patron

Writ of Right Battaile Grand assise Infants

Collusion

Right

Presentments

WHereas for Aduowsons of Churches, there be but three originall writs, that is to say, one writ of Right, and two of possessions, which be Darreine presentment, & Quare impedit, and hitherto it hath bẽ vsed in the Realme, that when any hauing no right to present, had presented to anie Church, whose Clerke was admitted, hee that was very Patron could not recouer his aduowson, but only by a writ of right, which should bee tryed by Battayle or by great Assise, whereby heires within age, either by fraude or else by negligence of their wardens, and heires both of right and meane estate, eyther by negligence, or else by fraud of tenants by the curteſie, tenants in dowre, or otherwise, for terme of life, or for yeares, or in fée tayle, were many times disherited of their Aduowsons, or at the least (which was the better for them) were driuen to their writ of Right, in which case hitherto they were without remedy: It is prouided, that such presentments shall not bee so preiudiciall to the right heires, or to them vnto whom such Aduowsõs ought to reuert after the death of other persons: For as often as any hauing no right doth present during the time that such heires are in warde, or during the estats of tenants in dower, by the curteſie, or otherwise for terme of life, or of yeares, or in the taile, at the next auoydance when the heire is come to full age, or whẽ after the death of the tenants before named, the Aduowson shall reuert vnto ẏ heire being of ful age, he shall haue such action and recouery by writte of Aduowson possessorie, as his last auncester should haue had at the last auoydãce, happning in his time, being of full age before his death, or before the demise was made for terme, or in fée tayle, as before is sayd. The same shall bee obserued in presentments made vnto Churches being of the inheritance of women, what time they shal be vnder the power of their husbãds, which must bee ayded by this estatute, by the remedy aforesaid. Also Religious men as Bishoppes, Archdeacons, Parsons of Churches, & other Spirituall men, shalbe ayded by this estatute, in case any hauing no right do present into Churches belonging to prelacies, spirituall dignities, parsonages, or to houses of religiõ, what time such houses, prelacies, spiritual dignities, or parsonages bee vacant. Neyther shall this acte be so largely vnderstanden, that such persõs for whose remedy this statute was ordayned, shall haue the recouery aforesaid, surmising ẏ Gardeins of heires, tenants by the curteſie, tenants in dower, for terme of life, or for yeres, or husbandes which faintly haue defended plées moued by them, or against them, because the iudgements giuen in the kings Courtes, should not be adnulled by this statute, the iudgement shall stand in his force, vntill it be reuersed in the Court of the king as erronious, if error bee founde, or by Assise of Darreine presentment, or by inquest in Quare impedit, if it passed by Attaint, or be adnulled by certification, which shalbee frely graunted. And from henceforth one fourme of pleading shall bee obserued amongst Iusticers in writtes of Darreine presentment and Quare impedit, so that where the defendant alleaged plenarty in the Church of his owne presentation, the plée shall not fall by reason of the plenartie, so that the writ bee purchased within vi. Monethes, though hee cannot recouer his presentation within fiue Monethes.

Tenants

Life

Yeres

Auoydance

Action

Churches Women

Religious

Ayde

Vacation

Faint

Iudgement

Error

Assise

Quare impedit

Attaint

Darrein pres.

Plenartie

6. Monethes

And

Fine

Rolle

Diſturbe

Concord

Shirife Warning

xv. dayes

Deed

Recouer Damages

Dower Woman

Heire Void

Damages 6. Moneths Biſhop Patron Damage it. Yeres

Halfe a yeres value

And ſometimes where a fine is leuied betwéene manie clayming one aduowſon, and inrolled before the Iuſticers in the roll or fine, in this forme, that one ſhall preſent the firſt time, and at the next auoydance an other, and the third time an other, and ſo of many in caſe there be many. And when one hath preſented for his turne, according to the forme of their agréement and fine, and at the next auoydance, he to whome the ſecond preſentation belongeth, is diſturbed by any that was partie to the ſaid fine, or in his léede. It is prouided, that from henceforth he that is ſo diſturbed, ſhall haue no néede to ſue a Quare impedit, but ſhall reſort to the roll or fine. And if the ſaid concord or agrément bee found in the roll or fine, then the Shiriffe ſhall bee commanded, that hee giue knowledge vnto the diſturbor, that he bee ready at ſome ſhort daye, containing the ſpace of xv. dayes or three weekes (as the place happeneth to be nére or farre) for to ſhew if hee can alleage any thing wherefore the partie that is diſturbed ought not to preſent. And if he come not, or peraduenture doeth come, and can nothing alleage to barre the partie of his preſentation, by reaſon of any déede made or written ſince the fine was made or inrolled he ſhal recouer his preſentation with his dammages. And where it chanceth that after the death of the anceſtor of him that preſented his Clarke vnto a Church, the ſame aduowſon is aſſigned in dower to anie womã, or to tenant by the curteſie, which doe preſent, and after the death of ſuch tenantes, the verie heire is diſturbed to preſent when the Church is voide. It is prouided, that from henceforth it ſhall be in the election of the partie diſturbed whether he will ſue a writ of Quare impedit, or of Darrein preſentment. The ſame ſhall bee obſerued in Aduowſons demiſed for terme of life, or yéres, or in fée taile. And from henceforth in writs of Quare impedit, and Darrein preſentment, dammages ſhall bee awarded, that is to wit, if the time of ſire Moneths paſſe, ſo that the Biſhop doe preſent, and the very Patron leeſeth his preſentation for that time, dammages ſhall bee awarded for two yéres value of the Church. And if the ſire Moneths be not paſſed, and the preſentment bee deraigned within the ſaide time, then dammages ſhall bee awarded to the halfe yéres value of the Church. And if the diſturber haue not wherewith hee may recompence damages (in caſe where the Biſhop preſenteth by Laps of time) he ſhalbe puniſhed by two yéres impriſonment. And if the aduowſõ be deraigned within the halfe yeere, yet the diſturber ſhalbe puniſhed by the impriſonment of halfe a yére. And from henceforth writs ſhal be granted for Chappels, Prebendes, Vicarages, Hoſpitals, Abbeis, Priories, and other houſes, which be of the aduowſons of other men, that haue not bin vſed to bee granted before. And when the Parſon of any church is diſturbed to demand Tithes in the next pariſh by a writ of Indicaut, the Patron of the parſõ ſo diſturbed, ſhall haue a writ to demaund the aduowſon of tithes being in demaund, and when it is deraigned, then ſhall the plée paſſe in the court Chriſtian, as farre forth as it is deraigned in the kings Court. When an aduowſon diſcéndeth vnto Parceners, though one preſent twice, and vſurpeth vpon his coheire, yet hee that was negligent, ſhall not bee clérely barred, but an other time ſhal haue his turne to preſent when it falleth, Weſt. 2 cap. 5. An. 13. E. 1.

Laps

Impriſ. Writs

Tithes Indicaut

Spiritual court

Parceners

Turns

2 ¶ Of Churches being vacant, the aduowſons whereof belong to the king, and others preſent to the ſame, whereupon debate riſeth betwéene the king and others, if the king by award of the Court do recouer his preſentation, though it be after the Laps of vi. Moneths from the time of the auoydance, no time ſhall preiudice him, ſo that he preſent within the ſpace of vi. Moneths, Prærogatiua regis capit. 8. Anno 17. E. 2.

Vacation King

Award

Laps 6. Moneths

6. Moneths

3 ¶ Anno 14. Ed. 3. pro Clero cap. 2. It was enacted that the king ſhould not preſet in an others right, but within three yéres after the auoydance, But that Acte was after repealed by 25. Ed. 3. pro Clero cap. 2.

King Preſent

Repealed

4 ¶ Anno 14. E. 3. pro Clero cap. 2. and Anno 25. E. 4. pro Clero cap. 1. It was enacted that the king nor his heires ſhould not preſent by a title in anothers right in none of his progenitors time, ſaving to the king and his heires preſentmẽts in others right in time comming.

King Preſent

5 ¶ Whereas before this time our ſoueraigne Lord the king hath taken title to preſent at the ſuggeſtion of many Clerks where the title hath not bin true, & by ſuch preſentments and iudgements thereupon giuẽ, the Clerks haue bin receiued by the Ordinaries of the places, againſt God and good faith, and in deprellion of them which

King Preſent

had

had thereof a good and true title to the said benefices: The king will and graunteth, that at what time he shal make collation or presentment, from henceforth to any benefice in any others right, that the title whereupon he groundeth himselfe shal be wel examined that it be true. And at what time before iudgement the title be found by good information vntrue or vniust, the collation or presentment therof made shal be repealed. And the Patron or the possessor, which shal shew and proue the false title, shall haue thereupon writs out of the Chancery, as many as to him shalbe needfull. An. 25. E 3. cap. 3. Stat. 3.

Collation
Examine
Iudgement
Vniust
Repealed
Writs Chancerie

6 ¶ When Archbishops, Bishops, or other Ordinaries haue giuen a benefice of right devolute to him by Laps of time, and after the king presenteth & taketh the suit against the Patron which percase wil suffer that the king shal recouer without action tried, in deceit of the Ordinary, or the possessor of the saide benefices, that in such case, and all other cases like, where the kings right is not tried, the Archbishop or bishop, ordinarie or possessor, shalbe received to counterplede the title taken for the king, and to haue his aunswere, & to shew and defend his right vpon the matter, although that hee claime nought in the patronage in the case aforesaid, An. 25. E. 3. cap. 7. pro Clero Stat. 3.

Laps
Collusion
Title

¶ Bankes.

NO towne nor freeman shalbe distrained to make Bridges nor banks, but such as of olde time and of right haue been accustomed to make them in the time of king Henry our graundfather, Mag. cha. cap. 15. An. 9. H. 3. cap. 44.

Towne Freemen Distres

2 ¶ No bankes shal bee defended from henceforth, but such as were in defence in the time of king Henry our graundfather, by the same places and the same bounds as they were wont to be in his time, Magna charta cap. 16. An. 9. H. 3.

3. ¶ Whereas in the Parlyament holden at Westminster in the 2. and 3. yeres of the raigne of the late king Phillip and Quene Marie, one act was made and ordayned, for the amending and maintayning of high waies, which said acte hauing no longer continuance but for vij. yeres after the ende of the same Parliament, was afterwards by an other act of Parliament made in the fift yere of the Quenes Maiesties raigne that nowe is, renued to haue further continuance for a certayne time yet induring, in which said acte made in the saide fifth yere, and one other Acte made in the xviij. yere of her Maiesties raigne, there were contayned diuers further additions and ordinances, tending to the amendement and mayntenance of the said high wayes. And whereas the Sea banks & sea works in sundry parts of ỳ sea coastes within the countie of Norfolke (not being within the particuler charge of any person or persons, or of any towneship, or to bee maintayned by anie other common charge) are by the working of the Sea ruined and decayed, to the greate hurt and preiudice of many Townships within three miles of the sayde banks and Sea works, and likelie daylie more and more to grow in ruine and decay, if conuenient remedie bee not prouided in that behalfe. And where as the high wayes within three miles of the saide Sea bankes and sea works bee so grauelie and sandie, as neyther neede nor require, for the amendment of the same, so many of the said daye works, as be limitted and appoynted by the said statutes, the surplusage of which said day works, if it might be yerely imployed towards the repayring, amending, and maintenance of such of the saide Sea bankes & sea works, as are not or ought not to bee maintained at the particular charge of any person or persons, or at the charge of any Towneship, or by acreshot, or other common charge, would be a singuler benefite and help to the aforesaide Townships, within three miles of the said Sea banks and Sea works, so yerely to be made and maintayned. For remedie whereof be it enacted and ordayned by authoritie of this present Parliament, that from and after the feast of Pentecost now next ensuing, the Justices of Peace within the said County of Norfolk, shall & may yerely at any generall Sessions to be holden within the said County, for and towards the making and amending of any the saide Sea bankes or Sea works (now being, or that hereafter shall bee in ruine or decay) limit and appoynt so many of the aforesaide day works, as by their discretions shall bee thought superfluous and not needefull to bee imployed towards the amendement of the aforesaid high wayes within three miles of the said Sea bankes or Sea works, which shall needefully require any such reparation or amendement.

Iust. of P.
Sea banks

Any

And bee it further enacted, that euery person and persons, dwelling within three miles of the saide Sea bankes and Sea workes needefully to be amended, as is aforesaid, shal yerely vpon reasonable warning giuen, during so many dayes as shall be limited and appoynted in the said Sessions, in respect of his and their labour and cariages, stand & be in that degree charged and chargeable towards the making, repairing and amending of the saide Sea bankes or Sea workes, as by the aforesaid statutes they stand charged & chargeable for the amending of any high wayes, & that they and euery of them for the not doing and performing the same, shall incurre the like paine, penaltie, and forfaiture, as is contayned in the aforesaid Statutes, made for the amendement of high waies, and euery of them. And that the said Justices likewise in their aforesaid generall Sessions, shal and may nominate and appoynt the high Constables of euery hundred that shal be charged or chargeable by force of this acte, towards the making or amending of the said Sea banks or Sea workes, to be Surueiors of the saide Sea workes and sea banks. And that they and euery of them shal take vpon them the execution of the said charge and office, & duely performe the same, vpon such like pain and forfaiture, as by the saide Statutes or any of them to be imposed vpon any Surueior or Surueyors, for not taking vpon him or them the office of surueyor for the amendement of the high waies. And that euery person & persons which shalbe yerely charged to the making and maintenãce of the said bankes or sea workes, shall bee discharged of so many dayes towards the making of the highwayes, as shal bee imployed and bestowed towards the making & amending of the saide sea workes, and sea banks: all the said penalties & forfaitures to be leuyed in maner and forme, as in the saide statutes are limited or appoynted. This acte to indure and continue for the space of fiue yeres, and from thencefoorth vnto the ende of the Parlyament next insuing the said fiue yeres, An. 27. Eliz. cap. 24. Anno 35. Eliz. cap 7. this Statute is reuiued, and continued to the ende of the Parliament next ensuing.

High Constables

Surueyors

¶Bankrupts.

WHereas diuers and sundry persons craftily obtaining into their hãds great substance of other mens goods, doe suddenly flie to parties vnknowen, or kéepe their houses, not minding to paye or reskoye to any their creditors, their debt & duties, but at their owne willes and pleasure, consume the substance obtayned by credite of other men, for their owne pleasures, & delicate liuing, against al reason, equitie, and good conscience. Bee it therefore enacted by authoritie of this present Parliament, that the L. Chauncelor of England, or Képer of the great seale, the L. Treasorer, the L. President, L Priuie seale, and other the kings most honorable Priuie Counsell, and the chiefe Justice of eyther Bench for the time being, or three of them at the least, whereof the Lorde Chancelor, or Képer of the great Seale, Lorde Treasorer, Lord President, or the L. Priuie seale to be one, vpon euery complaint made to thẽ in writing by any parties grieued concerning ỳ premisses shall haue power & authority by vertue of this act, to take by their wisedome & discretiõs, such orders and directions, aswel with the bodies of such offendors aforesaid, wheresoeuer they may bee had, aswell in their houses as elsewhere, by imprisonment of their bodies, or otherwise, as also with their landes, tenements, fées, annuities, and offices, which they haue in fe simple, fe tayle, terme of life, terme of yeres, or in the right of their wiues, as much as the interest, right, and title of the same offendors shall extend or be, and may then lawfully bee departed with, by the saide offendor, and also with their money, goods, cattels, wares, marchandizes, & debts, wheresoeuer they may be found or knowen. And to cause their saide lands, tenements, fées, annuities, offices, goods, cattels, wares, marchandizes and debtes, to be searched, viewed, rented and appraised, and to make sale of the saide landes, tenementes, fées, annuities and offices, asmuch as the same offendor may then lawfully giue graunt or depart with, or otherwise to order the same for true satisfaction and payment of the said creditors, that is to say, to euery of the said creditors a portion, rate and rate like, according to the quantitie of theyr debts. And that euery direction, order, bargaine, sale, and other things done by the said Lords authorized, as is aforesayde, in writing signed with their hãds, by authoritie of this acte, shal be good and effectuall in the law, to al intents, constructions and purposes, against the said offendors, their heires,

Chancellor
L. Keeper
Lord Treasorer
L. President
L. Priuy seale
Iust. of both benches
Complaynt
Power
Orders
Imprisonment
Lands
Annuities
Offices
Money
Goods
Debts
Sale
Payment
Rate like
Order
Effectual

heires and executors for euer, as though the same order, direction, bargaine & sale had bin made by the saide offendor or offendors, at his or their own free will and libertie, by writing indented, inrolled in any the kings courts of Record.

Complaint

And be it &c. that if after any such act or offence committed, and complaint therof made to the said Lordes as is aforesaid, any partie grieued concerning the premisses, knowing, supposing or suspecting any of the goods, cattels, wares, merchandises or debts of such offender or offenders to bein custodie, vse, occupying, keeping or possession of any person or persons, or any person or persons to be indebted to any such offender or offenders, doe make relation thereof to the said Lords to whō authoritie is giuen by this present act, as is aforesaid: that then the said Lords shal by vertue hereof haue ful power & authoritie to send for, & conuent afore them by such proces, waies or means, as they shal thinke conuenient by their discretions, all and euery such person & persons so knowen, supposed or suspected, to haue any such goods, cattels, wares, merchandises or debts in his or their custodie, vse, occupation, keeping or possession, or supposed or suspected to bee indebted to such offender or offenders, & vpon their apparāce to examine them and euerie of them, aswel by their othes as otherwise, by such waies & meanes as the said Lords by their discretions shall thinke meete and conuenient, for and vpon the specialtie, certainty, true declaration and knowledge of all & singular such goods, cattels, wares, marchandises & debts of anie such offenders as bee supposed or suspected to bee in his or their custodie, vse, occupation or possession, & of all such debts as by them or any of them shal be supposed or suspected to be owing to any such offender. And if any such person or persons vpon such examination doe not disclose, plainly declare, and shew the whole trueth of such things as he or they shalbe examined of, cōcerning the premisses, thē euery such person or persons so examined, and not declaring the plaine, and whole truth concerning the premisses vpon due proofe therof to be made, before the said Lordes therefore authorised, as is aforesaid, by witnes, examination, or otherwise, as to the same Lords shall seem sufficient in that behalfe, shall lose & forfaite double the value of all such goods, cattels, wares, merchandises, & debts by them or any of them so concealed, & not wholy and plainly declared and shewed: which forfaiture shalbe leuied and recouered by the said Lords hauing authoritie as is aforesaid by such waies and means as to them shal seeme requisite and conuenient. And the same forfaiture to be distributed & imployed to and for the satisfaction and payment of the debtes of the saide creditor or creditors in such like maner, rate & forme as is afore declared, concerning the ordering of the goods and cattels of the said offenders, keeping their houses, or flying to places vnknowen as is aforesaid.

Keeping

Relation

Power Proces

Examine

Othes

Specialty

Proofe

Forf.

Distribute

And be it &c. that if after any such person or persons shal keepe his or their houses or flie to parts vnknowen as is aforesaid, any person or persons so fraudulently by couin or collusion, claim or demand anie debt, dutie, or other thing by writing or otherwise, of any such offender or offenders, other then such as hee or they can & do proue to be due by right and conscience, in forme aforesaid, before the said Lordes hauing authoritie by this present act as is aforesaid, and the same to proceed bona fide without fraud or couin: that then euerie such person and persons so craftily demanding or claiming any such debt, duty, or other thing as is aforesaid, shall forfait and lose double asmuch as he or they shal so claime or demand. And the same forfaiture to be leuied, recouered, and imployed in maner & forme as is aforesaid. And be it &c. that if any such person or persons, which shall keepe his or their houses, or flie to parties vnknowen, as is aforesaid, of intēt to delay or defraud their creditors disceitfullie by couin or collusion, suffer or cause any other person or persons to recouer against him or them ane debts, goods, cattels, wares, merchandises, without iust cause & title so to do, proceeding bona fide, without fraud or couin, that then vpon complaint thereof made to the saide Lords, hauing authoritie by this present act, as is aforesaid, the same Lords shall haue power & authoritie by vertue hereof, to conuent and call before thē the saide recouerer or recouerers, and after such fraud, disceit, couin, or collusiō, shal plainlie appear or be dulie proued before ỳ said lords authorised, as is aforesaid, al the said goods and cattels of the said offender so recouered, shall be chargeable, imploied, ordered and deliuered toward the paimēt of true and due debts of the said creditor, after the maner, forme and rate, as is before

Flie

Collusion

Forf.

Collusion

Complaint

Power

specified, by ỳ discretion of the said lords, hauing authoritie by this present act, the foresaid false & fained recouerie notwithstanding, so that alwaies such false & fained recoueries shal not be in force, or any execution thereby had, of or vpon any goods, cattels, landes or tenements of anie such offender or offenders, vntill such time as all his or their true and due debts & duties, shalbe fully satisfied, contented and paied, to his or their creditors. And neuertheles after that the saide true debts & duties shalbe fully satisfied & paid as is aforesaid, aswell ỳ bodie of the said offender, as his lands, tenemẽts, goods & cattels shalbe charged & liable to the execution of the said recouery, according to ỳ tenor, force, & effect of the same. And be it &c. that if any person or persõs which shal be indebted, do withdraw himselfe out of this realme & other the K. dominions, into any forrein realme or country, to ỳ intẽt there to abide & remaine, in defraud of his creditors, ỳ then vpon complaint in writing, concerning the premisses thereof made to the said lords, hauing authoritie, as is aforesaid, the same lords shal by vertue & authority of this present acte, haue power & authoritie to award proclamations to bee made in such places as to thẽ shalbe thought meete & conuenient, commanding by the same such offender in the K. our soueraigne lords name, to returne with al conuenient speed into his realm, & to yeeld his body before ỳ said lords hauing authority as is aforesaide or one of thẽ. And if the said person within 3. moneths next after he shal haue knowledge of such proclamation, or as soone after as he conueniently may, doe not repaire and yeeld his body, as is aforesaid, ỳ then the body of al & euery such offẽder & offẽders, shalbe adiudged, taken & deemed to all intents & purposes out of the kings protection, & that also al goods, cattels, lands, tenemẽts & debts, of euery such offẽder shall be by the order & discretion of ỳ said lords, imploied & distributed amongst his creditors equally & indifferently, rate for rate, in like maner & form as is afore declared. And that also euery person and persons ỳ shall willingly help to aide, imbesil, or conuey any such person or persõs, their goods, cattels, wares or merchãdises out of this realme, and other the K. dominions into any forraine realme or place, knowing ỳ said person or persons to depart or withdraw thẽselues, or conuey their said goods, cattels, wares & merchandises for ỳ cause and intent aforesaid, shal suffer such paines by imprisonment of their bodies, or paye such fine to our soueraign Lord the K. his heires or successours, as to the said Lords (hauing authoritie by vertue of this present Act) shal seeme meete and conuenient for their said offence or offences.

Extention

Proclamation

3. Moneths

Protection

Rate like

Aidors

Imprisl.

Prouided alwaies and bee it &c. that if the creditors of any such offender or offẽders, which shall keepe his or their house or houses, or which shal absent or withdraw themselues into places vnknowẽ for the causes aforesaid, be not fully satisfied and paid or otherwise cõtented for their debts and duties, by the waies & meanes afore specified and declared, that then the saide creditor and creditors, and euerie of them shall & may haue their remedie for the recouerie and leuying of the residue of their said debts or dueties, whereof they shall not be fully satisfied & paid, or otherwise contented in forme aforesaid, against the said offender or offenders, in like maner, & forme as they should or might haue had before the making of this act. And that the said creditor and creditors & euerie of thẽ, shalbe onely barred & excluded by vertue of this act, of and for al & euery such parte and portions of the said debts and duties, as shal be paid, satisfied distributed or deliuered vnto him or them by the said lords hauing authority as aforesaid, & of no more portion or parcel therof: any thing herein specified, that may be taken or construed to the contrarie notwithstanding. Anno 34. H. 8. cap. 4.

Creditors

Excluded

2 ¶ Be it enacted, that if anie Merchant or other person vsing or exercising the trade of merchandise by way of bargaining, exchange, rechange, bartrie, cheuisance or otherwise, in grosse or by retaile, or seeking his or their trade of liuing by buying and selling, and being subiect borne of this realme, or of any of the Queenes dominions, or denizen, sithen the first day of this parliamẽt, hath, or at any time hereafter shal depart the realm, or begin to kẽp his or her house or houses, or otherwise to absent him or her selfe, or take Sanctuarie, or suffer him or her selfe willingly to be arrested, for any debt or other thing not growen or due for money deliuered, wares sould, or any other iust or lawful cause or good cõsideratiõ or purposes, hath or will suffer him or herselfe to be outlawed, or yeeld him or her selfe to prison, or depart from his or their dwelling

Merchant

Denizen

Sanctuarie
Arrest

Outlawed

houle

house or houses, to the intent or purpose to defraud or hinder any of his or her creditors, being also a subiect borne, as is aforesaid, of the iust debt or duetie of such creditor or creditors, as shall be reputed, deemed and taken for a bankrupt.

Defraud

And be it enacted, &c. that the L. Chancelor of England, or Lord Keeper of the great Seale of England for the time being, vpon euery complaint made to him in writing against any such person or persons being bankrupt, as is afore defined, shall haue full power and authoritie by Commission vnder the great Seale of England, to name, assigne and appoint such wise and honest discreete persons, as to him shall seeme good, who or the most part of them, by vertue of this acte, and of such Commission, shall haue full power & authoritie, to take by their discretions, such order and direction with the bodie & bodies of such person wheresoeuer hee or she may be had, either in his or her house or houses, Sanctuaris or elsiwhere aswell by imprisonment of his or her bodie or bodies, as also with all his or her lands, tenements and hereditaments, aswel copie of customarie hold, as frō hold, which hee or she shall haue in his or her own right, before he or she became bankrupt: & also with all such landes, tenements, & hereditamēts, as such person shal haue purchased, or obtained for money, or other recōpence iointly with his wife, children or child, to the onely vse of such offender or offenders, or of or for such vse, interest, right or title, as such offender or offēders thē shal haue in the same, which he or she may lawfully depart with all or with anie person or persons of trust to any secret vse of such offender or offenders, and also with his or their money, goods, cattels, wares, merchandises and debts, whersoeuer they may be foūd or knowen, & cause the said lands, tenements, fees, annuities, offices, goods, cattels, wares, merchandises and debts, to bee searched, viewed, rēted & praised to the best value they may, and by deede indented inrolled in one of ỳ Queens Maiesties courts of record, to make sale of the said landes, tenements and hereditaments, and of al deedes, writings & euidēces, touching only the same, belonging to such offender or offenders, debtor or debtors, & also of all fees, annuities, offices, goods & cattels, or otherwise to order the same for true satisfaction and paimēt of the said creditors, that is to say,

Chancelor L. Keeper

Complaint

Power Cōmission

Power

Sanctuary Impris.

Lands

Ioint

Vse Money Goods Merchandise Fees Annuities Offices

Praisen Deed indented

Sale

To euery of the said creditors a portion, rate & ratelike, according to the quantity of his or their debts: & that euerie direction, order, bargaine, sale and other things done by the said persons so authorised as is aforesaid, in form aforesaid, shalbe good & effectual in the law, to all intents, constructions & purposes against the said offēder or offenders, debtor or debtors, his or their wife or wines, heire & heires, childe and children, and such person & persons, as by such ioint purchase with the said offender or offenders, as is aforesaid, haue and shal haue any estate or interest in the premisses, & against al other person & persōs, claiming by, from, or vnder such offender or offenders, debtor or debtors by any act or acts, had, made or done, after any such person shal become bankrupt as is aforesaid: & also against the Lords of the Manors wherof the said copihold or customarie lands bin holden, their heires, successors and assignes, and euerie of them.

Ratelike

Heirs

Lands of Manours

Prouided alwaies and be it enacted by the authoritie aforesaid, that all and euerie person or persons to whome any such sale of copihold, or customarie lands, or tenements, shall bee made, shall before such time as they or any of them shall enter or take any profite of the same lands, or tenements, agrée and compound with the Lords of the manours of whom the same shal be holden, for such fines or incombes, as heretofore hath bin most vsual and accustomed to be yelded or paid therefore, and that vpon euery such agreement or composition, the saide Lords for the time being, at the next Court to be holden at or for the said Manors, shal not only graunt vnto the said vendee or vendees vpon request, the same copie or customarie lands or tenements by copie of court rolle of the same Manours, for such estate or interest as to them shall bee so sold and reserving the ancient rents, customs, and seruices: but also in the same court admit them tenaunts of the same copy or customarie landes, as other copiholders of the same Manours haue bin wont to be admitted, and to receiue their fealtie accordingly. Prouided alwais, and bee it &c. that such of the said Commissioners as shal put the said commission in execution, shall vpon lawfull request to them made by the said bankrupt, not only make a true declaration to the same bankrupts of the imploying & bestowing of their said lands, tenemēts, offices, fees, goods, cattels, & debts

Sale

Compound

Fines

Vendee

Rents

Fealty

Commiss.

Declaratiō

Ouerplus

so paid & satisfied, to their saide creditors, but also make paiment of the ouerplus of the same (if any such shall be) to the saide bankrupts, their executors, administrators, or assignes.

And be it &c. that if after any such act or offence committed, and complaint therof made to the saide commissioners so to bee appointed as is aforesaide, or the more part of them, by any partie grieued, as is aforesaid, concerning ẏ premisses, knowing, supposing, or suspecting any of the goods, cattels, wares, merchandises or debts of such offender or offenders, debtor or debtors, to be in custodie, vse, occupying, keeping or possession of anie person or persons, or any person or persõs indebted to any such offender or offẽders, do make relation therof to the said commissioners so to be appointed, or the more part of thẽ: that then the said commissioners, or the most part of them, shal by vertue hereof & of the said Commission, haue full power and authoritie to send for, and call before them, by such proces, waies or meanes, as they shall thinke conuenient by their discretions, all and euerie such person and persons so knowen, suspected, or supposed to haue any such goods, cattels, wares, merchandises, or debts, in his or their custodie, vse, occupation, keeping or possession, or supposed or suspected to be indebted to such offender or offenders, & vpon their apparance to examine them and euery of them, aswel by their othes, as otherwise, by such waies and meanes, as the said cõmissioners, or the more parte of them, by their discretion shal think meete and conuenient, for and vpon the specialtie, certaintie, true declaration and knowledge of al & singuler such goods, cattels, wares, merchandises, and debts, of any such offẽder or offenders, as be supposed or suspected to be in his or their custodie, vse, occupation, or possession, and all such debts as by them or any of them, shall be supposed or suspected to bee owing to any such offender or offẽders. And if anie such person or persons vpon such examination, do not disclose and plainly declare and shew the whole truth of such things as bee or they shalbe examined of, concerning the premisses, to his knowledge, or denie to sweare, then euery such person or persons so denying to swear, or being examined do not declare the plaine & whole trueth concerning the premisses, vpõ due proef therof to be made before the said cõmissioners or the more part of thẽ so to be appointed, as is aforesaid, by witnesse, examination or otherwise, as to the same Commissioners or the more part of them shall seeme sufficient in that behalfe: shall lose & forfait double the value of all such goods, cattels, wares, merchandises and debts, by them or any of them so concealed, and not wholly and plainly declared and shewed: which forfaiture shalbe leuied by the said commissioners or the more part of thẽ of the lãds, tenemẽts, hereditamẽts, goods, & cattels, of such persõ so denying to swear, or not disclosing the whole truth as is aforesaid, by such waies & meanes & in such maner & forme, as is before limited & appointed, for ẏ principall offender or offenders, debtor or debtors, & the same forfaiture or forfaitures to be distributed or imploied to & for the satisfaction & paymẽt of ẏ debts of the said creditor or creditors, in such like maner, rate and forme, as is aboue declared concerning the ordering of the lands & tenements, offices, fees, goods & cattels of such offender or offẽders, debtor or debtors as is aforesaid. And be it &c. that if at any time before or after that any such person or persons departeth ẏ realm, or shal kepe his or their house or houses, or otherwise absent him or themselues, to take Sanctuarie, or suffer him or themselues to be arrested, outlawed or yeld his or their bodies to prison as is aforesaide: any person or persons doe fraudulently by couin or collusion, claime, demand, recouer, possesse or detaine any debts, duties, goods, cattels, landes or tenements, by writing, trust or otherwise, which were or shalbe due, belonging or appertaining to any such offender or offenders, other thẽ such as he or they can and do proue to be due by right and conscience in forme aforesaid, for money paied, wares deliuered, or other iust consideration or cause reasonable to the iust value therof, before the said commissioners so to bee appointed, or the more part of them, as is aboue said, & the same to proceed bona fide wout fraude or couin: that then euerie such person or persons so craftely demanding, claiming, hauing, possessing or detaining any such debt, duetie or other thing as is aforesaid, shall forfait & lose double asmuch as he or they shall so claime, demaund, detaine or possesse, which said forfaiture shalbe leuied, recouered and imployed in maner and forme as is afore rehearsed.

Prouided also and bee it enacted by authoritie

Power Proces

Examine Othes

Vse

Denie

Forf.

Officts Fees Goods

Sanctuarie Arrested Outlawed Imprisonment Collusion

Commissioners

Forf. Double value

thozitie afozesaid, that if it shal fortune ỳ creditozs of any such bãkrupt, as is afozesaid, to be satisfied & paied of their debts & duties, of oz with the pzoper lands, tenements, goods, cattels and debts of the said bankrupts, oz of oz with the same & some parte of the fozfaitures of the said double values to be fozfaited as is afozesaid, and that there shal remain an ouerplus of the said fozfaiture of the saide double value: that then the one moitie of the said ouerplus of the said fozfaitures of the double value so remaining, shalbe by the said cõmissioners so executing the said commission, within conuenient time after the leuying thereof, paide vnto the Quẽnes Maiestie, her heirs and succesSozs, & the other moitie therof shalbe by the said commissioners imploied & distributed to and amongst the pooze within the hospitals in euerie Citie, towne oz countie where anie such bankrupt shall happen to bee, any thing in this acte to the contrarie thereof notwithstanding. And bee it further enacted &c. that if anie such person oz persons which is oz shall bee indebted, doe of purpose withdrawe him oz themselues out oz from his oz their vsuall mansion house oz houses: that thẽ vpon complaint therof made to the said Cõmissioners hauing authozitie as is afozesaide, the same commissioners oz the mooze part of them, shal by vertue and authozitie of this pzesent act, haue ful power and authozitie to award fiue pzoclamations to be made in the Quẽns name, vpon fiue sundzie market daies, in such places nẽre the place where such bankrupt hath most commõly dwelled oz made his abode, commanding him oz them by the same Pzoclamations in the Quẽnes name, to returne with all conuenient spẽde, and to yeld his oz their bodie befoze the said Commissioners, hauing authozity as is afozesaid, oz one of them, at such time and place as by the said pzoclamatiõ shalbe appointed: and if the said person do not accozding to such Pzoclamation, repaire and yeeld his oz their body, as is afozesaid, that then the body of all & euery such offender oz offenders shal be adiudged taken & deemed to al intents & purposes, out of the Queens pzotection: and that also euery person & persons that shal willingly and wittingly help to hide oz conuey, oz shall willingly & wittingly receiue, detaine oz keepe secretly any person oz persons so demanded by pzoclamation as is afozesaid, shall suffer such paine by impzisonment of his oz their bodies, oz pay such fine to our soueraigne Lady the Queens Maiestie, her heires & succesSozs, as to the said Lozd Chancelloz oz L. Keeper of the great seale (being infozmed therof by the commissioners so to be appointed as is afozesaid, oz the mooze part of them) shall seeme meet and conuenient foz their said offence oz offences.

Ouerplus

Moitie

Hospitals

Commissioners

Pzoclamation

Returne

Out of pzotection

Detaine

Impzis.

Fine

Chancelloz

Pzouided alwaies and be it further enacted, that if the creditozs of any such offẽder oz offenders, debtoz oz debtozs (which so do depart the realme, keepe his oz their house oz houses, oz otherwise absent oz wỏdzawe him oz themselues into places vnknowen, oz take sanctuarie, oz will suffer him oz themselues to bee arrested oz outlawed, oz yeelde his oz their bodies into pzison purposely, & foz the cause afozesaid) be not fully satisfied, oz otherwise contented foz their debts & duties by the waies & meanes befoze specified and declared: that thẽ the said creditoz oz creditozs, and euery of them, shal and may haue their remedy foz the recouery and leuying of the residue of their said debts oz duties whereof they shal not bee fully satisfied, paid, oz otherwise contented in fozme afozesaid, against the said offender oz offẽders in like maner & fozme, as they should, and might haue had befoze the making of this acte. And that the saide creditoz oz creditozs, & euery of them shalbe only barred & excluded by vertue of this acte, of and foz euery such part and pozcion of the said debts and duties, as shall be paid, satisfied, distributed oz deliuered vnto him oz them by ozder of the said persons, as is afozesaid, and of no mooze pozcion oz parcel thereof: anie thing herein specified, that may be taken oz cõstrued to the cõtrary notwỏstanding.

Creditozs

Sanctuarie Outlawed

Barred

Pzouided alwaies and be it also enacted &c. that if any person oz persons, which is oz shall be published oz declared to bee a bankrupt, by vertue of this act, shall at anie time after purchase anie landes, tenements, hereditaments, free oz copy: oz offices, fees, goods oz cattels: oz that anie lands, tenementes, hereditaments free oz copy, offices, fees, goods oz cattels shal discend, reuert, oz by any means come to any such person oz persons being bãkrupts as is afozesaid, befoze such time as their debts due to their creditozs shall bee fully satisfied & paied, oz otherwise agreed foz: that thẽ the said lands, tenemẽts, hereditaments, aswel free as copie, offices, fees, goods, & cattels shall by vertue of this act,

Purchase

Discend

be by the ſaid Cõmiſſioners to be appoin-
ted, as is afoꝛeſaid, oꝛ the moꝛe part of thẽ,
bargained, ſold, ertended, deliuered & vſed
foꝛ and towardes the payment of the ſaid
creditoꝛs in ſuch like maner & fourme as
other the lãds, tenemẽts, hereditaments,
frée oꝛ copie, offices, fées, goods and cattels
of the ſaid bankrupts which they had whẽ
they were declared firſt to be bankrupts,
ſhould oꝛ might haue bin bargained, ſold,
diſpoſed oꝛ vſed by vertue of this act.

Lands aſſu-
red beſoꝛe
Bona fide

Pꝛouided alwaies that this act ſhal not
ertend to any lands, tenemẽts oꝛ hereditamẽts, frée oꝛ copihold, which heretofoꝛe
hath bene aſſured by any ſuch bankrupt,
oꝛ hereafter ſhalbe aſſured by any bank-
rupt, beſoꝛe he become bankrupt, ſo al-
waies ẏ ſuch aſſurance be made bona fide,
& not to the vſe of the bankrupt himſelfe
onely oꝛ his heires, & that the parties to
whoſe vſe ſuch aſſurance hath oꝛ ſhall be
made, be not at oꝛ beſoꝛe ẏ making of ſuch
aſſurance, pꝛiuie oꝛ cõſenting to the frau-
dulẽt purpoſe of any ſuch bankrupt to de-
ceiue his creditoꝛs. An. 13. Eliz. cap. 7.

¶ Baſtardie.

Inherite

TO the kings writ of Baſtardie, whe-
ther one being boꝛne afoꝛe matrimo-
nie may inherite in like mãer as he that
is boꝛne after matrimony, al the Biſhops
anſwered, that they would not, noꝛ could
not anſwere to it, becauſe it was directly
againſt the common oꝛder of the Church.
And all the Biſhops inſtanted the Loꝛds,
that they would conſent, that all ſuch as
were boꝛne afoꝛe matrimonie, ſhould be
legitimate as well as they that be boꝛne
within matrimonie, as to the ſucceſſion of
inheritãce, foꝛ ſo much as the Church ac-
cepteth ſuch to be legitimate. And all the
Earles and Barons with one voyce aun-
ſwered that they would not change the
lawes of this Realme, which hitherto
haue bin vſed and appꝛoued. Merton cap.
9. An. 20. H. 3.

Pulier
Certificate

2 ¶ If the ſaide Alianour the wife of
James be certified Pulier in any Court
beſoꝛe this time, that no maner certificat
heretofoꝛe made foꝛ the ſaid Alianoꝛ wife
of James, ſhall in any wiſe put to pꝛeiu-
dice, indamage, noꝛ conclude any perſon
oꝛ perſons but him oꝛ his heires that was
partie to the plée. And that from hence-
foꝛth al Iudges, of oꝛ in the courts where
any plée is oꝛ ſhall be depending, taken
oꝛ moued, in which plées ſo depẽding, takẽ
oꝛ moued, baſtardie is oꝛ ſhal be alleaged
againſt any perſõ partie to the ſame plée,
and thereupon an iſſue ioyned, which by Iſſue
the law ought to be certified by the Oꝛdi-
narie, that the Iudges oꝛ one Iudge, oꝛ
in the Courts, where the ſaide plée is oꝛ
ſhalbe depending, taken oꝛ moued, beſoꝛe
the time that any wꝛit of certificate paſſe Writ
out of the ſame Court to the Oꝛdinary, to
certifie vpon the iſſue ſo ioyned, oꝛ to bée
ioined, ſhal make a remẽbꝛance vnder the
Seales, oꝛ his ſeale, at the ſuite of the de- Seale
mandant oꝛ tenant, plaintife oꝛ defendãt
in the plée, in which the baſtardie is oꝛ ſhal
be alleadged, reciting the iſſue that is ioi-
ned into the ſame plée of baſtardy, & certi-
fying to the Chãceloꝛ of the king of Eng- Chauncelor
land foꝛ the time being, to the intent that
thereupõ pꝛoclamatiõ be made in the ſaid Pꝛocla-
Chaũcery by iij. Moneths, once in euerie mation
moneth, that al perſons pꝛetẽding any in-
tereſt to obiect againſt the partie, which
pꝛetẽdeth himſelfe to be mulier, that they Mulier
ſue to the Oꝛdinarie to whom the wꝛit of
Certificate is oꝛ ſhall be directed, to make Certificate
their allegations & obiections againſt the
partie, which pꝛetendeth him to be Pu-
lier, as the Lawe of holy Church requi-
reth. And the ſaid Chãceloꝛ hauing notice
of the ſaid remembꝛance and iſſue ioyned,
and required by the ſaid demandant oꝛ te- Demãdant
nant, plaintife oꝛ defendant hauing the
ſaid remẽbꝛance, to make the ſaid Pꝛocla-
mation as afoꝛe is ſaid, the ſame Chaun-
celoꝛ foꝛ the time being, ſhal do make pꝛo-
clamation in the foꝛme afoꝛeſaid. And the
Pꝛoclamation ſo made, ſhall certifie in
the court where the ſaid plée, in which the
baſtardie is alleaged an other time, ſhall
be depending. And that the Iudges of, oꝛ
in the court where the ſame plée is oꝛ ſhal
be depending, taken oꝛ moued, beſoꝛe any
Pꝛoclamation ſo to be made in the Chaũ-
cerie, make one time ſuch Pꝛoclamation
opẽly in the ſame court. And alſo an other
time when the Pꝛoclamation ſhal be cer-
tified by the Chauncelor of England, and
made in the fourme aboue rehearſed, and
then the ſaid Iudge ſhall award the ſaide
Writ of Certificate to the Oꝛdinarie to Oꝛdinarie
certifie vpon the iſſue ſo ioyned, oꝛ to bée
ioyned. And if any wꝛit of Certificate
bée made oꝛ graunted beſoꝛe that all the
Pꝛoclamations in the fourme afoꝛeſaide
be made and certified: that then the ſaide
wꝛit of Certificate, and the Certificate of
the Oꝛdinarie thereupon made oꝛ to bée
made, ſhal be void in law & of none effect. Void

And

And if any writ before this time be directed to anye Ordinarie to certifie, if the said Aliano2 wife to James bee bastarde or not, and at this time not certified, if it be certified hereafter by vertue of the said writ, that the same certificate of the saide Ordinarie so made be void and of none effect. An. 9. H. 6. cap. 11.

¶ Bathe and Welles.

ANno 34. H. 8. cap. 15. An act is made concerning grants and writings to be made by ye Bishop of Bathe & Welles, to be confirmed by the Deane & Chapter of Welles.

¶ Battaile and grand assise.

Orde Champion

TOuching the othes of Champions, it is thus prouided, because it seldome happened but that the Champion of the demandant is forsworne, in that hee sweareth, that he or his father saw the seisin of his Lord, or of his ancestor, and that his father commaunded him to deraine the right that from henceforth the Champion of the demandant shall not be compelled so to sweare, nevertheles his oth shall be kept in al other points. West. 1. ca. 40. An. 3. E. 1.

¶ Beaupleader.

Iustices Countie Courts Hundreds Court Barons

IT is prouided also, that from hencefoorth neither in the circuit of Iusticers, nor in Countie Courtes, Hundredes, and Court Barons, any fines shalbe taken of anie man for faire pleading, nor so that any occasion shalbe. And it is to be knowen, that by this act certain fines or Lones assessed since the time that our soueraigne Lord the king first passed into Britaine, are not taken away. Marleb. cap. 11. Anno 52. H. 3.

Fines

2 ¶ That nothing bee taken for faire pleading, which hath bin prohibited heretofore in the time of K. Henry, father to our soueraigne Lord that now is. West. 1. cap. 8. Anno 3. E. 1.

Shiriffes Extorcion

3 ¶ Wheras some of the realme haue grieuously complained, that they be grieued by shiriffes, naming themselues the kings approuers, which take money by extortion for beaupleader: The king wil that the statute of Marlebridge shall bee obserued and kept in this point. An. 1. E. 3. Stat. 2.

Merchantes Scotland Ireland Wales Merchādise

AL Merchants which shall carie or bring any merchandise out of Scotland or the Iles of the same, into this Realme of Englande, or in Irelande or Wales, first shal bring the same merchādise to the town of Berwike. And ye none of the kings liege people, nor none other person vnder the kings obeisance, shall buy anie merchandise brought out of Scotland, and carie the same, or cause to be caried into this realme of England, or any other place vnder the kings obeisāce, but that the same merchandise be bought, sold & customed at his said towne of Berwike, except to the Citie of Carlile, and the portes or creekes pertaining to the West marches. And that no maner merchant, denizen or stranger vnder the K. obeisance, shall carie or conuey to sell, anie maner merchandise being win England, Ireland or Wales, into Scotland, or the Iles of the same, which be not vnder the kings obeisance. And that none vnder the kings ligeance & obeisance, sell anie maner merchandise of England, Ireland, or Wales, to any of the inhabitāts of Scotland or Iles of the same, in anie place win England, Ireland, or Wales, sauing onely to the said towne of Berwike and Carlile aforesaid. And that no merchandise shall bee shipped in anie creeke or other place betwixt Tinmouth & the saide town of Berwike, but only in the port or hauen of the said town of Berwike. And that no maner person or persons, sauing the Burgesses & freemen of the said towne of Berwike, shal cause any Salmon to be sold, which shall be taken in the water of Twede. And if anie person or persons offend, or doe with any maner merchandise aforesaid, contrarie to anie of the said ordinances, the same person or persons shal forfait al the said merchandise. And that it shalbe lawfull to any of ye kings liege subiects, to seise all such merchandise so forfait, or els to pursue in his owne name an action of debt against the same person or persons, which so shall forfait containing the sum of the value of the said goods. And in ye same action to haue like proces, iudgment and execution, as is vsed in other actions of debt by the course of the K. lawes. And that in none of the suits and actions, any protection or Essoine of the Kinges seruice be allowed, nor any defendant admitted to do his law. And our soueraigne Lord the king to haue aswel the one halfe of all such merchādise forfait and seised, as

Custome Carlile West marches Denizen Iles Creeke Tinmouth Burgesses Salmon Twede Forf. Proces Protection Essoine Moitie

the one halfe of al such summes of money which shall be recouered by action, in the forme aforesaid, to pursue for the value of any such goods so forfait. And the person or persons which shall seise and pursue in the forme aforsaid, to haue the other half of the same. And by the said authoritie it is ordained & enacted, that the marchants and frée men of the said towne may of the grace of our Soueraigne Lord the King, haue to ferme al waters royall, and fishing places, within the said Town of Berwike and Seigniorie of the same, paying for the same as much as any other person will do. And that the same merchants and frœmen, and euerie of them may frō henceforth haue, occupie, & inioy to them, their heires and successors for euer, all liberties, franchises and customes, which at any time before pertaineth to the saide towne. And that they may ship all manner of goods and merchandises there, and carie them to what place or places, porte or ports, that they wil, & there discharge, and the same recharge with corne or any other vitaile or merchandises, and bring the same to the saide Towne of Berwike for victualling therof. Prouided alwaies that this act, nor none other act made or to be made in the said parliament do not extend nor be preiudiciall to W. Bishop of Durham, nor to his successors, in and for any manner thing pertaining or in any wise belonging to him. An. 22. E. 4. cap. 8.

Ferme Fishing

Liberties

Shipping

Corne

Bishop of Durham

¶ Bishops and Bishoprickes.

BEcause before this time in the time of king Edward father to the king that now is, he by euill Counsellors caused to be seised into his hands the temporalties of diuers Bishops, with all their goods & cattels therein found, without any cause, & the same held in his hands by a long season, and continually therof toke the profits, to the great damage of the same Bishops, wastes & destructions of all their cattels, manors, parkes, & woods. The K. wil & graunteth, that from henceforth it shall not be done. An. 1. E. 3. cap. 2. Stat. 2.

Temporalties Goods

2 ¶ We will and graunt for vs & for our heires, that from henceforth we nor our heirs shal not take, nor do to be taken into our hands the temporalties of Archbishops, Bishops, Abbots, Priors, or other of what estate or condition they bee, without a true and iust cause, according to the law of the land, & iudgement thereupon giuen. An. 14. E. 3. pro Clero. stat. 3.

Temporalties

3 ¶ That no Archbishop nor Bishop shalbe impeached before our Iustices because of crime, vnlesse wee specially doe commaund them, till other remedie bee therefore ordained. An. 18. E. 3. pro Clero cap. 1. stat. 3.

Crime

4 ¶ Whereas the temporalties of Archbishops and Bishops haue bin oftentimes taken into the kings hands, for cōtempt done to him vpon writs of Quare non admisit, and for diuers other causes, whereof the said prelates haue prayed the king, that no such taking shal from henceforth be made, sith they be Peeres of the land. The king will and granteth in the same parliament, that all Iustices, which from henceforth shall giue iudgement against any prelate of the land in such case or like, that they in such case may freely receiue, and from henceforth shall receiue for the contempt so iudged, a reasonable fine of the partie so condemned, according to the quantity of the trespasse, and after the qualitie of the contempt, incontinently at the time of the iudgment, if the partie offer the same, or otherwise after the iudgement, at what time the partie will offer himselfe: And if it neede, the Chancelor and the Treasorer shalbe called to the receit of the said fines. An. 25 E. 3. pro Clero cap. 6. stat. 1.

Temporalties

Quare non admisit

Iustices

Fine

Contempt

Chancelor L. Treasurer.

5 ¶ Albeit that sithē the beginning of this present parliament, good & honorable ordinances and statutes haue bin made & established for elections, presentations, consecrations, & inuesting of Archbishops and Bishops of this realme, and in all other ẏ kings dominions, with al ceremonies appertaining vnto the same, as by sundry statuts therof made more at large is specified: yet neuertheles no prouision hitherto hath been made for Suffragans which haue bin accustomed to be had wīn this realme, for the more speedie administration of sacraments, and other good wholesome and deuout things, and laudable ceremonies, to ẏ increase of Gods honour, and for the commoditie of good and deuout people. Be it therefore enacted by authority of this present parliament, that the Townes of Thetford, Ipswich, Colchester, Douer, Gilford, Southampton, Tauntō, Shaftsbury, Wolton, Marleborough, Bedford, Leicester, Gloucester, Shrewsbury, Bristow, Penreth, Bridgwater, Notingham, Grantha, Hul, Huntington, Cambridge, and the townes of

Thetford Ipswich

Pereth

Berwike Ile of Wight

Pereth and Berwike, S. Germaines in Cornewall, & the Ile of Wight, shall be taken and accepted for Sées of Bishops,

Sees Suffragās

suffragans to be made in this realme, & in Wales, & the Bishops of such Sées shall be called Suffragans of this realme. And that euery Archbishop and Bishop of this realme, & of Wales, and elsewhere within ỳ kings dominiõs, being disposed to haue any Suffragan, shal & may at their liberties, name & elect, that is to say, euerie of them for their peculier dioces, two honest & discrete spirituall persons, beyng learned & of good conuersation, and these two persons so by them to be named, shal pre-

Present

sent to ỳ kings highnesse by their writing vnder their seales, making hũble requeste to his Maiestie, to giue to one such of the said two persons, as shal please his Maiestie, such title, name, stile & dignitie of Bishop of such of ỳ said Sées aboue specified, as the kings highnes shal thinke most cõuenient for the same. And that the Kings

Presentatiõ

Maiestie vpon euery such presentatiõ, shal haue full power and authoritie to giue to one of those two persons so to his highnes to be presented, the stile, title and name of a Bishop of such of the Sées aforesaid, as to his Maiestie shal be thought most cõuenient & expedient, so it be within the same Prouince, whereof the Bishop that doeth name him is. And that euery such person to whom the kings highnesse shall giue any such stile & title to any of the Sées afore-

Bishops Suffragan

named, shall be called Bishops Suffragan, of the same Sée whereunto hée shalbe named. And after such title, stile, & name so giuen, as is aforesaid, the kings Maiestie shall present euery such person by his letters patents vnder his great

Letters P. Great seale

Seale to the Archbishop of Canturburie, if the Towne whereof he hath his title be within the Prouince of Canterburie. And likewise to the Archbishop of Yorke, if the Towne whereof he hath his title be within the Prouince of Yorke, signifying and declaring by the same Letters patentes the name of the person presented, and the stile and title of dignitie of Bishopricke, whereunto he shal be nominated, requiring the same Archbishop to whom such letters patents shall be directed, to consecrate the same person so nominated and presented to the same name, title, stile and dignitie of Bishop, that he shall be nominated and presented vnto, &

Consecrate

to giue him all such consecration, benedictions, & ceremonies, as to the degrée and office of a Bishops suffragan shall be requisite. And be it &c. that all and euerie such person and persons, as shall be nominated, elected, presented and consecrated, as is aforesaid, shal be takẽ, accepted, and reputed in all degrées & places according to the stile, title, name and dignitie that he shall be presented vnto, & haue such capacitie, power and authoritie, honor, preheminence and reputation, in as large and ample manner, in and concerning the execution of such Commission, as by any of the said Archbishops or Bishops within their dioces shall be giuen to the said Suffragans, as to suffragans of this Realme heretofore hath bin vsed and accustomed. And be it further enacted by authoritie aforesaid, that euerie Archbishop of this Realme, to whom any the kings letters patents in the cases afore rehearsed, shall be directed hauing no lawfull impediment, shall performe and accomplish the effects and contents of this acte, within the time of three Moneths, next after such letters 3. Moneths
patents shall come to their hands: any vsage, customes, forreine lawes, priuileges, prescriptiõs, or other thing or things heretofore vsed, had, or done, to the cõtrarie hereof notwithstanding.

Prouided alwaies, that no such Suffragans which shalbe made and consecrate by vertue & authoritie of this act, shal take or perceiue any maner of profites of the Profites
places and Sees whereof they shal be named, nor vse, haue or execute any iurisdiction, or episcopall power or authoritie within their saide Sées, nor within anie Diocesse or place of this Realme, or elsewhere, within the kings dominions, but onely such profits, iurisdictions, power & authoritie as shall be licenced and limited to them to take, doe, and execute by any Archbishop or Bishop of this Realme within their dioces, to whom they shalbe Suffragans by their Commission, vnder their seales. And that euery Archbishop & Bishop of this realme, for their owne peculiar diocesse, may and shall giue such Commissiõ or Commissions to euery such Bishops Suffragan, as shalbe so cõsecrated by authoritie of this acte, as hath bin accustomed for Suffragans heretofore to haue, or els such commission as by them shalbe thought requisite, reasonable and conuenient. And that no such Suffragan shal vse any iurisdictiõ, ordinary or episcopal power, otherwise nor longer time thẽ shalbe limited by such commission to him

to be

Fyne. to be giuen, as is afore said, vpon paine to incurre into the paines, losses, forfaitures and penalties, mentioned in the Statute of Prouisions, made in the xvj. yere of king Richard the second.

Prouided alwaies, that the Bishop that shall nominate the Suffragan to ẏ kings highnesse, or the Suffragan himselfe that shalbe nominate, shall prouide two Bishops or Suffragans to consecrate him with the Archbishop, and shal beare their reasonable costes.

Prouided also that the residence of him that shalbe suffragan ouer ẏ dioces where he shall haue commission, shall serue him for his residence, as sufficiently, as if he were resident vpō any other his benefice: any acte heretofore made to the contrarie notwithstanding.

Commission

Be it further enacted, that al such suffragans, as shal hereafter exercise the offices aforesaid, by the Commission of the Bishop, for the better maintenāce of his dignitie, may haue two benefices with cure: any former act made to the contrarie notwithstanding. An. 26. H. 8. cap. 14.

This act was repealed by 1. & 2. P. & M. and renued by 8. Eliz. cap. 1.

6 ¶ An. 31. H. 8. cap. 9. An acte was made, authorizing the king to make Bishops, and translations of Bishops by his letters Patentes, But it is repealed by 1. and 2. P. and M. cap. 8. as appeareth in Rome 4.

Chester Man

7 ¶ An. 33. H. 8. cap. 31. An acte was made, dilleuering the Bishoprike of Chester & Man from the iurisdiction of Canturburie, to the iurisdiction of Yorke.

Exchange

8 ¶ An. 37. H. 8. cap. 16. An acte was made concerning exchange betweene the king and the Archbishop of Canturbury, and Yorke, and the Bishop of London, for certaine landes.

Patent

Proces

9 ¶ An. 1. E. 6. cap. 12. was an act, that the Bishops should be made by the Kings letters patents, and not by the election of the Deane & Chapter, & that they should make their processe and writinges in the Kinges name, and not vnder their owne names, & that their Seales should be the kings armes. But after this act is repealed in An. 1. M. 1. Parl. cap. 2. Sess. 2.

Deales

10 ¶ An. 3. E. 6. cap. 2. It was enacted, that such forme of making and consecrating of Bishops and Priestes, as by fyre Prelates, and fyre other to be appointed by the king should be deuised and set forth vnder the great seale, should be vsed, and none other. And after a booke was printed of such maner of consecrating and making of Priests. But after this acte was repealed by 1. M. 1. parl. Sess. 2.

11 ¶ Anno 1. & 2. P. & M. cap. 8. All Bishoprickes be confirmed, as appeareth in Rome 4.

Seruice Sacramēts

12 ¶ Be it now declared and enacted by the authoritie of this present Parliament, that the said Acte and Statute made in the first yere of the raigne of our said Soueraigne Lady the Queens Maiestie, whereby the said booke of Common prayer, and the administration of Sacramēts, with other rites and ceremonies, is authorised and allowed to be vsed, shal stand and remaine good and perfect to al respects and purposes. And that such order and forme for the cōsecrating of Archbishops and Bishops, & for the making of priests, Deacons, and Ministers, as was set forth in the time of the saide late king Edward the 6. and added to the said booke of Common prayer, and authorised by Parliament in the 5. and 6. yere of the said late king, shall stand and be in full force and effect, and shall from henceforth be vsed & obserued in al places within this realm, and other the Queenes Maiesties dominions and countries. And that all actes and things heretofore had, made or done, by any person or persons, in or about any cōsecration, confirmatiō, or inuesting of any person or persons elected to ẏ office or dignitie of any Archbishop or Bishop within this Realme, or within anie other the Q. Maiesties dominions or coūtries, by vertue of the Quenes Maiesties letters patents or Commission, sithence the beginning of her Maiesties raigne, be and shalbe by authoritie of this present Parliament declared, iudged and deemed, at and from euery of the seuerall times of the doing thereof, good and perfect to all respects and purposes: any matter or thing that can or may be obiected to the contrarie thereof in anie wise notwithstanding. And that all persons that haue bene, or shalbe made, ordered, or consecrated Archbishops, Bishops, Priestes, Ministers of Gods holy worde and Sacramentes, or Deacons after the forme & order prescribed in the saide order & forme, how Archbishops, Bishops, Priestes, Deacons and Ministers should be consecrated, made & ordered, be in verie deede, and also by authoritie hereof declared and enacted to bee, and shall bee Archbishops, Bishops,

Priests,

Priests, Ministers and Deacons, & rightlie made, or decréd and consecrated: any Statute, law, canon, or anie other thing to the contrary notwithstanding.

Prouided alwaies, and neuertheles be it enacted by the authoritie aforesaid, that no person or persons, shall at any time hereafter be impeached or molested in bodie, lands, liuings or goods, by occasion or meane of anie certificate by any Archbishop or Bishop heretofore made, or before the last day of this present Session of parliament to be made by vertue of any acte made in the first Session of this present parliament, touching or concerning the refusall of the othe, declared and set forth by acte of Parliament in the first peere of the raigne of our soueraign Ladie Quéen Elizabeth: any thing in this act or statute heretofore made to the contrary notwithstanding. And that al tenders of the saide Othe made by any Archbishop or Bishop aforesaid, or before the last day of this present Session to be made by authoritie of any act established in the first Session of this present parliament, and all refusals of the same othe so tendred, or before the last day of this present sessiõ to be tendred by anie Archbishop or Bishop, by authoritie of any act, established in the first session of this present Parliament shall bee void and of none effect or validitie in the law. An. 8. Eliz. cap. 1.

Othe

¶ Butchers.

A Butcher that selleth swines flesh mezeled, or flesh dead of the murrain, after he shalbe conuict thereof, for the first time he shalbe grieuously amerced. the second time he shall suffer iudgement of the Pillorie, and the third time he shalbe imprisoned and make fine, and the fourth time he shal abiure the towne. And in this maner shall it be done of all that offend in like case. Statute of Bakers and Brewers cap. 7. An. 31. E. 1.

Amerciament
Pillorie
Imprisl.
Abiure
*

2 ¶ No Butcher nor his seruant shall flea no maner beast within the said house called the scalding house, or within ẏ wall of London, vpon paine to forfait for euery Oxe xij. d. and for euery Cow, and euerie other beast viij. d. The one halfe therof to the king our Soueraigne Lord, and the other half to the kings lieges that wil sue for the same by action of debt, and no protection nor essoine be allowed to any of the defendants against whom anie such actiõ shalbe conceiued. And that in ẏ same action of debt, such proces be made as is in other actions of debt sued at the common law. And ouer this it is &c. that the same ordinance, acte and law extend & be obserued and kept in euery Citie, borough, and towne walled within this realme of England, and in the towne of Cambridge (the townes of Berwike and Carlile only except and forepriued.) An. 4. H. 7. cap. 3.

Forf.
Woltie
Protection
Cambridge
Berwike
Carlile,

3 ¶ Anno. 24. H. 8. cap. 3. An acte was made for Beefe, Mutton, Porke, & Veale to be solde by weight, & the prices appointed there. And after An. 25. H. 8. cap. 1. other clauses were enacted for selling of beefe, mutton, porke, & veale by weight, & that graziers & other sellers of quicke cattel should sel their cattel to such as should sel their flesh by retaile by weight, at reasonable prices, or at prices to be tared by certain persons appointed in the act of 25. H. 8. c. 1. And ẏ the king by proclamation might appoint other prices of the flesh to be sold by retaile. and licence folke to sell flesh without weight. And after An. 27. H. 8. c. 9. it was enacted, that till 24 Aprilis An. 1540. flesh might be sold as it was before the making of the said statutes of 24. H. 8. ca. 3. & 25. H. 8. cap. 1. And after Anno 33. H. 8. cap. 11. the said actes made An. 24 H. 8. cap. 3. & 25. H. 8. ca. 1. be repealed, & that from thẽceforth it is lawful to sell victuals in like maner and fourme, as they might haue done before the making of any of the said statutes.

Weight
Proclamation

¶ Bookes and Images.

THe said Prouiso made the first peere of the saide King Richard the 3. (See cap. 9. concerning Bookes, which is in Aliens 2.) from the feast of the Natiuitie of our Lord God next comming shalbe void and of none effect. And further bee it &c. that no person or persons, resiant or inhabitant within this Realme after the saide feast of Christmas nexte comming, shal buy to sell againe, any printed bookes brought from any parts out of the Kings obeisance, readie bounden in bordes, leather or parchment, vpon paine to lose and forfaite for euery booke bounde out of the said kings obeisance, and brought into this realme, and bought by anie person or persons within the same to sell againe, contrarie to this act vi. s. viij. d. And be it further &c. that no person or persons inhabitant or resiant within this Realme, after

Aliens
Printed bookes
Forf.

after the said feast of Christmas, shal buy within this realme, of any straūger borne out of the kings obeysance, other then of Denizens, any māner of printed Bookes, brought frō any the parts beyond the sea, except onely by engrosse & not by retaile, vpō paine of forfaiture of vj.s. viij.d. for euery booke so bought by retaile, contrary to the forme and effect of this statute, the said forfaiture to be alwaies leuied of the buiers of any such bookes contrarie to this act: The one half of al the said forfaitures to be to the vse of our soueraigne Lord the king, and the other moitie to be to the partie that wil sette or sue for the same in any of the kings courts, be it by bill, plaint or information, wherein the defendant shall not be admitted to wage his lawe, or protection, ne essoine shalbe to him allowed.

Denizens

Engrosse Forf.

Moitie

Prouided alway and be it &c. that if any of the said printers or sellers of printed bookes, inhabiting within this realme, at any time hereafter happen in such wise to inhaunce and increase the prices of anie such Printed bookes in sale of binding, at too high and vnreasonable prices, in such wise as complaint bee made thereof vnto the kings highnes, or vnto the Lord Chācelor, Lord Treasorer, or any of the chief Justices of the one bench or of the other: that then the same Lord Chācelor, Lord Treasorer, & two chiefe Justices, or two of any of them, shall haue power and authoritie to enquire thereof, aswell by the othes of twelue honest & discreet persons, as otherwise by due examination by their discretions. And after the same inhaūsing & increasing of the said prices of the said bookes and binding, shalbe found so by the said twelue men, or otherwise by examination of the said Lord Chanceler, Lord Treasorer, and Justices, or two of them: that then the same Lord Chancelor, Lord Treasorer, and Justices, or two of them at the least, from time to time, shall haue power & authoritie to reforme & redresse such inhaunsing of the prices of printed bookes from time to time by their discretions, & to limite prices aswell of the bookes as for the binding of them. And ouer that the offendor or offendors thereof beyng conuicted by the examination of the same Lord Chancelor, Lord Treasorer, and two Justices, or two of thē, or otherwise, shall lose and forfaite for euery Booke by them sold, wherof the price shalbe inhaūced, for the booke or binding thereof iij.s. iij.d. The one halfe thereof shalbe to the

Printers

Chancelor L. Treasorer Chief Just.

Examination

Prices

Binding

Forf.

Moitie

kings highnesse, and the other halfe vnto the partie grieued, that will cōplaine vpon the same, in manner and forme before rehearsed. An. 25. H. 8. cap. 15.

2 ¶ Anno 34. H. 8. cap. 1. was an acte against reading of the Bible in English, and other English bookes of doctrine, and against playes, songes, and rimes, and against preaching & teaching of doctrine, But that statute was repealed. Anno 1. E. 6. cap. 12.

3 ¶ Anno 3. E. 6. cap. 10. It was enacted, that all Bookes of the seruice of the Church in Latin, and Images of Saints that were or had bene in any such Church or Chappel, should be abolished & destroied, & the Bookes burned. But this acte was after Anno 1. Ma. 1. Parliament cap. 2. Repealed.

¶ Bowes and Bowstaues.

FOr the remedie of the great scarcitie, & excessiue price of Bowstaues, wherby Archerie is decayed. Be it &c. That euery Marchant straunger, & euery or some one of their factors, atturneis, or seruaunts, which at any time after the saide feast of S. Michael the Archāgel next comming, shall bring, send, or conuey into this land any marchandise, in Carracke, Galley or ship, of the citie or countrey of Uenice, or of any other citie, towne or countrey, frō whence any such bowstaues haue bin before this time brought, sent or cōueyed into this land, at euery time of their bringing, sending, or cōueying of any such marchandises into this Realme, shall bring, send, or conuey into this Realme with the said marchandises in the same carracke, galley, or ship, wherein any such marchādises shal be hereafter brought, sent, or cōueyed, for euery tun weight of such Marchandises which hereafter shall be cōteined in euery carracke, galley or ship, iiij. Bowstaues, vpō paine of forfaiture to the king for euery default of bringing of euery such bowstaffe vj.s. viij.d. And also that the said bowstaues to be brought, sent, or conueyed by the saide Marchants, their factors, atturneis, or seruaunts into this Realme, be searched and surueyed by the Maior, shiriffes, bailifes, or chiefe gouernors, of such cities or townes within this realme, where any such carracke, galley, or ship, shall hereafter come to safe port. And the said Maiors, Shiriffes, Bailifes, or chiefe Gouernours shall assigne two

Marchant straungers

Uenice

Tunne weight

4. bowstaues Forf.

Search Maior

Shiriffes Bailifes

men

men most expert to search the said staues. Sworne And the said .vj. men shall be sworne to the said Maiors, Shiriffes, Bailifes, or chiefe gouernours, to the intent that they shall truely and indifferently marke the staues that be not good & sufficient, after the maner as such staues in times paste were wont to be marked, to the intent that all the Kings liege people may haue knowledge of them without fraude. An. 12. E. 4. cap. 2.

See this statute in some part inlarged by 13. Eliz cap. 14. after 8.

☞ 2 ¶ No Bowyer nor other person vsing to sell or put to sale, or which hereafter shall vse to sell or put to sale any long bow or bowes of yew, shall sell any of the same bowes to any of the kings liege people Bowyer Price iij.s. iiij.d. above the price of iij s. iiij. d. a bowe: long bowes of yewe vnder the value of the same price, as the seller and the buyer thereof may reasonably agree and accord, vpon paine to forfaite for euery long bow of yew otherwise sold above the said price of iij.s. iiij. d, xx.s. The one halfe thereof to Forf. Moitie our Soueraigne Lorde the King, and the other halfe to any of his liege people that will therefore pursue & proue the said forfaiture, by actiõ or actions of debt, wherin like proces, iudgement and execution shal be had, as is commonly vsed in actions of debt sued at the common law. And that no defendant in anie such action or actions Proces shalbe admitted to wage his lawe. An. 24. E. 4. cap. 4. This is repealed as you may see after 7.

☞ 3 ¶ For the remedie of the exceslue price and badnesse of bowestaues, which partly is growen because the Marchants will not suffer anie garbeling or sorting of them to be made. Be it enacted &c. that Marchant no Marchant of Venice, nor other which vseth to repaire into this Realme with marchandises of those partes, shall bring nor conuey into this Realme anie marchandises, vnlesse the same Marchants do bring with euery Butt of Malmesey, and Butte of Malmesey. Bowes Forf. with euery Butt of Vire, ten bowstaues, of good & able stuffe, vpon paine of forfaiture of xiij.s. iiij. d. for euery Butt of the said wines so brought & conueied, and not the saide number of bowstaues with the same butt: The one halfe of the same forfaiture to be to our Soueraigne Lord the Moitie king, & the other halfe to the partie which will therefore sue. And that no such bowstaues be sold vngarbelled, & but onely to such person or persons which is or shal be borne vnder the Kinges obeysance. This Act to begin and to take effect at the feast of S. Michael next comming. An. 1. R. 3. cap. 11. See Plaies 2. *

4 ¶ That if any person or persons after the feast of the Purificatiõ of our Ladie next comming, sell any long bowes ouer the price of iij.s. iiij.d. then the seller or sellers of such bowes shall forfait for euery bowe so sold ouer the said price xl.s. Forf. to the King, he that will sue for the same may haue an action of debt therefore against such seller, or make information in the kings Eschequer thereof, the king to Eschequer haue execution of the moitie thereof, & he that sueth the other moitie, & that in such Moitie action of debte the defendant haue no essoine ne protection for him allowed, and be not admitted to wage his lawe. An. 3. H. 7. cap. 13. This Statute is repealed as you may see after 7.

5 ¶ That no custome be paid after the Custome making of this act for any sufficient bowstaue or bowstaues, containing the legth Length of vj. foote and a halfe, or aboue, that shall be brought into this your Realme by any Marchant straunger or other, betweene this and the next parliament. But that al manner Marchãts for bringing into this your Realme of any sufficient bowstaues of the length of vj. foote & a halfe or aboue, be discharged of all customes for the same Discharge bowstaues during the said time. Anno. 19. H. 7. cap. 2.

6 ¶ An. 6. H. 8. cap. 11. Englishmen were by this acte discharged of the acte of 1. R. 3. cap. 11. of bringing in of Bowestaues with Malmeseis, till the next Parliament.

7 ¶ At the humble suit of the bowiers within the Citie of London, and the Suburbes of the same, forasmuch as no bowes of other wood then Yew be vsed there, and the prices of bowstaues haue diuers waies bin greatly raised. Be it enacted &c. that the said statutes of king E. 4. (before 2.) and king H. 7. (before 4.) concerning the prices of Bowes, & all the braunches contained in the said statute of king H. the 8. (after in Plaies 2.) so far forth as the same extendeth to the price of Bowes therein expressed, only frõ the first day of this present Parliament, and so for euer, be thereby clerely repealed and made voide Repeale and frustrate, to all intents, constructions and purposes. And also all & euery clause and sentence of the said statute of king H. the 8. before recited, tending to the making

Elmes Bowes

of the bowes of Elmes, Witchhasel, Ashe and other wood, besides Yewes before rehearsed, or any penaltie therein contained, for any the said last rehearsed premisses, from henceforth for ever, shall not be extended, construed or taken, to extend to any Bowier nowe dwelling or inhabiting, or which hereafter shal happe to dwel or inhabite within the Cities of London and Westminster, or ye suburbs of any of the, or in the Borough of Southwarke in the cõtie of Surrey: The said statutes or any thing in them, or any of them contained in any wise to the contrarie notwithstanding. And be it further enacted by the authoritie aforesaid, that al and euery of the said Bowyers within the said Cities and suburbes of London and Westminster, & borough of Southwarke, shall frõ henceforth from time to time and at all times hereafter prouide & haue in his or their custodie, the nũber of fiftie good and able bowes of Elme, Witchhasel, or Ashe, at the least, well & substantially made and wrought, vpõ paine that euery of the said Bowiers which by the space of xx. dayes shal not haue in his custody such nũber of the said bows of Witchhasel, Elme or Ash ready made & mete to be solde & vsed as aforesaid, shal hereafter for euery bow lacking of the number aforesaid, forfait x.s. The one moitie of which forfaiture shal be to our Soueraigne Lady the Quenes Maiestie, & the other moitie therof shal be to him or the, vsing the arte of an Armorer or fletcher, or maker of bowstrings, that will sue for the same, by actiõ of debt, bill, plaint or otherwise in any court of record, in which action & suit, no protection or wager of lawe, shall in any wise be admitted or allowed for the defendant.

London Westminster Southwarke

Forf.

Moitie

Bowstrings

Prouided alwayes, and be it enacted by the authoritie aforesaid, that if any Bowyer after the first day of May nexte comming, do sell any bow mete for mens shoting, being outlandish Yewe, & of the best sorte, ouer and abone the price of vj.s. viij.d. or doe sell any bowes mete for mens shoting being of the second sort, ouer and abone the price of iij.s. iiij.d. or shall sell anie Bowes mete for men, as is aforesaid, being of the course sort called limeric bowes, for and abone the price of ij.s. a peece, or that shal after the said first day of May, shall sell any bowes being English yewe, ouer and abone the price of ij.s. the peece: that then the seller or sellers of such bowes, shall forfait for euery bowe so sold ouer & abone the price aforesaid xl.s. The one moitie therof to the Quenes Maiestie, her heires & successors, and the other moity to the party vsing the art of an Armorer, Fletcher or maker of bowstrings, ẏ will sue for the same in any court of Record by action of debt, bil, plaint, or otherwise, wherein no wager of law, essoine or protectiõ shalbe admitted or allowed: any thing in this act, or in any other act cõtained to the contrary in any wise notwithstanding. This acte to continue vntill the last day of the first Sessiõ of the next parliament. An. 8. Eliz. ca. 10. This statute was cõtinued 13. Eliz. cap. 22. vntill the end of the next Parliament, and 14. Eliz. cap. 11. vntil the ende of the next Parliament after that. This Statute was reuiued & cõtinued An. 27. Eliz. cap 11. vnto the ende of the next Parliament. And An. 28. Eliz. cap. 5. it was continued to the ende of the nexte Parliament. And 31. Eliz. cap. 10. it was continued vnto the end of the nexte Parliament. And 35. Eliz. cap. 7. it was continued to the end of the next Parliament.

Pitie

Limeric Bowes

Forf.

Moitie

Armourer Fletcher Bowstringmaker

¶ Because the vse of Archerie, a singuler defence of this Realme, is greatly decayed by the excessiue price of Bowstaues and the scarcitie of them. Be it enacted that all the statutes made in 12. E. 4. cap. 2. (before 1.) concerning bringing in of certaine numbers of bowstaues, according to ẏ weight or value of other wares to be brought into this realme, shal from henceforth be duly put in execution. And be it enacted & declared by this present statute, that al marchant strangers vsing to bring wares into this realm frõ the East partes, aswell as from the Ireis. haunce townes, be comprised & meant vnder the names of, & bound as the Marchants mẽtioned, and bounde by the said statute to bring in bowstaues, vpon like paines and forfaitures as by the said statutes are appointed. And where the greatest cause of not putting the saide statute in execution hath bin that the forfeitures thereby limited are by the saide statute onely giuen to the Quens Maiestie, her heires or successors without any reward to the person ẏ shall sue for the same. Be it enacted, that from hencefoorth all the forfaitures appointed by the said statutes shall be imployed in forme following, that is to say: The one halfe thereof to the Quenes Maiestie her heires and successours, the other halfe to such person as shall sue for the same in anie Court of Record, wherein no essoine,

Marchants of the East

Pitie

protectiõ, nor wager of law for the defendaunt shalbe admitted or allowed. And it may please the Quenes most excellent Maiestie, that it be on her highnesse part straightly charged and commaũded, that all the Statutes now remaining in force for repressing of vnlawful games, and for the maintenance and vse of archerie, shalbe duely put in execution for euer, vnder the paines in the said statutes conteined.

Archerie

* An. 13. Eliz. cap. 14.

¶ Brasse, Latten, Copper, and Bell mettall.

ANno 21. H. 8. cap. 10. An acte was made against carping of Brasse, Latten, and such Mettall, to indure vnto the next Parliament: And after Anno 28. H. 8. cap. 8. it was continued. And after 31. H. 8. cap. 7. it was continued to indure to the end of the next Parliament, and then it expired.

2 ¶ No person nor persons frõ henceforth shall cary or conuey by water or otherwise, any brasse, copper, latten, bell mettall, pan mettall, gunne mettall, nor shroffe mettall, whether it be cleane or mixt (Tinne & Lead onely excepted) into any parts beyond the sea, or into any outward Realme or dominion whatsoeuer it be, vpon paine to forfait the double value of the same mettall so caried or conueied: The one halfe thereof to be to the King our soueraigne Lord, and the other to the partie that will sue for the same by writ, bill, plaint, or information, in the which no Essoine or Protection shal be allowed.

Forf.

Writs

And further bee it &c. for the true meaning of this statute, that the arriual, discharge and deliuery of the said mettals in any parties beyond the sea, or in anie other forreine realme or dominion, shall be tried & determined within this Realme, in such Countie or place where the saide mettall or mettals were shipped or first caried, with like proces and determinations as all other informations or actions be tried and adiudged within this realm, or as the same fact had bene done within this Realme and dominion. And be it further &c. that no person or persons at any time hereafter shal ship or carie any of the said mettals afore rehearsed to carie or discharge the same in anie parte of this Realme, vnles such person or persons before the shipping thereof, doe declare and manifest vnto the Customer of such port or creeke where the same mettall shalbe shipped, the true weight of al such mettal as shalbe shipped & also shal make a sufficient obligation in the law, in the which he shalbe bouden to the said Customer to ỳ kings vse, in such summe as shall amoũt to the double value of the saide mettall so declared & manifest, with condition that the same shal be discharged at some port or creeke within this realme, and none other place, vpon paine to forfaite the same, in maner & forme aboue rehearsed. And that euerie such person or persons ỳ shall ship such mettals, and be & shalbe bounden as is aforesaide, shall within eight moneths next after ỳ shipping thereof, bring a true certificate frõ the Customer of the port, creeke or place where he or they shal happen to discharge the same mettal, testifying that the same mettall so shipped, & the true weight thereof is there discharged, which certificat ỳ customer of such place, where the said mettall shal be discharged, shal vpon the discharge therof make & deliuer to the partie so discharging, or to his factour without any delay. And be it further enacted ỳ if any customer or his deputie by couin or by any other vndue meane do make any false or vntrue certificat cõcerning the said discharging of such mettall contrarie to the true meaning of this act, that then such Customer so falsely or vntruly certifying, as is aforesaid, shall lose his office, & also the value of the goods so concealed out of the said certificate.

Obligation

Forf.

Certificate

Office forf.

Prouided alway, that if the said mettal by tempest of weather be drowned, or by enemies or pirates robbed and spoyled, & that sufficiently proued without fraud or couin, before the Customer and Comptroller, or their sufficient deputies, in the port where the partie or parties so shipped the mettals aforesaid, or anie of thẽ, by the said partie or parties or their executors, that then he or they so bringing such sufficient proofe, shall haue his obligation to him deliuered, or els he and his executors thereof to be acquited and clerely discharged, anie thing in this acte to the contrarie conteyned, notwithstanding. An. 33. H. 8. cap. 7.

Pirates

3 ¶ No person or persons shall carrie or conuey or ship, to the intent to carrie or conuey anie Brasse, Copper, Latten, bell mettall, panne mettall, gunne mettall, or shroffe mettall, whether it bee cleare or mixed (tinne & lead onely excepted) into any part beyond the sea, or to any outward

Shippe

Lead

Realme

Realme or dominiõ whatsoeuer it be, vpon paine to forfait the double value thereof, & x.li. for euery C. weight of the same metall so caried and cõueied or shipped to the intẽt to be caried or cõueied: the triall whereof shalbe in like maner & forme, as in the said former act (s. An. 33. H. 8. ca. 7.) is expressed. And be it further enacted, that no person or persons after the saide feast shall shippe or carie any of the said metals prohibited by this statute to carie or discharge ỹ same in any part of this realme, vnlesse such person or persons before the shipping thereof doe declare & manifest to the Customer of such port or creek where the same mettall shall be shipped the true weight of all such mettall as shalbe shipped, & shal also before the shipping therof, make a sufficient obligation in the law, in which he shall be bounden to the said Customer to the kings vse, in such summe as shal amount to the double value, and x.li. for euery C. weight so declared & manifested with condition, as in the said statute (s. 33. H. 8. cap. 7.) is appointed & enacted, & shall make certificate of the discharge thereof, in like maner as in the said estatutes is further ordeined & enacted. And be it further enacted, that if any customer, comptroller or his or their deputie or deputies, by couin or by any other vndue meane will suffer any person after that ỹ mettal is shipped or caried cõtrarie to the meaning of this act, to make obligatiõ or obligations without dates for ỹ discharge & certificate of their mettall, as is afore said, that then such Customer so suffering or receiuing such obligations shal lose his office, & the value of the mettal so shipped or caried. And be it further enacted, that if any Master, Owner, Purser, or Boatswain of any ship, do willingly permit or suffer any of the mettals abouesaid to bee shipped contrary to the tenour of this act, or els perceiuing any such mettall to bee shipped, do not disclose the same within xiij. daies after knowledge had to the Customer or Cõptroller of the same porte, to his or their deputie or deputies, where ỹ same is shipped: that then euery such Owner, Master, Purser, or Boateswaine, so willingly putting the same mettal to be shipped or concealing the same, when he perceiueth it to be shipped, shall forfaite the double value of the same mettal so shipped or caried. And if any Customer or Searcher doe willingly suffer any of the mettals aforesaid to be shipped cõtrary to the meaning of this act, or els hauing knowledge that it is secretly shipped or caried, do not seise the same to the kings vse: then euery Customer or searcher so offending shal lose his office & the value of ỹ mettal so shipped or caried. And be it further enacted, ỹ no person or persons shal after the said feast, lade, ship or carie into any part beyond the sea, any of the mettals aforesaid, but onely out of such port or creke where the customer or his deputie is resident & dwelling, vpõ paine of forfaiture of the said mettal, & x.li. for euery C. weight so shipped or caried: The moitie of all which forfaitures shalbe to our Soueraigne Lord the King, & the other moitie to him or thẽ that will sue for the same, by bill, plaint, information, action of debt, or otherwise, in any of the Kings courts, in which no essoins or protections, or wager of law shalbe admitted or allowed. And be it further enacted, that ỹ said estatute made in the said xxxiij. yeare of the raigne of the said late king Henry the viij. (s. 33. H. 8. ca. 7.) and euery article & prouiso, being not altered by this estatute shall be good & effectuall: An. 2. E. 6. cap. 37.

Foyt. Triall Shipping Customer Obligation Cõptroller Office foyt. Disclose Concealing Foyt. Office. foyt. Foyt. Moitie

¶ Breakers of Leagues and truce.

FOrasmuch as before this time diuers people, cõprised within the truce, made aswell by our Soueraigne Lord the king which now is, as by his noble father, and also diuers other people hauing safeconduits, aswel of our Soueraigne Lord the king that now is, as of his noble father, haue bin slaine, robbed and spoiled by the Kings liege people and subiectes, aswell vpon the maine sea, as within the ports & coasts of the sea of England, Ireland and of Wales, whereby the said truce & safeconduits haue bene broken and offended to the great dishonour and slaunder of the King and against his dignitie: And the said manslears, robbers, spoilers and offenders of the said truce & the kings safeconduits, as before is declared, haue bene by diuers of the kings liege people & subiects within the coasts of diuers counties receiued, abbetted, procured, concealed, hired, sustained & maintained. Our Soueraigne Lord the King by the aduice & assent aforesaid, and at the prayer of the said Commons, hath ordained & declared, that such manslaughter, robberie, spoyling, breaking of truce, and safeconduits, & voluntary recett, abbetment, procurement, conceа-

Safeconduits Robbed Ports Ireland Wales Robberie Abbettors

concealing, hyring, sustaining, & maintaining of such persons, to be don in time to come by any of the kings liege people & subiects within the Realme of Englande, Ireland, & Wales, or vpon the main sea, shalbee adiudged and determined for high Treason done against the kings Crowne & his dignitie. And in euery port of the sea be made and assigned from henceforth by the king, by his letters patents, one lawfull man called a Conseruator of ỳ truce, and the kings safeconductes, which shall haue xl. pound of land by yere at the least. And that ỳ said Conseruator haue power and authority by the said letters patents, & also by Commission of the Admirall of England, to inquire of all such Treasons & offences to be done against the truce and the kings safeconducts vpō the maine sea, out of the bodie of the Counties, & out of the franchises of the v. Ports of the king, as the Admirals of the kings of England before this time reasonably after the olde custome & lawe vpon the maine sea vsed, haue done or vsed. And also that the saide Conseruator haue like & the same power to punish al them which be or shalbe indicted or accused before him, aswell in the kings suite, as at the parties, of any thing to be done against the Truce & the kings safeconducts vpon the maine sea, out of ỳ bodies of the Counties & liberties of the realme of England, & out of the said franchise of the v. Ports, by such proces, examination, proues, determination, iudgement & execution, as the Admirals of the kings of England before this time reasonably, according to the old custome & law vpon the maine Sea vsed, haue done or vsed: Except that the determination of ỳ death of a man in this behalf, & the execution of the same, shalbe alwaies reserued to the saide Admirall, or to his generall lieutenant, out of the franchises of the v. Ports. And that the saide Conseruator haue full power & authoritie to inquire aswell within the liberties & franchises as without, by men inhabiting within the bodie of the Countie and libertie where the said port is, of all such Treasons & offences to be done against the Truce, and the kings safeconducts, within the bodie of the Countie & libertie where the saide port is, & to make against those persons before him so indicted, such proces as here followeth, that is to say by Capias & Exigend, which shal aswell go into the counties, of which such men so indicted be supposed to be, as into the Counties where such Indictments be taken, which Capias & Exigend aforesaide, in both Counties shalbe returned at one day, & that the first Capias in both Counties haue day of returne by a Moneth at the least. And in case that the Capias & Exigend bee awarded in this behalfe, that the names & surnames of such persons so indicted, and the towne, & the countie & mistery whereof they be, shalbe specified & declared in the Indictments & proceses of the same. And that the said Conseruator haue ful power to heare at euery mans suite, which will complaine before himselfe or his Lieutenant, of any offence done to the partie against the said truce & safeconduct. And that two men learned in the lawe, be named & associate in euery Commission of our soueraigne Lord the king, to be made to such Conseruator, & that the said Conseruator, and the saide men learned in the lawe, in the commission to him associate & assigned, haue full power & authoritie to make deliuerance, according to the law & vsage of the lande, of such men so indicted before the said Conseruator, of things so to be done within the bodie of the Countie or libertie where the saide port is, against the said truce, and the kings safeconductes: And to determine such suites commenced at any mans suit, which will complaine before the said Conseruator of any offence to him done against the saide truce and safeconductes, and thereof to make due redresse and remedie. And that the said two men to the saide Conseruator so associate, be assisting and attending to the said Conseruator, to make the deliuerance and determination, in manner and forme aforesaide, when they be by the said Conseruator reasonably required. And that the saide Conseruator, and the saide two men of law, be sworne, that they nor none of them shall take fee, gift, hyre, wages, reward or brocage, of any other than of the king in any wise in this behalfe, to the let of due execution and punishment of such Traitor and offendors aforesaide. And that the saide Conseruator shalbe resiant in the Port & places where he shalbe Conseruator assigned, as is aforesaide. And euery Conseruator shal take yerely for the saide office xl. li. of the king at the least. And that they bee sworne, that if any person, of what estate or condition so euer hee be, procure, recette, or abbet to do any thing contrarie to this ordinance &

War
Treason
Letters patents Conseruator
xl. li. Land
Commissiō Admirall
v. Ports
Iustify Iustice
Safe conduct
Proces Examinatiō
Execution
Admirall Lieutenant
Enquire
Treasons
Capias Exigend
Addition
ff. Lawyers Associat
Gaole deliuerie
Determins
Sworne No reward
Resident
xl. li. Sworne

Relation
Chancellor
Impriſ. Fine
Seales
Shipmaſter
Sworne
Inroll
Informe
Teſtimonall
Maime
Forf.
Impriſ. Fine

othe aforeſaide', that euery of them ſhall make due relation to our ſoueraigne lord the king, or to the Chauncelor of Englād for the time being, as ſpedely as he well may, without concealement in any point, vpon paine of impriſonment, and to make fine & raunſome at ẏ kings pleaſure. And that the ſaid Conſeruator haue a Seale of our ſoueraigne Lorde the king, ordained for the ſaid office. And that the Maſter of the ſhip, barge, or balingar, or other veſſels in the ſaid port be ſworne, & the owner alſo (if he be preſent) before the ſaide Conſeruator, before that he paſſe out of ẏ ſaid port, that he ſhall not attempt to doe any thing againſt the ſaid Truce and the kings ſafeconducts. And alſo that the ſaid Conſeruator ſhall do to be inrolled of record before him, aſwell the names of ſuch owners & Maſters, as the names of their ſhip, barge, balingar, or other veſſel, together with the number of the Mariners in ẏ ſame being, And if they take any thing of the kings enemies, or of any other, they ſhal do to be brought ſuch things takē into the port, & therof make full informatiō to the ſaid Conſeruator, before that they therof make diſcharge of ſale, except that by force of winde, tempeſt, or of enemies, or ſome other reaſonable cauſe, ſuch ſhip, barge, balingar, or other veſſel, ſhal enter into any other port for the ſaluatiō of the ſame veſſel, or other cauſe reaſonable: and that then they ſhall make full informatiō to the ſaid Conſeruator, or to the conſeruator of the port, in which the ſaid veſſels ſhal arriue or enter, of the ſaid taking, & of the quantitie of the ſame, taking a letter teſtimonial vnder the ſaid ſeale of ẏ aforeſaid Conſeruator, by the which the Conſeruator of the ſaid port, wherof the veſſel or veſſels ſhal go out, may haue notice of the quantitie, and alſo of the valne of the goods & cattels ſo taken. And if any owner or Maſter of any ſhip or other veſſell go out of any port of the Realme of England, or diſcharge his ſhip or veſſel againſt the forme of this ordinance, that ſuch ſhip or veſſell, together with the thing taken in the ſame duely made, bee forfaited to the king, and the bodie of the owner or Maſter of ſuch ſhip or veſſel committed to priſon, there to remaine vntill hee hath made fine and raunſome to the king.

Prouided alwayes, that no owner of ſhips going out of any port, ſhall make no fine nor raunſome, nor haue impriſonmēt of bodie, if the ſaide owners be not in the ſame ſhip at the time of the offence done againſt this ordinance. And the ſaid Admiral ſhal haue the forfaitures in al caſes out of the ſaid franchiſe of the fiue Portes aforeſaid, as he hath had, & hath bin accuſtomed of right to the office of the Admirall of Englād, before the making of this ordinance. And that all ſuch Conſeruators to be made within ẏ ſaid fiue Ports, haue the ſame authoritie & power by the Kings letters patents, & commiſſion of ẏ Warden of the ſame portes for the time being, to inquire of ſuch offences to bee done vpon the maine Sea within ẏ franchiſes of the fiue Portes out of the bodies of the Counties, & to punith al them ſo indicted or accuſed, which ſhalbe before the ſaid Conſeruator of the ſame offences by like proces, examination, proues, determination, iudgement & execution, as the ſaid Admirals reaſonably according to ẏ old cuſtom & law vpon the Sea vſed, haue done & vſed out of the ſaide franchiſe of the fiue Ports, except that the determination of the death of a man in this behalfe, & the execution of the ſame, be within the ſame franchiſe of the fiue Portes reſerued to the ſaid Warden, or to his generall lieutenant there. And that the ſame Warden haue all the forfaitures there, in all ſuch caſes as hee hath had and haue bēne accuſtomed of right to ẏ office of the Warden of the v. Portes aforeſaid before this time. And that the ſaide Conſeruators and euery of them, haue power to make ful executiō of this ordinance in the forme aforeſaide. And this ordinance ſhall holde place and force, for things to be don or attempted againſt this ſame ordinance, after the proclamation of this ordinance and declaration made, Anno 2. H. 5. cap. 6. And after Anno 14. H. 6. cap. 8. this ſtatute was put in ſuſpence for ſeuen yeeres. And further Anno 20. H. 6. cap. 11. this ſtatute was put in ſuſpence till the next Parliament.

Admirall
Forf. v. Portes
Letters patents
Punith
Warden
Forf.
Proclamation

2 ¶ Of all attempts made by his enemies vpō any of his faithfull liege people, againſt the tenor of any truce takē before this time, wherein is no expreſſe mention made, that all Marques & repriſals ſhall ceaſe, the ſame our Soueraigne Lord the king wil graunt Marque to all them that feeleth themſelf in this caſe grieued in due forme. And our ſaid ſoueraigne Lorde the king wil do likewiſe to al his liege people that feele them grieued, againſt ẏ tenor of any truce, which betwixt him & any of his

Marque

enemies,

enemies shalbee newly taken hereafter. And to the greater cõfort of his said faithfull liege people, to the intent that they may the more readily, & without long delay, haue remedie in this case: The same our soueraigne Lord the king will, that if he or they that feele them grieued, against the tenor and forme of such truce within the Realme of Englande, out of the saide Marches of Scotland, or vpon the Sea, or in the parties beyond the Sea, shal cõplaine to the Keeper of the priuie Seale, which for the time shalbe, who after such complaint heard & perceiued, thereof shal make to the partie complainant (if he the same require) letters of request, vnder ỹ priuie Seale, in a due forme, and if after such request made the partie required doe not make within a conuenient time due restitution & satisfactiõ to the party grieued, then the Chancellor of England for the time being, shall do to be made to such partie grieued (if he it demaund) letters of Marque vnder the great Seale, in a due forme. And as for remedie to be ordained for the kings liege people & subiects, that feele them grieued in the realme of Scotland, or in England, or the Marches ioyning to Scotland, against such forme of such truce, as is aforesaid, our soueraigne Lord the king shall giue power by commission to the Wardens, aswell of ỹ East marches, as of ỹ Westmarches towards Scotland, & to euery of them, to heare the complaints of all them his liege people & subiects, which be or shalbe grieued, and to do therupon to be made request by letters, to bee deliuered to him which hath don or shal do such grieuance, or to ỹ wardens of the Marches or Conseruator of the truce of the parties of Scotland, if he may the same well doe, or otherwise to make proclamation in the open places vpon the Marches, that he or they which haue done such grieuances against the truce, shall make due restitution or satisfaction to the partie grieued. And if they do not within a conuenient time, that at the instance of euery of the kinges liege people & subiects, which thereof feleth or shall feele himselfe grieued in such case, letters of Marque be giuen in due forme, vnder the seales of the saide Wardens, & vnder his seale to whome the complaint shalbe made in this case, without any difficultie, An. 4. H. 5. cap. 7.

Marches Scotland

Letters of request

Chancellor

Letters of Marque

Scotland

Commission Wardens East march Westmarch

Proclamation

Restitution

Letters of Marque

3 ¶ An. 29. H. 6. cap. 2. the Statute of An. 2. H. 5. cap. 6. is confirmed, and it is in the said Statute of 29. H. 6. further enacted, that the Chancellor, and one of the chiefest Iustices shoulde execute the statute of 2. H. 5. cap. 6. of breaking of truce vnder a certaine forme there expressed in the said Statute of Anno 29. H. 6. to indure for fiue yeeres.

4 ¶ All statutes & ordinances made before the viii. day of March, in the first yere of his raigne, by authoritie of any Parliament not repealed, against the offendors & breakers of amities, truce, leagues, and safeconducts aforesaid, be & shalbe in their full force & effect. And that euery of the same statutes & ordinances bee put in due execution in all thinges before the Iudge or Iudges, person or persons, ordained by the same statute and ordinance, or any of them, according to the tenors & effects of euery of them: Any graunt or confirmation by act of Parliament, or otherwise, vse or custome made, had, or vsed, to the contrarie notwithstanding.

Execution of statutes

Prouided alwayes that this act extend not to any acte or ordinance made for the punishmẽt of any such offendors in the second yere of king Henrie the fift late in deede and not of right king of Englande, An. 14. E. 4. cap. 4.

¶ Bridges.

THe Iustices of peace in euery shire of this realme, franchise, city or borough, or iii. of them at the least, wherof one to be of the Quorũ, shal haue power & authoritie to inquire & determine in the kings general Sessions of ỹ peace, of al maner of annoiances of bridges broken in the high waies, to the damage of ỹ kings liege people, and to make such proces & paines vpon euery presentment afore them for the reformation of ỹ same against such as owne to be charged for the making or amending of such bridges, as ỹ Kinges Iustices of his bench vse cõmonly to do, or as it shall seeme by their discretion to be necessary & conuenient for the spedie amendmẽt of such bridges. And where in many partes of this Realme it cannot be knowen & proued what hundred, riding, wapentake, citie, borough, towne or parish, nor what person certain, or bodie politike ought of right to make such bridges decaied, by reason wherof such decayed bridges for lack of knowlege of such as owne to make them, for the most parte lien long without any amendements, to

Iust. of P.

One of the Quorum

Determine Sessions Nusance

Proces

Discretion

the great anntoiance of the kings subiects. For remedie therof be it enacted, that in euery such case the said bridges, if they be without Citie or Towne corporat, shalbe made by the inhabitants of the shire or riding, within the which the saide bridges decaied shall happen to bee. And if it bee within any Citie or towne corporate, then by the inhabitants of euery such citie or towne corporate, wherin such bridges shal happen to be. And if any part of any such bridges so decayed happen to bee in one shire, ryding, citie or towne corporate, and the other part therof in another shire, riding, citie or towne corporate, or if part be within the limits of any Citie or Towne corporate, & part without, or part within one riding, and part within another, that then in euery such case the inhabitants of the shires, ridings, cities or townes corporate, shalbe charged & chargeable to amend, make & repaire such part & portion of such bridges so decaied, as shall lye & be within the limits of the shire, riding, citie or towne corporate wherein they be inhabitants, at the time of the same decayes.

Inhabitãts Shire Riding Citie Towne corporate

And be it further enacted, that in euery such case where it cannot be knowen and proued, what persons, lands, tenemẽts, & bodies politike owne to make & repaire such bridges, that for speedie reformation & amending of such bridges, the Iustices of peace within the shires or riding wherin such decaied bridges lyn out of the Cities & townes corporate, and if it be within cities or townes corporate, then the Iustices of peace within euery such Citie or towne corporate, or foure of the saide Iustices at the least, wherof one to be of the Quorum, shall haue power and authoritie within the limits of their seuerall Cõmissions and authorities, to call before them the Constables of euery town and parish being within the shire, riding, Citie, or towne corporate, aswell within liberties as without, wherein such bridges or any parcel therof shall happen to bee, or els two of the most honest inhabitants within euery such towne or parish within the same shire, riding, citie, or towne corporate, by the discretion of ỳ said Iustices of peace, or iiij. of them at ỳ least, wherof one to be of the Quorum. And at and vpon the apparances of such Constables or inhabitants, the said Iustices of peace, or iiij. of them, wherof one to bee of the Quorum, with the assent of the saide Constables or inhabitants, shal haue power & authoritie to tare & set euery inhabitant in any such citie, towne, or parish within the limits of their Commissions and authorities, to such reasonable aide & summe of money, as they shall thinke by their discretions conuenient & sufficient for the repairing, reedifying, & amendement of such Bridges. And after such taxation made, the said Iustices shall cause the names and summes of euery particuler person so by them tared, to be written in a Roll indented. And shal also haue power & authoritie to make two Collectors of euery hundred, for collection of all such summes of money by them set and tared, which Collectors receiuing the one part of the said Roll indented vnder the seales of the saide Iustices, shal haue power & authority to collect and receiue all the particuler summes of money therein contained, and to distraine euery such inhabitant as shalbe tared and refuse payment therof, in his lands, goods & cattels, & to sell such distresse, and of the sale therof, retaine & perceiue all the money tared, & the residue (if the distresse be better) to deliuer to the owner therof. And that ỳ same Iustices or foure of them within the limits of their commissions & authorities, shall also haue power & authoritie to name & appoint two surueiors, which shall see euery such decaied bridge repaired & amended from time to time, as often as nede shall require, to whose hands the said Collectors shal pay the said summes of money tared, & by them receiued. And that the Collectors & Surueiors & euery of them, and their executors and administrators of them, & euery of them, from time to time shall make a true declaration and accompt to the Iustices of peace of the shire, riding, citie, or towne corporate, wherein they shalbe appointed Collectors or Surueiors, or to foure of the same Iustices, whereof one to be of the Quorum, of the receiptes, payments & expences of the said summes of money. And if they or any of them refuse that to doe, that then the same Iustices of peace, or iiij of them from time to time by their discretions, shall haue power and authoritie to make proces against the said Collectors & Surueiors, and euery of them, their executors & administrators, & the executors and administrators of euery of them by attachmẽts vnder their seales, retournable at the general Session of peace. And if they appeare, then to compell them to accompt as is aforesaid, or els if they or any of

Taxes

Discretion Repairing

Roll

Collectors

Distraint

Surueyors

Executors Administrators Accompt

Refuse Iust. of P.

Discretion Proces

Attachment Sessions of peace

Iust. of P.

Iust. of P.

Constables

H. Inhabitants

Discretion

of them refuse that to do, then to commit such of them, as shal refuse to ward, there to remaine without baile or mainprise til the saide declaration & accompt be truely made. And where any bridge or bridges lying in one Shire or riding, & such persons, inhabitants, bodies politike, landes or tenements, which owen to be charged to the making and amending of such bridges, lyen, & abiden in another shire or riding, or where such bridges bin within any citie or towne corporate, & the persons inhabitants, bodies politike, landes or tenements that owen to make or repaire any such bridges, lyen & bin out of the saide Cities or townes corporate: Be it enacted, that in every such case, the Justices of peace of the shire, citie, or towne corporate within the which such decayed bridges, or any part thereof shall happen to be, shall haue power to inquire, heare & determine all such annoyances, being within the limits of their commissions or authorities. And if the annoiances be presented, then to make proces into every shire within this Realme, against such as owen to make or amende any such bridges so presented before them, to bee deraied to the annoiances, and let of the passage of the kings subiects, & to do further in euery behalfe in euery such case, as they might do by authoritie of this act, in case that ỳ persons or bodies politik, lands or tenemẽts which ought to bee charged to the amending or making of such bridges, or any part therof, were within the same shire, riding, citie or towne corporate, where any such annoyance shal happen to be. And that all Shirifes & Bailifes of liberties & franchises, shall truely serue and execute such proces, as shall come to their handes frõ the said Justices of peace, afore whom any presentment shalbee had for any such annoyance, according to the tenor & effect of the said proces to them directed, without fauor, affection or corruption, vpon paine to make such fine as shalbe set vpon them, or any of them, by the discretion of the said Justices.

Refuse Impris. Mainprise

Just. of P.

Determine Nuisance

Proces

Shirifes Bailifes Execute

Fine Discretion

Prouided alway, that this acte nor any thing therin contained, be not preiudicial to the liberties of the v. Ports, or mẽbers of the same. And for reformation of annoisances of Bridges within ỳ said Ports & members: Be it ẽc. that the Wardens, Maiors, & Bailifes elected, & Jurats of ỳ same Ports, & euery of them, haue power & authoritie, to inquire, heare & determin, all maner of common annoisances of bridges within the same ports & members, & to make such proces, paines, tarations, & all other things within the same Portes and members, as the Justices of peace may do in other shires or places out of the same Portes by vertue and authoritie of this present act in euery behalfe.

v. Ports

Wardens Maiors Bailifes Jurats

Determine

Nuisances

Proces

Just. of P.

And be it ẽc. that the Justices of peace, or iiii. of them shal haue full power & authoritie, to allow such reasonable costes & charges to the saide Surueyors & Collectors, as by their discretion shalbe thought conuenient. And forasmuch, as albeit bridges decaied were amended & repaired, according to the tenor of this acte, yet nenertheless, if spẽpie remedie for the amendement of the walles next adioyning to euery of the ends of such bridges should not be had and made, the kinges subiectes should take little or none auaile or commoditie in many partes of this realme by the making of the bridges, In consideration whereof be it ẽc. that such part & portion of ỳ high waies in euery part of this realme, aswel within franchises as without, as lie next adioyning to any endes of any bridges within this Realme, distant from any of the said endes, by the space of CCC. foote, be made, repayred and amended as often as nede shall require. And that the Justices of ỳ peace in euery shire of this realme, franchise, citie or borough, or foure of them at the least, whereof one to be of the Quorum, within the limits of their commissions and authorities, shall haue power & authoritie to inquire, heare and determine in the kings generall Sessions of peace, all maner of annoyances, of and in such high wayes, so being and lying next adioyning to any endes of bridges within this realme, distant from any of the endes of such Bridges CCC. foote, and to doe in euery thing and things concerning the making, repairing and amending of such high wayes, and euery of them, in as large and ample maner, as they might & may doe, to, and for the making, repairing, & amending of Bridges by vertue & authoritie of this present act, Anno. 22. H. 8. cap. 5.

Costes Surueyors Collectors

Malles

High waies

300. foote

Just. of P.

Nuisance

*

2 ¶ For the good repaire & perpetuall maintenãce of Rochester bridge in Kent, & for the good order of ỳ rents & reuenues, aswell of the landes giuen for the maintenance of the said bridge, as of the lands of ancient time contributorie to the repaire of ỳ same bridge: Be it ordained & enacted

Rochester bridge

by ỳ authoritie of this p̄sent parliamēt, that on the morow after ỳ general quarter Sessions of the peace, holden in the said Countie of Kent, next after the feast of Easter next comming, the Wardens & Comminaltie of the landes cōtributorie to the saide Rochester bridge, or as many of them as conueniently may, shal assemble themselues at the Castle of Rochester nēre to the said Rochester bridge, & there by the most number of their voices then p̄sent, to make an election of two persons of the same comminaltie, to bee the Wardens of the saide Rochester bridge, such as then shalbee most commonly resident & housekeeping within the said countie of Kent, and then not knowen to be of any such debilitie or sickness, but that they may execute the same office, & of xii. persons of the saide cōminaltie to be assistāts to the saide ii. Wardens, for one whole yere, after the first day of Pentecost then next ensuing, and so from thencefoorth for euer, at the said day & place, yerely electiō to be made of two Wardens for the saide Bridge, & of xii. assistants. And the two Wardens so chosen (for that yere wherin they are to serue as Wardens) shall doe their diligent indeuour for the benefite of the said Bridge, at or after ỳ said p̄fixed day for election of the said two Wardens & xii. assistants. All other officers nēdefull concerning the said bridge, & their stipēds & wages also frō time to time shalbe appointed by the discretion of the saide two elected Wardens. And that euery yere on the Thursday in the Whitson weeke, the two former Wardens of the saide Bridge for the yere, ending at the feast of Pentecost then last past, their executors or administrators, shal in p̄sence of the new & last chosen Wardens, or of one of them, and before such foure of the saide assistants, as shalbe chosen & assigned for Auditors by the saide Wardens & Comminaltie, at the said p̄fixed day for election of Wardens then last past, or the more part of them, yeeld vp a true accompt in writing in the house called the Crowne Inne in Rochester, nere to ỳ said bridge, & parcel of ỳ possessions of the said bridge, or at some other place conuenient, at the same p̄fixed day of electiō to be limitted, of all their receipts, payments, & doings, concerning ỳ said Bridge. And the arrerages vpō them found, ouer & aboue such allowances, as by such accomptants shal be demaunded vpon his othe, shall pay in such forme as shalbee to them limitted by the saide newe Wardens & Auditors, or the most part of them. And further, that none of the saide Assistants or Auditors chosen & assigned in forme aforesaide, shal vpon reasonable notice and request refuse to come & accomplish that which by the intent and meaning of this acte is limitted for him to do, vpon like pain & forfaiture to all intents and purposes, as vpon the Wardens elected & refusing to becom bound, is before limitted.

Wardens — Assistants — Electes — Officers — Stipends — Executors Administrators — Auditors — Accompt Crowne Inne — Arrerages — Othe — Refuse — Forf.

And for the good order of the saide landes belonging to the saide Bridge: Be it ordained and enacted by authoritie of this p̄sent Parliament, that no lease hereafter to be made by the said Wardens and Comminaltie, shall bee made of any the landes and tenementes assured for the maintenance of the said Bridge, but both the Wardens chosen, as aforesaide, and the said xii. assistants, or the more parte of the same assistants, shal first consent, and also subscribe to the same lease, after it is ingrossed, and before it shalbe inseled, & the consent and subscribing of the two Wardens, and of such number of assistants, shall be in lawe the consent of the whole Wardens & Comminaltie aforesaid. And euery such lease to be entred and registred in a Register booke, to bee kept by the Wardens for the time being in a Chest, with the common seale and euidences of the lands of the said bridge, in some place conuenient. And after such lease assented vnto, ingrossed and subscribed, as aforesaid, then it to bee sealed by the common seale of the saide Wardens & Comminaltie, and deliuered for a sufficient lease in law.

Lease — Consent — Register — Common seales — Leases

Prouided alwayes, that no lease of any of the said lands belonging to the Bridge shal hereafter be made, but of such forme and effect, as tenant in taile is warranted lawfully to make by the statute made in the xxvii. yere of the raigne of King Henry the eight: Saving for houses not hauing aboue three acres of land belonging to them, whereof leases may be made by the assents afore mentioned for terme of fiftie yeares or vnder.

Leases — Incomb^s — Tenor

Prouided also, that the leases of ỳ premisses shall not bee made for any fines or incombs, but for rēts reasonably to be aduanced for the profite of the saide Bridge. And that by ỳ tenor of euery such lease at the end of euery seuenth yere, a true tenor of all lands and rents so demised, shalbe

brought

brought & deliuered to the Wardens for that time being. And that the saide Wardens shal haue authoritie by inquisition of Iuries, from time to time, to suruey and find out the particulars & contents, not only of the landes properly belonging to the said bridge, but also of the saide other lands contributorie to the said bridge.

Warden

Surney

Prouided furthermore, that such as bee the present Fermors of any of the saide lands proper belonging to the bridge, shal haue the preferment in taking new leases, so as they wil giue for the profit of the saide Bridge, as much as any other Bona fide will. And moreouer, that if any present Fermor, not liking to giue as an other wil, shal not take a new lease, but an other shal fortune to haue the same newe lease, that then the olde Fermor shall for his bettering or buildings, haue such recompēce, as shalbe thought reasonable by agreement betweene the said Wardens & assistants, & the said Fermor, & in default of agreement betwen them, then such recompence as shalbe thought mete by the Lord Chancelor, or the Lorde Treasorer of England for the time being.

Fermors

Bona fide

Recompēce

Chancelor Treasorer

Prouided also, ỳ this acte nor any thing therin contained, extende not to alter any thing, but that in actiōs & suites, touching the landes or rents, or other interestes & duties concerning the saide Bridges, the Wardens alone, without the Assistants, or any of the Comminaltie, be and shalbe able to sue and be sued, according to the meaning of the statute in that behalfe made in the ninth yere of the raigne of king Henrie the fift.

Actions

Prouided alwaies, & be it enacted by the authoritie afore, that none of the owners or tenants of any of ỳ lands or tenemēts of auncient time contributorie to the repaire or maintenance of the saide bridge, hereafter be taxed, assessed, or otherwise compelled to paye any contribution, money, or other dutie, towardes the repaire or maintenance of the said bridge, but in default, & at such time & times only, as the rents or other profits of the lands proper & belonging to the said Bridge, from time to time due & payable to the Wardens & Comminaltie of the saide Bridge, shall not be sufficient to accomplish the repaire and maintenance of the said Bridge: any thing to the contrarie notwithstanding, An. 18. Eliz. cap. 17.

Taxed

Rent

¶ Albeit one act of Parliament was made in the xxii. yere of the raigne of our late soueraigne Lord of famous memorie king Henry the 8. intituled, An Act concerning repairing & amending of Bridges in high waies, (before r.) in which acte amongst other things it is enacted, that if part of any decaid bridge happen to bee in one shire, riding, citie, or towne corporate, & the other part thereof in another shire, riding, citie, or towne corporate, or if part be within any limits of any citie or towne corporate, & part without, or part within one riding, and part within another, that then in euery such case, the inhabitants of the shires, ridings, cities, or towns corporate, shalbe charged & chargeable to amend, make & repaire such part & portion of such Bridges so decaied, as shal lye and be within the limits of the shire, riding or towne corporate, wherin they be inhabited, at the time of the said decaies, as by ỳ said act amongst other things more plainly doth & may appeare: Yet for that at the time of the making of the said statute, the foresaid Parishes of Tiddenham & towne of Chepstow, were not as then united & annexed to the saide Counties of Gloucester & Monmouth, but sithence in the xxvii yere of the said late king Henry the viii. by force of one Act, intituled, An acte for Lawes & iustice to be ministred in Wales, in like forme as it is in this Realme, & nowe by reason of certaine words contained in the said last Act, as also by reason of great pouertie of the inhabitants of the foresaid Towne of Chepstow, diuers questions & doubtes haue risen, howe, and by what meanes the foresaide Bridge shall bee repaired, amended, or newe made. For declaration and explanation whereof, and for remedie in the premisses: Be it enacted &c. that the Shire or Countie of Gloucester, and the Shire or Countie of Monmouth, shall stand for euermore chargeable for the maintenance, repayring, amending and new making of the foresaid Bridge, when, and as often as nede shall require, videlicet, euery of them for such part and moitie as lyeth in the middle of the streame of the foresaide Water of Wye, on the sides of the foresaide Lordships of Chepstowe and Tiddenham aforesaide, and that for the assessement, rating, collection, gathering, and imploying of the moneys thereupon to be spent, such forme and order shall bee obserued, as is appointed by the foresaide act made in the xxii yere of the saide king Henry the viii. And for the more speedie performance of

Tiddenham Chepstow

Wye

the premisses: Be it enacted by the authoritie aforesaid, that if the Justices of peace of the aforesaide Shires of Glouceſter or Monmouth, or any of them, do make any default in not appointing, executing, and obſerving the order appointed by the ſaid acte, for the aſſeſſment, collection, & implopment of the moneis ſo to be collected, according to the meaning of the ſaide act, by the ſpace of three monethes next after this preſent Seſſion of Parliament, that then they & euery of them being reſident, & inhabiting in the ſaid Shires, ſhall forfait for ſuch default, the ſumme of x.li. a peece, to be recouered before the Quéenes Maieſties Counſell in the marches of Wales, by information, to be imploped to & for the vſe & reparation of the foreſaide bridge, An 18. Eliz. ca. 18.

Juſt. of p.

Default

Fork.

4 Euery perſon & perſons, reſiant, dwelling, or inhabiting within the compaſſe, circuite, or precinct of fiue Miles of your highneſſe Vniuerſitie and Citie of Oxford, or franchiſes of the ſame, hauing in his or their hands or occupation, to the vſe of himſelfe or any other, the quantitie of one yarde land or vpwarde, in tillage, paſture, or other ground, or hauing, keeping, vſing, or occupying a draught, cart, plough, or waine, at his & their owne proper coſtes & charges, ſhall find and ſend, or cauſe to be found & ſent, for & to the mending, repairing, & vp building of the decayed Bridges, waies & paſſages, ſituat, lying & being within one Mile of the ſaid Citie of Oxford, for euery yard lande, one waine, draught, or cart, furniſhed after the cuſtome of the Countrey, with oxen, horſe, or other cattell, with all other neceſſaries meete & cõueniẽt to cary things for ſuch maner of purpoſe, with able men to loade & vnload the ſame draught, cart, or waine. And euery other houſholder, cottager, or laborer, dwelling or inhabiting within the foreſaid compaſſe, precinct or circuit, (being no hired ſeruant) ſhall by his or their ſelues, or other ſufficient laborer, hauing with them ſufficiẽt tools, at their like proper coſtes & charges, finde & ſend in, and to the mending repairing, & vp building of ỹ decaped Bridges, waies, cauſeis, and paſſages, one ſufficient man or laborer, to worke & labor in, and vpon the foreſaid decaied premiſſes. And that euery perſon or perſons, that by the meaning of this acte, is chargeable with cart, carriage, worke or labor, ſhal by the commaundement or commaundemẽts of certaine Superuiſors, hereafter to bee appointed & nominated by the Vicechauncelor, and Maior, with other Juſtices of the Vniuerſitie and Citie of Oxforde for the time being, by the ſpace of fiue whole daies, ſhall do their carriages, kepe their worke, fetch their carriages, and do their labor, at ſuch place and places, and in ſuch workes, as to them, or any of them ſhall be nominated and appointed. And vpon paine that euery perſon or perſons making default aboueſaide, for euery dayes default, or any parte thereof, ſhall loose & forfait fiue ſhillings, to be leuied and imploped onely to the mending of the ſaide Bridges and cauſeis. And that it ſhalbee lawfull, to and for the aforeſaid Superuiſors for the time being, for the more ſpedie amendment of the aforeſaide decaies, in ſuch place and places, as by the diſcretion of the Vicechancelor, Maior, or Superuiſors, ſhall bee thought neceſſarie, to digge or cauſe to be digged within the ſeuerall grounds of any perſon or perſons, for grauel, ſand, rubbiſh, ſtone, or ſcinder, & other things, according to the Statute made in the ſeconde & thirde yeare of King Philip & Quéene Marie for high wayes. (This ſeemeth to bee miſtaken: for this authoritie is giuen by 5. Eliz. cap. 13. as you may ſee in High wayes 4. and 5.) And that the aforeſaide vi. daies carriages, workes, or labours, according to the true meaning, intent, and purport of this preſent act, ſhalbee done, finiſhed, and performed, by all maner of perſon or perſons by this acte chargeable, betweene the feaſt of Saint John Baptiſt, next after this preſent Seſſion of Parliament, and the feaſt of all Saintes next after that, and vpon twelue dayes warning, giuen or ſent in writing from the Vicechauncelor and Maior of the Citie of Oxforde for the time being, or from either of them, to the Conſtable or other officer of any Borough, pariſh, head officer, or gouernor of euery other place, whatſoeuer, that by this act ought to ſerue. And for the performance of this acte: Bee it enacted, that if any perſon or perſons ſhall make any default, as is aforeſaide, hauing not made any maner of reaſonable compoſition or agreement for the ſame fault: that then it ſhalbe lawful for the Vicechancelor, and the Maior of the Citie of Oxford for the time being, or other their officers appointed, to diſtraine within any the boroughs, townes, pariſhes, or other places where ſuch

Pxford

Yard land

Cart
Plough
Waine

Bridges
High waies

Cart

Houſholder

One laborer

Superuiſors
Vicechancelor
Maior

vi. Dayes

Fork. vi. s.

Superuiſors

Generall grounds

xii. Dayes warning

Conſtable

Default

Diſtraine

such person or persons dwelleth, that maketh default or refuseth, and the same distresse to lead, driue, and carie away, and the same to withhold, till they & euery of them haue or shall pay the forfaitures limited and appointed in this present act, as also the charges of keeping of such distres so taken.

Prouided alwayes and be it enacted that this Acte shall endure for the space of vij. yéres, next ensuing the ende of this present Parliament then next following, and no longer, An. 18. Eliz. cap. 20.

Anno 35. Eliz. cap. 7. This saide Statute is continued vntil the ende of the Parliament next ensuing with this Prouiso added, videlicet: Prouided alwayes &c. that the said Acte, nor any thing therein contayned, shall not charge with any thing towardes the amending of the saide Bridges & high wayes, any person or householder inhabiting within fiue miles of the Vniuersitie and Citie of Dron, not hauing in possession one yarde land. And that euery person hauing one yarde lande or more in his possession, lying within the saide v. miles, shall pay yearely the summe of iiij. s. onely for euery yardland before the feast of Pentecost, vnto the Vicechancelor and Maior for the time being, or their deputie or deputies, towardes the amending of the said Bridges and high waies, and no other penaltie, with like remedie by distresse for euery summe of iiij. s. which shall bee due and not payd as aforesaid, as is contained in the said statute for any penaltie therein limited, An. 35. Eliz. cap. 7.

v. Miles

One yard land

iiij. s. yerely

Distres

5 Whereas the Bridge lately standing vpon the riuer of Toffe, nere the Towne of Cardife, being an ancient borough in the Countie of Glamorgan in Southwales, and the onely chiefe Shiretowne of the same Countie, is presently in vtter ruine and decay: The poore estate of the sayde Towne of Cardife being considered, and the vnabilitie thereof to performe so great a charge, though of right the building of the saide Bridge had properly belonged vnto them, without all doubt or controuersie, though there hath been some question moued thereupon, and vpon the words of the Statute of 22. H. 8. capit. 5. (before 1.) Bee it &c. for the auoyding of further controuersies, that the said Towne and Countie shall ioyntly together, after the rate and porporcion herein specified, proceede to the reedifying of the said bridge, (that is to say) that the Countie shall alwayes beelow fiue parts of the charges thereunto belonging, and the Towne of Cardife one part, and so for euery fiue pounds payable by the Countie by this acte, the Towne of Cardiffe and liberties of the same, shall alwayes stand charged with twentie shillings, vntill the whole summe be defraied, and the Bridge newly reedified and builded. And to the intent that ouerlong delaie may not bee vsed in setting forwards of so nesessarie and charitable a worke, and also that the Countie may haue all necessarie and conuenient assistance in that behalfe. Bee it likewise enacted by like authoritie, that the saide Bridge shall bee wholie builded & finished within the space of two yeers next after the end, dissolution, or prorogation of this present Session of Parliament, vpon payne of forfaiture of the summe of one C. pound for euery yere, after the saide two yeers, that the sayde worke or Bridge shall happen to bee behind vnfinished and vnperformed, whereof the County shall lose & pay lxxx. li. and the corporation or towne of Cardife xx. li. The moity whereof shalbe to the Queenes Maiestie, her heires and successours, the other moity to him that will sue for ỹ same in any the Queenes Maiesties Courtes of record, by action of debt, bill, plaint, or information, wherein no essoine, protection, or wager of law shall bee admitted or allowed. And that all other Boroughes, Corporatiõs and liberties within the said Countie of Glamorgan, (the Towne of Cardife and liberties of the same only excepted) shal be contributors, and beare the ratable and reasonable portions towards the same ioyntly and together with the Countrey, & whole Countie of Glamorgan. And for the spedie leuying of all such summes of money, as shall bee necessary & requisit in this behalfe: Be it hereby enacted by the authority aforesaid, that the Iustices of Peace of the County aforesaid, or any foure, three, or two of them, whereof one to be of the Quorum, out of the liberties of the said Towne of Cardife, and the Maior and Bailifes, or any two of them within the said towne, iurisdiction, and liberties of the same, shall hereby haue full power & authoritie at al times hereafter, and from time to time, as often as neede shal require, vntil the said Bridge shall be fully reedified. to rate & assesse the Countie aforesaid, with the seuerall Hundreds, and euery towne corporate, parish, village, and hamlet

Cardife bridge

Repaire

By the Towne and Countrey

li. Yeres

Forf.

Moitie

Corporacõs

Iust. of P.

Maior

Rate

hamlet within the same, and euery inhabitant and dweller within euery and any of them, to such reasonable sūme & summes of money, as to them shalbe thought mete and conuenient, in due and proportionable maner, according as rates, taskes, and talages haue bēn afore this time vsed to be there rated and leuied, or as nere thereunto as they can. And that such person and persons as they shall appoynt for the gathering, leuying, or rating thereof, shall haue hereby full power and authoritie by way of distres, by ō denial, refusal, or nonpayment to leuy the same, & to make sale of such distresses according to the Statut of the.xvii. yere of king Henry the 8. aforesaid. And the same moneis so leuied to bee deliuered ouer and paied, so much thereof as shalbe leuied within the County aforesaide, out of the liberties of the Towne of Cardife aforesaid, to the saide Justices, or to two of them, whereof one to bee of the Quorum, or to such persons as they shall appoynt: And so much as shall bee leuied within the liberties of the saide Towne of Cardife, to bee deliuered ouer to the sayde Maior and Baillifes, or any to be appoynted by the consent of them, or any two of them, who shall imploy the same with as much spēde as conueniently may bee, for the purpose aforesaide. And if any within the county or liberties aforesaid, who shal bee tared or rated to paye any summe or summes of money, in forme aforesaide, doe refuse the payment thereof, or otherwise withstand their distresses, or if any other that shalbe charged to taske, rate, gather, leuie, or pay ouer any ỳ monies aforesaid, shal refuse, withstād, denie, or impugne to accomplish the commaundement in that behalfe, to further the spēdie executing, paying, and doing that shalbe to them appointed in maner aforesaide: Then euery such person and persons if they be out of the liberties of the said towne of Cardife, shal be imprisoned without baile or mainprise, by the discretion of the said Justices, or any two of them, whereof the one to be of the Quorum, if within the said liberties, then by the discretion of the saide Maior and Baillifes, or any two of them, vntill such time as they shalbe conformable to abide the order of the saide Justices, Maior and Baillifes for the said offences. And moreouer bee it enacted by the authoritie aforesaide, that if the said Justices, Maior and Baillifes, or any one of them within their seuerall limits, not being letted by sickneſſe, or some other true & reasonable excuſe, shall be negligent, or doe not by al waies and meanes they can, procure the executing hereof by the space of two yeres next after the end or prorogation of this present Parliament, or hauing receiued any summe or summes of money aforesaide, towards the rēdifying of the saide Bridge, doe detayne the same, or any part thereof in his or their hands, or do not imploy the same thereupon, with all conuenient spēde, and without any delay, but shal vse the same to his or their owne priuate profits, cōmodities or behoſes, to the hinderance of the said worke: that then euery such Justice, Meior, & Baillifes, for euery default, shall forfait and lose the summe of xl.li. One moitie whereof shalbe imployed towards the building of the said Bridge, & the other moity to him that shal sue for the same in any of the Quēnes Courts of record, by action of debt, bill, or information, wherein no essoine, protectiō, or wager of law, shalbe admitted or allowed. And for asmuch as the building & rēdifying of the said bridge, shal or may stand to final purpose, if prouision for repairing & mayntaining thereof from time to time, & as often as nēde shall require, be not foreseene and duely considered: Be it therefore hereby enacted by authority aforesaid, that both the towne of Cardife, & whole county of Glamorgan, shall ioyntly together from time to time, and as often as nēde shal require, defray al such charges as shalbe necessary in that behalfe, in maner and forme, and in like proportion, as is beforesaide, vpon the like paine aforesaide, if material default be made by ỳ space aforesaid, An 23. El. ca. 11.

Collectors

Distrayne Sell

Refuse

Imprīs.

Iust. of P.

Negligēt

Forf. Xxx.

Ioyne hereafter

6 ¶ Whereas by the former part of the statute made in the xviii. yēre of the Quēnes Maiesties raigne, and by the Proniso in the end of the same statute, the intent and meaning is, that the contribution money of the landes and tenements contributorie to the repaire and maintenance of Rochester Bridge in the County of Kēt, ought from time to time to be tared by the two Wardens and xii. Assistāts, of the saide Bridge, or by the more part of them (when nēde of such contribution should require) for supply of those reparations of the saide bridge, which the reuenues of the landes proper & belonging to the saide bridge will not suffice to doe. And whereas the said ii. Wardens and xii. assistants, be euery yere elected of the owners of lands cōtributorie as is aforesaide, & the

accompts

accompts of all receipts and paymẽts are by the two Wardens euery yære duely made, and the money duly imployed, as is limitted by the saide late Statute, yet for want of expresse wordes, limiting that the said Wardens and Assistants should tare the said contributorie lands in such case of want, as aforesaide, the same Wardens & Assistants hitherto haue bẽn doubtfull, & haue forborne to make such tare, & thereby haue bẽn forced vpon their owne credites and friendships to procure the want aforesaide, to be supplyed by some benevolent loanes and gifts of sundry persons, a matter very difficult, & not to bee trusted vpon for perpetuall maintenance of the saide bridge. Bee it therefore declared, explained, ordained and enacted by authority of this present parliament, that from time to time hereafter, as often as the rents or other profits of the landes proper and belonging to the said bridge, shall not be sufficient to beare the charge of reparations of the said bridge, the saide two Wardens & xij. Assistants for the time being (being elected of the owners of lands contributorie) or the said two Wardens together, with the more part of the said xij. assistãts, Tare shall and lawfully may tare all the saide contributorie landes & tenements, rating euery Parish where those landes doe lye, reasonably & proportionablie at such sum of money, and to be payed in such maner & forme, as by the saide ii. Wardens and xii. Assistants, or the saide Wardens with the most part of the xii assistãts, as aforesaid, (assembled at the accustomed place of election) shall bee limited and appoynted in writing vnder their handes and seales: for due leuie and satisfaction whereof, it shall be lawfull to any person by the saide two Wardens and assistants, or ii. Wardens Wardens with the most part of the xii. assistants, as aforesaide (vnder their hands and seales in writing authorized) to leuie the same money tared, to take & seise the goods & cattels of any of the inhabitants, or owners of contributory lands, in the parish where Distr. any part of the said money so tared shal be vnpaied, & to leuie the same money by sale of the saide goods & chattels, & if the goods or chattels so taken, seised and sold, shal amount to more value then the said taratiõ shal come vnto, that then the residue of the said money, ouer & aboue the said taratiõ, shalbe deliuered vnto the person or persõs, whose goods or cattels shalbee so sold. And for a conuenient assemblie to make a due election of such Wardens and assistants yerely, as will be careful for maintenãce of the sayd Bridge: It is further ordayned and enacted by authoritie aforesaide, that euery yære at the election of the saide two Wardens and xii. Assistants (by the sayde former statute limited) two at the least of housholders inhabitantes of euery Pa- Housholders rish, in which there are foure housholders at the least, within vj. miles of the sayde Bridge, and wherein any of the saide contributorie lands do lye, shall be present to giue their voyces at the same election, vpon payne of x.s. to be forfaited by the inha- Forf. bitants of euery such parish making default of such apparance, the same penalties to be leuied in forme as afore is limited, for leuying of the contribution money tared, as aforesaid, and to be imployed vpon the reparations of the said Bridge. And the expences of the saide Wardens, assistants, or inhabitants at the saide election day, to bee paied or borne at their owne charges, euery man to beare his owne charge. An. 27. Eliz cap. 25.

¶Brittons.

ANno 3. H. 5. cap. 3. It was enacted, that all Brittons should auoid the Realme, vpon payne of death.

¶Broderers

ANno 4. H. 7. cap. 22. An acte was made to endure to the next Parliament, concerning Broderers for Venice, Florence, and Jean gold to kepe a weight, and to be as good within, as the outward shew is.

¶Burning of Cartes and Wood, and cutting off Dammes, heades of Pondes and Conduites and Pipes, Tongues and Eares, and barking of Trees.

IF any person or persons maliciously, wilfullie, and vnlawfullie, cut or cause to be cut off the head or heades, damme or dammes, of any pondes, poles, motes, Dammes stewes, or other seuerall waters, or ỳ head or heades, pipe or pipes, of any Conduite Pipes Conduites or Conduites, of any person or persons, or maliciously, willingly, & vnlawfully, after ỳ said first day of May, burne, or cause Burne to be burned, any waine or waines, cart Waines or cartes, laden or to be laden with coales, Cart Coales or any other goods or marchandizes of any other person or persons, or maliciously, willingly,

willingly, and vnlawfully after the saide first day of May, doe burne, or cause to be burned any heape or heapes of wood, of any other person or persons, prepared, cut, & felled, or to be prepared, cut, or felled, for the making of coale, billets, or talwood, or maliciously, vnlawfully, & willingly, after the saide first day of May, cut, or cause to be cut out the tongue or tongues of any tame beast or beastes, of any other person or persons, (the saide beast then being in life) or maliciously, willingly, or vnlawfully, after the said first day of May, cut or cause to be cut off the eare or eares of any of the kings subiects, otherwise then by authoritie of the lawe, chance medley, or saine affray, or aduēture, or after the said day, maliciously, willingly, or vnlawfully barke any Apple trees, Peare trees, or other fruit trees, of any other person or persons: that then euery such offendor or offendors, shall not onely lose & forfait vnto the partie grieued treble dammages for such offence or offences, the same to be recouered by action of trespas, to be taken at the common law, but also shall lose & forfait to the kings Maiestie & his heires for euery such offence x. pound sterling in the name of a fine, An. 37. H 8. cap. 6.

Moon
Billets Talwood
Tongues
Eares
Chance medley
Barke apple trees
Forf. 3. damages
Forf.

¶ Butler of the King.

That the Steward of the kings house, and Treasorer of the wardrobe, shall send to all the Portes of England where wines be, to be taken to the kings vse, the certaine number, which the Butler shall take in euery port, so that nothing bee takē ouer that number. And that the Maior and Bailifes of the saide Portes, certifie the said Steward & Treasorer of the number of all the Tunnes so taken by the Butler or his Lieutenant, vnder the seale of the said Maior & bailifs, by Indentures made betwixt them & the takers of the said wines. And in case that it be founde, that the Butler or his Lieutenant take more, or take reward of any, or delay any, by any colour of his office, as by arrest, he shal make grē to the partie of the double, and shalbe put out of his office, and shall haue imprisonmēt, and also be ransomed at the kings will. And the king shall assigne his Justices, when it shall please him, to inquire vpon these things. And the Butler shal answere aswel for his deputies as for himselfe: where they be not sufficient. An. 25. E 3. cap. 21. Stat. 5.

Steward Treasorer
Maiors Bailifes
Imprit.
Justices

2 ¶ The kings Butler, nor none of his Lieutenants, shall buy, embrace, nor take by colour of their office, nor in other manner to their proper vse, nor of others, more wines for the house and expences of the king, then they haue in commaundement, vpon payne of imprisonment of their bodies, and to be ransomed at the kings will. And as much as they shall take by force of the said warrant, shalbe taken within ten dayes, and (that done) the Marchants of the saide wines may, & it shalbe lawfull to them of the remnant of the saide wines to make their profit, notwithstanding anie arrest made vpon such wines by the Butler, or any of his Lieutenants aforesaide. An. 43. E. 3. cap. 3.

Imprit.
Marchāts
Arrest

¶ Butter and Cheese.

BEcause Butter and Cheese haue bēn made marchandize of the staple, which bee so tender marchandize, that they may not tarie their Marchants: Bee it &c. that he that will bring Butter & Cheese to any other parts then to the said staple, shal sue to the Chancelor of England for the time being, to haue licence in this partie. And that the same Chauncelor haue power to make to him such licences vnder the kings great Seale, if it like him so to doe by his discretion. An. 3. H. 6. cap. 4.

Staple Chancelor

2 ¶ That the kings liegé people may bring & carie out of this realme, to whome it shall please them, of the kings amitie, Cheese & Butter, without any licence to bee pursued in any wise, paying the customes & subsidies thereof due from time to time: any statute made to the contrary notwithstanding. Prouided that the king may restraine the same whē it shal please him, An. 18. H. 6. cap. 3.

Licence
Customes Subsidies

3 ¶ No person nor persons after the feast of the Annunciatiō of our Lady next comming, shal buy to sell againe any butter or cheese, vnles he or they sel the same againe by retaile, in open shop, faire, or market, & not in grosse, vpon payne of forfaiture of the double value of the same butter & cheese so sold contrary to the tenor of this present acte: The one moitie of all which forfaiture to bee to our soueraigne Lord the king, his heires & successors, and the other moitie to him or them that will sue &c. wherein &c.

Retaile Forf.
Moitie

Prouided alwaies and be it &c. that the said word of (Retaile) mentioned in this act, shal be expounded, declared, and taken

Retaile

onely

onely where a weight of Cheese, or a barrel of Butter, or of lesse quantity and not aboue, shall bee solde at one time to anie person or persons in open shoppe, faire, or Market, and that to bee done without fraud or couin.

Prouided alway that this acte, or anie thing therein contayned, shall not extend to anie Inholder or Vitailer, for such butter or Cheese as shall bee spent or vttered by retaile in any of their houses: Anie thing contayned in this acte to the contrarie notwithstanding. This acte to indure to the next Parliament, An. 3. and 4. Ed. 6. cap. 21.

Inholder Vitailer

This Statute was continued by diuers Parliaments, vntill 8. Eliz. and then was discontinued, and after reuiued 13. Eliz. ca. 25. And last of all continued 14. Eliz. ca. 11. to the ende of the next Parliament then ensuing. Cõferre this Statute with the Statute of Engrossers 5. E. 6. capit. 14. after in Forstallers. This Statute was continued by 27. Eliz. capit. 11. vntill the end of the Parliament then next following. And likewise Anno 28. Eliz. cap. 5. it was continued vntil the end of the next Paliament. And Anno 31. Eliz. cap. 10. it was continued to the end of the next Parliament. And An. 35. Eliz. cap. 7. continued vnto the end of the next Parliament.

¶ Cables, Halsers, Ropes, and Cordage.

ANno 21. Hen. 8. cap. 12. An Acte was made for true making of Cables, Halsers, and Ropes in Burport, and within fiue miles thereof, to indure to the next Parliament. And after it was continued Anno 28. H. 8. cap. 8. Anno 31. H. 8. cap. 7. Anno 33. H. 8. cap. 17. Anno 37. H. 8. cap. 23. An. 5. E. 6. cap. 17. An. 7. E. 6. cap. 1. and An. 1. M. 1. Parl. ca. 13. to indure to the end of the next Parliament, and then it expired. This Acte was reuiued by 27. Eliz. cap. 11. and continued vntill the end of the next Parliament. And An. 28. Eliz. cap. 5. it was continued vntill the end of the next Parliament. And 31. Eliz. cap. 10 it was continued to the end of the next parliament. And An. 35. Eliz. cap. 7. continued to the ende of the next Parliament.

2 ¶ Forasmuch as it is found by common experience, that sundry persons vsing the trade of making Cables, Halsers, and other kind of cordage within this realme, haue of late of their priuate lucre & gaine, vsed to make of the same old, cast, & ouerworne cable, halsers, and cordage, and yet haue craftily and deceitfully vttered and solde the same being tarred as newe, good and strong, and as made of new and perfect stuffe, couering and hyding the false and corrupt making thereof by tarring of them before the same be put to sale, by reason whereof not only diuers ships, vessels, and goods, aswell of her Maiesties, as of sundry her highnesse subiects, but also the liues of diuers of her saide subiects haue been lost, perished, and cast away: For remedy thereof, and for the anoyding of such great losses, inconueniences and dangers as might otherwise hereafter insue by such corrupt, false, and deceitfull making of Cables, Halsers, and other cordage, as is aforesaid. Be it enacted by the Quenes most excellent Maiestie, the Lords spirituall and temporall, and the commons in this present Parliament assembled, & by the authoritie of the same, that if any person or persons, shall after xl. dayes next after the end of this session of Parliamẽt, make, or cause to be made any Cables of any olde and ouerworne stuffe, which shal contayne aboue seuen ynches in compas: then euery person so offending, shall forfait and lose foure times the value of euery such cable so by him or her made or caused to be made, as is aforesaid. And if any person or persõs, after ỳ said xl. daies next after the end of this session of Parliamẽt, shall tarre, or cause to bee tarred any halsers or other cordage made within this Realme, of such olde and ouerworne stuffe as aforesaide, being of lesser assise, and not contayning in compasse vij. ynches, & shall after by way of retaile sel, or put to sale, or cause to be sold or put to sale ỳ same being so tarred, that euery person so offending, shal forfait & lose the treble value of euery cable, halser, and other cordage, being of lesser assise, and made of such olde & ouerworne stuffe as is aforesaid, which shal be so solde or put to sale, being tarred as is aforesaide: The one moitie of all which forfaitures shalbe to the Quenes Maiestie, her heires and successors, & the other moitie to such person or persons as wil sue for the same, by action of debt, bill, plaint, or information, wherein no essoine, protection, or wager of law shal be allowed. And furthermore, that euery persõ, which shal in any wise offend against the tenor and meaning of this act, shalbe imprisoned for the same during her Maiesties pleasure. An. 35. Eliz. cap. 8.

Tables, Ouerworne stuffe vii. Yndes

Forf.

Tarred Forf.

Moitie

Imprisõ.

¶ Calcis

Ships

ALL maner of ships accustomed to come to the said port (s. of Caleis) out of the countrey of England (fisher boats al only except) shall bring with them all their lastage of good stones conuenient for the stuffing of the saide beakens, in making their reasonable deliuerance from time to time at their coming thither, to the Treasorer which for the time shalbe there, or to other ministers thereto by him ordayned, vpon the payne of ij. s. for the weight of euery tunne, & as much as the said shippes be of portage. And that al maner of ships entring at ỳ same place of Paridise there to rest, shal pay at euery their entrie there xiiij. pence sterling, and thereupon it shall be lawfull to them if they will there tarie for xiiij. dayes with as many nights then next insuing, without paying therof more for their saide entrie. And also in case that the aforesaide ships or boates tarie ouer the xiiij. dayes and nightes aforesaid, then they shall paye for euery day and night a peny, and for the day alone an halfe peny, and for the night alone an halfe peny. And moreouer it is ordayned, that no maner of person shall presume to tye any manner of shippe nor boate by cable, cord, nor otherwise, to the tymber nor stones of the sayde beakens nor paradise, nor also the newe key, otherwise called the Wharfe, at the side of the saide port of the Towne of Caleis, vpon paine of xl. pence, to be leuied of the ship or boat, which so shall be found tyed. And also that the Treasorer which there for the time shall bee, shall haue full power for him, and for his deputies, to leuie and receiue the money of the paynes aforesaide incurred and rising, and therof to make payment according as shall bee needefull in his sayde office, by the vertue and controlment of the kings Controller there, Anno 21. R. 2. cap. 18 And after Anno 1. H. 4. capit. 3. that Acte was repealed. And after Anno 10 H. 6 cap. 5. it was enacted, that that Acte of 21. R. 2. capit. 18. should bee effectuall, and kept and put in execution for euer, according to the tenour thereof.

Stones Beakons

Treasorer

Paine ii. d.

Paradise

Fasten

Letters patents

2 ¶ Anno 1. H. 5 cap. 9. All letters Patents graunted of the reuennes of Caleis were reuoked, and these reuennes resumed into the kings handes.

Marchant

Woolles Woolfels Leather Lead Tinne

3 ¶ No Marchant continually inhabiting within the said towne of Caleis shall be suffered to buy beyond the Sea any maner of Woolles, woolfels, leather, leade, or tinne, nor other marchandize pertayning to the Staple, vpon payne of forfaiture of the same as eft as it may be proued, An. 8. H. 6 cap. 20.

Treasorer Citrailers

4 ¶ The Treasorer and Citailers of Caleis, shall accompt euery second yeere for that yere precedent, vpon payne of an hundred pound, whereof hee that will sue shall haue the moitie, Anno 31 H. 6 at the Parliament holden at Reading.

Foyl.

Moitie

This Statute is not in the printed booke of Statutes, but in the Kinges Treasorie

Freehold

5 ¶ Who that hath any freehold within the Towne of Caleis, out of the which any yearely charge in going for the sure keeping of the said Towne for watch or otherwise, that hereafter ceaseth in doing of the saide charge by the space of a yere and a day: that then the saide freehold bee seised into the kings hands, he to haue it to him and his heires, and during the time it be in the handes of the kings highnesse, the Treasorer of Caleis shall take the profits therof to the kings vse, and beare the charges yerely going out of the said freehold, towards the saide keeping of the saide Towne, as before that time it was accustomed to beare, if the saide freehold will beare the saide charge. And in likewise be charged the kings committées, or his patentées, for the keeping of the said towne, as afore is saide. And for default of the doing of the same by the space of a yere and a day, the same tenements eftsone, to bee seised as aforesaide, & so from time to time as oft as the saide charge is not contented ne payed by the saide time, and during the time the said tenemẽts be in the hands of the kings highnes. And if the said Treasorer of Caleis pay not the saide charge within a yere and a day, that then the said Treasorer forfait the double value of the same to the kings highnes, if the reuennes be able to find the saide watch, An. 11. H. 7. capit. 16.

Treasorer

Forf.

6 ¶ Anno 27. H. 8. cap. 24. A long acte was made concerning diuers good orders and lawes for Caleis, and the Marches thereof.

¶ Calues, Kine, Oxen Sheepe, Steeres, and Heifers.

FOr the more increase of cattel, Be it enacted &c. that no maner of persõ or persõs being Butchers or others, inhabiting within this Realme, Wales, or the Marches of the same, shall from the first day of

January next comming, during iij. whole yeres from thence forth next insuing, kill or cause to be killed any maner yong sucking calfe or calues, to bee solde or put to sale to any person or persons, whole or by retayle, which calfe or calues hereafter to be killed shal happen to fal or to be calued, betweene the saide first day of Januarie, and the first day of May, in any of the said two whole yeeres, vpon paine of forfayture of vi.s. viij. d. for euery calfe fallen or calued betweene the said dayes, and killed and put to sale contrarie to this act, to be paied and forfaited by euery such butcher or butchers, or any other person or persõs, which shal kill or cause to be killed and put to sale any such calfe or calues so fallen, and to be calued betwæn the saide first day of Januarie, and the said first day of May, during the sayd two whole yeres. The one halfe of euery such forfaiture to be to the vse of our saide Soueraigne Lord the King, and the other halfe to the partie that will sue for the same, by bill, action of debt, or information, in ane of the Kings Courtes, wherein no wager of Lawe, essoyne nor protection shall bee allowed.

Kill Sucking calues Vell

1. Januar 1. May Forf.

Moitie

L. Marcher Prouided alwayes that euery lord Marcher haue the forfaits, profites and aduantages only for euery such offendor and offendors against the purueying of this act, within their seigniories, liberties & franchises royall. Bee it also enacted, that the Justices of Peace of euery of the Shires of this Realme, within the limits of their commissions, shal haue ful power and authoritie by force and vertue of this acte, at euery their general Sessions hereafter to be holden and kept to inquire, heare & determine the premisses, aswel by information and presentment, as by bill or plaint, wherein no wager of law, essoine, or protection for the defendant, as is aforesayde, shall be admitted or allowed. An. 24. H. 8. cap. 7. This Act is by 14. Eliz cap. 11. made to be in force and effect, vntil the end of the next Parliament.

General Sessions

Determine

☞ 2 ¶ For the greater plentie of Wares, Be it &c. That no maner of person or persons being Butchers or other, inhabiting within this Realme, Wales, or the Marches of the same, shal from the feast of the Natiuitie of S. John Baptist next comming, kill or cause to be killed, any maner of weynlings, bullocke, steere, or heyfer, being vnder the age of ij. yeres, to the intent to make sale thereof to any person or persons, whole or by retayle, vpon payne of vj.s. viij.d. for euery of the saide weinlings, bullockes, steeres or heifers, being vnder the age of ij. yeres, killed and put to sale contrary to this act, to be paied & forfaited by euery such butcher & butchers, & other, which shal kill or cause to be killed & put to sale contrary to this acte any such weinling, bullocke, steere or heifer, vnder the age aforesaid, from and after the sayde feast of the Natiuity of S. John the Baptist next insuing, as is aforesaide. The one halfe of euery such forfaiture to bee to the vse of our said Soueraigne lord the king, & the other halfe to the partie that will sue &c. wherein no wager of law &c.

Forf.

Butchers Males

Kill Weinlings vnder ij. Yeres

Moitie

Prouided alwaies, that euery Lorde Marcher haue the forfaitures, profites, and aduantages onelie of euery such offendor or offendors, against the purueying of this act, within their seigniories, liberties, and franchises royal. Bé it &c. that the Justices of Peace of euerie of the Shires of this realme, within the limits of their commissions, shal haue full power and authoritie by force and vertue of this acte, at euery of their generall Sessions hereafter to be holdē and kept, to inquire, heare and determine the premisses, aswel by information and presentment, as by bill or plaint, wherein no wager of lawe &c. This act to indure to the next Parliament, An. 24. H. 4 cap. 9.

L. Marcher

Just. of P.

Sessions Determine

This Acte was continued vntill 8. Eliz. and then was discontinued. And 13. Eliz. cap. 25, reuiued againe. And 14. Eliz. ca. 11. continued vntil the end of the next Parliament. And 27. Eliz. ca. 11, reuiued and continued to the ende of the next Parliament. And 28. Eliz. cap. 5. continued till the ende of the Parliament then next following. And An. 31. Eliz. cap. 10. continued vntill the end of the next Parliament. And An. 35. Ehz. ca. 7. continued vnto the end of the next Parliament.

3 ¶ No person nor persons at anie time from and after the feast of the Annunciation of our Ladie nert comming shal buy, or common and conclude to buy any maner of oxen, steeres, ronts, kine, heifers or calues, but onely in the open faire or market, where the same shal happen to be brought and put to sale, and shall not sell the same againe on liue, at, and in the market or fayre, where hee bought the same, during the time of the saide faire or market, vpon payne of forfayture of the double value of such cattel bought or sold contra-

Buy

Fair. Market

Forf. Double value

contrary to the tenor of this preſent act.

Prouided alway and be it &c. that it ſhal bee lawfull for all and euery perſon and perſons to buy any oxen, ſteeres, ronts, kine, heifers & calues, or anie of them, out of any open faire or market, for his or their prouiſion for their houſhold, téeme, or dairie at his or their will or pleaſure, to be imployed and ſpent onely in keeping & maintenance of his or their houſe, or for their téeme or dairie, and not otherwiſe.

Prouiſion
Teeme
Dairie

Butcher

And bee it &c. that no perſon being a butcher, and vſing the craft and miſterie of butcherie, ſhal at any time after the ſayde feaſt, buy any fat oxen, ſteeres, ronts, heyfers, calues, or ſheepe, and ſell or cauſe to be ſold the ſame againe on line, vpon paine of forfaiture of euery ſuch oxe, ſteere, ront, cow, heifer, calues or ſheepe, bargayned or ſold contrary to the forme of this preſent act.

Fat oxen
Sheepe

Forf.

Prouided alway, that al and euery perſon or perſons being a Butcher, and vſing the art and miſtery of butcherie, ſhal and may at his and their will and pleaſure, buy any fat oxen, ſteeres, ronts, kine, heifers, calues and ſheepe or any of them, out of any open faire or market: ſo that ſuch butcher ſell not, nor cauſe to be ſolde the ſame againe on line, as is aforeſayde: any thing contayned in this acte to the contrarie notwithſtanding. The one moitie of all which forfaitures ſhall bee to our Soueraigne lord the king, his heires and ſucceſſours, and the other moity to him or them that will ſue &c. This acte to indure to the end of the nert Parliament, Anno 3. and 4. E. 6. cap. 19.

Faire
Market

Moitie

This Acte was continued vntill 8. Eliz. and then was diſcontinued, And 13. Eliz. capit. 25. reuiued. And 14. Eliz cap. 11. continued vntill the ende of the next Parliament. It was againe reuiued by 27. Eliz. cap. 11. and continued vnto the ende of the next Parliament. And after by 28. Eliz. ca. 5. continued to the ende of the next Parliament. And after 31. Eliz cap. 10. continued to the ende of the next Parliament, And after 35. Eliz. cap. 7. this acte is continued to the end of the next Parliament.

4 ¶ For the more increaſe, breéding, and rearing vp of yong beaſtes, and to remedie the great ſcarcitie of neceſſarie victails: Bee it &c. That euery perſon which from the feaſt of the Purification of our Lady nert inſuing, ſhal kéep or feed aboue the number of fiue ſcore théere ſheepe, for the moſt part of the yere, vpon his or their ſeuerall paſtures, landes, feédings, or farmes, apt or méete for mylch kine, and wherein no other perſon hath at the making of this preſent acte, common for any cattell for any time of the yére, ſhall by authoritie of this act yérely ſo leng as hee ſhall kéepe or feéde the ſaide number of vi. ſcore ſheére ſheepe, for euery iii. ſcore ſheep ſo kept or fedde, kéepe one milch Cow, and ſhall bréde and reare vp yérely for euery fiue ſcore ſheére ſheepe ſo kept, as is aforeſaide, one Calfe, vpon payne of forfayture for euery moneth that any ſuch perſon ſhall not for euery thrée ſcore ſheére ſheepe, as is aforeſaide, keepe or feéde one milch Cow, xx. ſhillings for euery Cow ſo not kept. And for lacke of rearing & bréeding of one Calfe for euery vi. ſcore ſheére ſheepe, to forfait likewiſe xx. ſhillings for euery calfe ſo not reared and fed. And that euery perſon which after the aforeſaide feaſt of the Purification of our Lady, vpon his or their ſeuerall paſtures, as afore is ſaide, ſhal kéepe or féede aboue the number of twentie oxen, ronts, ſcrubs, ſteéres, heifers or kine, ſhall by authoritie of this act, for euery ten beaſtes of the ſayde ſorts ſo kept or fedde, kéepe and nouriſh one milch cow, and bréed, reare, & weine yerely, and kéepe for one whole yere one calfe, for euery two milch kine ſo charged to bee kept, vpon the ſeuerall paines and forfaitures afore rehearſed, except the ſaid calfe or calues ſhall chaunce to dye within the ſaid yéres, without couin or fraud therto added: The one halfe of which ſaid forfaytures ſhall be to the vſe of our ſaide Soueraigne Lord & Lady the king & Quéenes Maieſties, and the other halfe to the vſe of the partie that within one yére after the offente committed, will ſue for the ſame in any of the Kinges and Quéenes Maieſties courtes of Recorde, or before the Juſtices of Peace in the ſame Shire, where any ſuch cauſe of forfaiture ſhall be had, at the generall Seſſions (who by authoritie of this acte ſhall hade power to heare and determine the ſaid offences) by bill, information, preſentment, action of debt or detinue, in which action or ſuit, no eſſoine, protection, wager of law, or licence to the contrary ſhal be allowed.

Keepe 120. Store sheep

1. Beaſtes
One milch cow
One calfe

Moitie

One yeere

Juſt. of P.

Generall ſeſſions

Determine

Prouided alwaies that this act, nor any clauſe therof ſhalbee extended to binde anie perſon to kéepe milch kine, nor yet to bréed or reare calues, as afore is expreſſed, for ſuch ſheepe or other beaſts, as the ſame perſon ſhall kéepe and féede, to the intent onely to bee ſpent in his or their houſe or houſes,

Sheepe

Spent
Houſe

houses, without fraud or couine. This act to endure onely to the end of seuen yeres next following the feast of the Purification of our Lady aforesaid, & from thence to the ende of the Parliament then next following. An. 2. & 3. P. & M. cap. 2. This acte was continued vntill 8. Eliz. and then was discontinued, and 13. Eliz. cap. 25. reuiued and made perpetuall.

¶ Cambridge and Cambridgeshire.

John Hind Serieant

ANno 34. H. 8. cap. 24. An acte was made for the assurance of certaine lands to John Hinde the Serieant at the lawe, and his heires, paying yerely ten pounds to the charges & wages of the knights of the Parliament of Cambridgeshire for euer.

Pauing

2 ¶ An. 35. H. 8. ca. 15. An act was made for the pauing of the streets in Cambridge.

¶ Canterburie.

ANno 34. H. 8. cap. 18. An act is made concerning certaine priuiledges of Canterburie.

¶ Captaines and Souldiers.

Couenants Eschequer

Heires Executors

Repeale Countermaund

Barons

Accompt Treasourer

ALl people, which from henceforth shall be retained or assigned to serue the king, their couenants shalbe put in writing and sent to the Eschequer, there to remaine of record, so that at what time that any person so retained, his heires or executors, occupiers of the goods, or land tenants, come to accompt thereof at the Eschequer, they shalbe thereto receiued, & haue due allowance in their accompt, according to the contenue of their couenãt, if percase any repeale or countermaundmẽt be made of such retinue of any person after that his couenãts be put in writing and sent to the saide Eschequer, so that by the sight of the same repeale, & of the couenants before there sent, the Barons of the said Eschequer, shall doe right to the partie according as the lawe and reason demaundeth. And if any thing be due vnto them by the same accompt, that thereof by certification of the same Eschequer, the Treasourer and the Chamberlaines shall make payment or assignement to them without tarrying or suing other warrant or commaũdement of the great or priuie Seale in this behalfe. Anno 5. Rich. 2. cap. 10.

2 ¶ Anno 1. H. 6. cap. 5. it was enacted what partes Captaines should haue of priseners and prises taken in the warres of Hen. 5.

Wages Abate

3 ¶ That no Captaines which from henceforth shal haue the cõduct of such retinues, and shal receiue the kings wages for the same, shall abate of his souldiers, nor any of them, any part of their wages, except ỳ it be for their clothing (that is to say) if they shalbe waged for halfe a yere x. s. a gowne of a gentleman, & vj. s. viij. d for a yeoman, vpon paine of xx. li. for euery

Fork. Speare Bow

speare, & x. li. for a bowe, to the king vpon whom he did abate vpon the tenour of the same. An. 18. H. 6. cap. 18.

4 ¶ Forasmuch as many Souldiers which haue take partel of their wages of their Captaines, & so haue mustred & bin entred of record the kings soldiers, before his Comissioners for certaine termes agreed vpon by their masters, haue sometimes straight wates after departed, and not passed the Sea with their Captaines, and some of them haue passed Sea, and after, long within their termes departed from their Captaines, without apparant licence, to the great peril and preiudice of the Realme. Be it enacted that euery mã so mustring and receiuing the kings wages which departeth from his Captaine within his terme in any maner aforesaid, except that notorious sicknesse or impediment by the visitatiõ of God (which may reasonably be knowen) suffer him not to goe, and which he shall certifie immediatly to his Captaine, and shal repay his money, so that he may prouide him for an other souldier in his place, he shall be punished as a fellon. And that the Iustices of peace, shall haue power to enquire thereof, & to heare and determine the same. And likewise hath ordeined by the same authoritie, that no souldier, men of armes, or archer, so mustred of record, and going with his Capteine beyond the sea, shal returne into England within the terme for which his Captaine hath retained him, nor leaue his Captaine there in ỳ kings seruice, and in aduenture of the warre, except that he hath reasonable cause shewed to his Captaine, & by him to the chiefe in the countrey, hauing royall power, and thereupon shall haue licence of the said Chiefetaine witnessed vnder his seale, & the cause of his licence. And who that so doth muster of record, & come without letters testimonials of the Chiefetaine (as is saide) within his terme on this side

Depart

Fellon' Iust. of P. Determine

Warre

Licence Master

Maior Bailifes

Arreſt

Iuſt. of P.

Felony

the ſea: that the Maiors, Bailifes, & other the kings miniſters, of what port or place they ſhall arriue, ſhall haue authoritie to put him in arreſt, and there to keepe him till it be of him enquired. And if it may be found by enquirie, before the Iuſtices of the peace, and proued that he hath ſo muſtred of record, & departed from their captaine aforeſaid, without licẽce as afore is ſaid, that then he ſhal be puniſhed as a felon. An. 18. H. 6. cap. 10.

Note that by a branch of the acte Anno 5. Eliz. cap. 5. which ſee after in ſhips 13. It is declared that this ſtatute extendeth to Mariners and Gunners taking preſt or wages to ſerue the Queene vpon the Seas.

And ſee here 6. that the departing without licence, is ſtretched vnto ſeruice on this ſide the Seas, aſwell as beyond the Sea. And the licence may bee giuen by diuers ſundry perſons. And certaine other alterations.

Number Wages Without licence

5 ¶ An. 7. H. 7. ca. 1. & An. 3. H. 8. ca. 5. two ſeuerall Statutes almoſt word for word like (excepting Calice in 3. H. 8. ca. 5.) were made againſt Captaines and ſouldiers concerning their number, wages, and departing without licence, & the triall thereof, & the departing was made felonie without the beneſite of Clergie, and Iuſtices of peace ſhould determine it. But I thinke they were made to bee of effect, but onely for thoſe Kings times in which they were made.

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6 ¶ Where diuers of the kings Maieſties ſubiects haue according to their duetie ſent forth into diuers places both within this Realme and without, many ſouldiers well furniſhed with good horſes and harneis, to their great charges, and ſome of the ſaid ſouldiers haue deceitfully made away their horſe and harneis. By meane whereof the kings highneſſe hath not onely béene deſtitute of the ſame ſouldiers in time of nẽd, but alſo the owners haue bin deceiued of their horſes and harneis, being thereby leſſe able to refurniſh other ſouldiers, at the time of any new commaundement. And ſometime the Captaines haue taken of the Kinges highneſſe, wages for ſouldiers departed, by meane whereof the kings Maieſtie hath ſuſteined great payments, and yet hath not béene truely ſerued for the ſame, not little to the diſpleaſure of the King.

Souldier Depart

Without licence Felonie

Clergie Sanctua Iuſt. of Determi

Captain

Reward Diſchar

Souldi

Foot.

Under taine

Licence Souldi Depart

Foot.

Capta

Souldier Depart

Sell

Horſe Harneis

Horſe Lieutenant

Impriſoned

Mainpriſe Satisfactiõ

Any Iuſt. of P.

Mainprile Satisfactiõ

Warrant

For remedie whereof, be it enacted &c. That if any Souldier hereafter, ſeruing the king in his warres, in any his Dominions, or on the ſeas, or beyond the ſeas, or in Scotland, after the firſt day of April next cõming do ſell, giue away or wilfully purloine, or otherwiſe exchange, alter or put away any horſe, Gelding, or Mare, or any harneis, wherewith he ſhall be ſet forth, that then euery ſuch ſouldier ſo offending vpon due proofe or teſtimonie, to be taken before the lieutenãt, high Admirall, the kings Deputie, Viceadmirall, Wardein, or Captaine, & in their abſence before any of their deputies: ſhalbe impriſoned by the ſame Lieutenãt or any other before named, there to remaine without baile or mainprize, vntil he haue ſatiſfied to the partie, owner of the horſe, Gelding, mare or harneis, ſo by him ſold, purloined, exchãged, wilfully loſt, altered, or otherwiſe made away. And if ſuch ſouldier ſo offending, fortune to eſcape frõ the Lieutenants, and other the foreſaid perſons, without the puniſhment, and reſtitution aforeſaid, that then the ſame ſouldier, vpõ complaint made by the partie grieued, or his executours or adminiſtratours, vpon due proofe thereof to be made to any Iuſtice or Iuſtices of Peace, in the parties where ſuch ſouldier ſo offending ſhall be found, ſhal be by ſuch Iuſtice or Iuſtices, cõmitted to ward, there to remaine without baile or mainprize, vntill he haue ſatiſfied the partie grieued, his executors or adminiſtratours, of and for ſuch Horſes, Geldings or Mares & harneis, ſo by anie ſuch ſouldier wilfully loſt, exchanged, altered or otherwiſe purloined.

Souldier Sents

Prouided alwaies, that if the ſaid ſouldier, bring anie ſufficient warrant or teſtimonie, before the ſaid Iuſtice, from the ſaid Lieutenant, or anie of the perſons aboue named in writing, vnder the ſeals of any of them, teſtifying that the ſame Horſe or harneis, were loſt in the Kings ſeruice againſt the will of the ſaid ſouldier, or that the ſame Horſe or harneis, was taken by the ſaid Lieutenãt, or any of the others before named, from the ſaid ſouldier, for any reaſonable reſpect, and appointed to ſome other, to ſerue in the place and ſtede of the ſaide Souldier: that then euerie ſuch Souldier not bringing to the owner the ſaide Horſe and harneis, ſhalbe diſcharged thereof, againſt the owner thereof. And that then euery ſuch Souldier to whom the ſaid Horſe or harneis ſhall be appointed, as is aforeſaide, not bringing home to the owner, the ſaide

Horſe

Horse & harneis, after he shall be discharged: to suffer like paine as is aforesaid.

Souldier Depart

And be it also further enacted by the authoritie aforesaid, that if any souldier serving as is aforesaid, depart without licence of the lieutenãt, or any of the other aboue named, with bwtie or otherwise, being in the enemies Coũtrie, or elsewhere in the kings seruice, or out of any garriſõ, where he or they shall be appointed to serue, that thẽ euery such soldier, so departing without licence, to be takẽ and iudged as a felon, & to be executed as in case of felonie, without hauing any aduãtage of his clergie or Sãctuarie, and that the Iustices of euery shire where any such souldier shall be taken, shall haue ful power to enquire, heare and determune all & euery the said offences, cõcerning euery such departure, as they doe and may in other cases of felonie, committed in the Shire where such souldier shall be taken.

Without licence Felonie

Clergie Sanctuarie Iust. of P. Determine

And be it also further enacted, by the authoritie aforesaid, that if any Cõmissioner or captaine, to whom the king shall direct his commandemẽt by commission or letters, for the leuying or setting forth of any men to serue the king in his warres, shall at any time after the said first day of Aprill, for any gaine, reward, or other lucre, discharge any person or persons, by him appointed to serue the king as a captaine, souldier, or pianor, of his seruice so appointed, and doe assigne any other person or persons in his or their stẽde for any lucre or gaine as is aforesaide: that then euery Commissioner, or other person so offending, shall forfaite to the king, for euery such default of euery man so discharged, twentie pound to be leuied of his goods and cattels. And be it also enacted, by the authoritie aforesaide, that if anie Captaine beyng appointed to haue the order of any number of Souldiers, vnder any other higher officer, do for any cause, licence any souldier in his retinue, to depart from the fielde or fortresse, where they shalbe appoynted to serue, without the especiall assent and licence in writing of the lieutenant, or the others before named, he shall forfaite and lose for euery such souldier so by him licenced to depart xx.li. to be leuied, as is aforesaid to the vse of the king.

Captaine

Forf.

Under cãptaine

Licence Souldier Depart

Forf.

And be it also enacted by the authoritie aforesaid, that if any lieutenant, or any other before named, hauing ỹ order of anie number of souldiers, seruing as is aforesaid, vpon the Sea or land, do at any time after the said first day of Aprill demaund, receiue or take of the kings highnesse, or any of his Treasorers, any wages for any moe souldiers then serued in such maner & forme, as the wages was paied for, or for any mo daies then such souldiers serued, and do not note the day of euery souldiers entrie into wages, and day of his death and departure, and deliuer the same to such Treasourers as shall pay the said wages, euery moneth in writing, so as the trueth of the number of the souldiers may appeare to the kinges Treasourer & Maister of the kings musters, for the time being in that behalfe: that then euery such lieutenant, & other before named so offending, shal forfaite & lose to the king for euery such default fiue pounds, to be leuied as is aforesaid, to the vse of the king, and to be imprisoned by the space of one moneth, and to lose his rowme and office.

Take wages for moe souldiers

Day

Moneth

Forf.

Imprisõ.

And be it enacted by the authority aforesaid, that no Captaine after the said first day of Aprill, shall giue to any of his souldiers appointed to serue vnder him in any towne or fortresse kept with garrisons of souldiers, any licẽce or passports to depart from his seruice, but only the lieutenant, or any others as is aforesaid, vpon paine of imprisonment, aswell of the Captaine as souldier so offending, at the discretion of the said lieutenant or the others before named.

Licence Lieutenant Paine

And be it further enacted, by the authoritie aforesaid, that euery lieutenant, and other before named, vpon the paine of ten pound, shall cause to be proclaymed, the whole effect and contents of this acte. that is to say, euerie Lieutenant of anie armie, in euerie fielde vnder his charge, to proclaime this act euery moneth, and that euery of the kings deputies of euery fortresse, and captaine of any other fortresse, to proclayme this acte within his charge, once euery quarter of a yẽre. And also be it enacted, by the authoritie aforesaid, for the better execution of the premisses, that euerie person or persons giuing to the Lieutenant, or the others aboue named, true information of any of the offences aboue remembred, shall haue for his labour one moneths wages of him that shall bee found faultie, to be paide by the hand of the Treasorer, vpon warrant of the said Lieutenant, or any of the other aforesaid.

Proclaime

Informer

Prouided alwaies that nothing herein

conteined, shal in any wise extẽd to touch or infringe any orders established for the gouernement of Calice, & the Marches of the same, or any other place of the kings, now gouerned, or hereafter to be gouerned by the same orders, or by such orders as may please his grace hereafter to set forth for the same. Calice

Prouided alwaies & be it enacted by the authoritie aforesaid, that it shall be lawfull to all & euery of the said lieutenants, & other the said persons, to retaine in his or their owne hands, to their owne vse, of the wages of his or their Souldiers, the sums following, that is to say, vj.s. viij.d. for the liuerie or coate of euerie yeoman souldier, and xiij.s. iiij.d. for the liuerie or coate of euery gentleman souldier. Retaine Liuery

Prouided alwaies, and be it further ordeined & enacted by the authoritie aforesaid, that no maner of Lieutenant, or any other the said persons, shall hereafter bee charged or preiudiced by vertue of this acte, or any thing therein contained, for lacke of his or their number retained, as is aforesaid, for or concerning any souldier or souldiers, as shall happen to die during his seruice, or to be sicke by the visitation of God, or that shal depart against the will of his Lieutenant, or other before named, vnlesse it shalbe in the default of anie of them. Lieutenant

Prouided alwaies, that this act be not preiudicial nor hurtful to the said Lieutenant, or any other the said persons, nor anie other hauing vnder them retinue of souldiers, nor any of thē, for nonpayment of the kings wages, to their houshold seruants, and other to whom they shall daily finde and giue meate & drinke, during the said seruice of warre. Houshold seruants

Prouided alway that this acte, nor nothing therein conteyned, shall extende to charge any person or persons, for the taking or receiuing of any gift or reward of anie of his or their tenants or friends, towards the relefe, aid, or helpe of the same persons being commaunded by the kings Maiestie to serue in warres, or otherwise to find men on horseback, or on foote, aswel within this Realme, as without, nor for the gift, reward, aide or helpe reserued or couenanted to be paied or giuen to any person, appointed to serue in warres or to find horse or mē to serue, by reason of any graūt, couenant, reseruation, custome or tenure. Prouided that this acte, nor any thing therein conteyned, shall not extend Reward

to charge any lieutenant, or others aboue named, for detayning or retayning anie part of anie the said souldiers wages, toward or for the payment of vitailes, harnets, weapōs, or for any prest money prouided and deliuered to any such souldier. Anno 2. E. 6. cap. 2. Wages Vitailes

Note that by a clause in the statute 4. & 5. Ph. & Mar. cap. 2. which see before in Armour 4. there is a further remedie giuen for their horse and armour, vnto such as set foorth souldiers. And by the statute 4. & 5. Ph. & Ma. cap. 3. which see in Musters 1.

The article here of felony is reuiued, and all the rest of the statute confirmed, with an addition, and some alteratiō of the cause of taking of rewarde of tenant or friende. And also an other penaltie set vpon Commissioners and Captaines, that shal take rewards to discharge men.

7 ¶ Forasmuch as it is agreeable with Christian charitie, politie, and the honour of our Natiō, that such as haue since the xvth. of March, Anno 1588. aduentured their liues, and lost their limmes, and disabled their bodies, or shal hereafter aduenture their lues & lose their limmes, or disable their bodies, in the defence and seruice of hir Maiestie, and the State, should at their returne bee relieued & rewarded, to the ende that they may reape the fruites of their good deseruinges, and others may be incouraged to performe ꝑ like indeuours, Be it enacted by the authoritie of this present Parliament, that euery Parish within this realm of England and Wales, shall be charged to paie weekely such a summe of money towards the relefe of sicke, hurte, and maymed Souldiers and Mariners that so haue bin as afore is said, or shal lose their limmes, or disable their bodies, hauing bene prested and in pate of her Maiesties seruice, as by the Iustices of Peace, or the more parte of them in their generall Quarter Sessions, to be holden in the seuerall coūties next after the ende of two moneths, from the last day of this present Session of Parliament, and so from time to time at the like Quarter Sessions to bee holden, about the feast of Saint Iohn Baptist yearely shal be appointed, so as no Parish be rated aboue the summe of vj. pence, nor vnder the summe of one penie weekely to be payed, and so as the totall summe of such taxation of the Parishes in anie Countie where there shalbe aboue fiftie

Parishes

Parisches, amoũt not aboue the rate of .ij. pence for euery parish in the same Countie, which summes so tared, shall be yerely assessed by the agreement of the Parishioners within themselues, or in default thereof, by the Churchwardens and the Cõstables of the same parish, or the more part of them, or in default of their agremẽt, by the order of such Justices of peace, as shall dwell in the same Parish, or (if none be there dwelling) in the parts next adioyning. And if any person shall refuse or neglect to paie any such portion of money so tared, it shall be lawful for the said Churchwardens and Constables, or in their defaults, for the saide Justices of Peace to leuie such summe by distresse, & sale of the goods or chattels of the partie so refusing or neglecting, rendring to the partie the ouerplus raised vpon such sale. And for the collecting and custodie of the summes tared in fourme aforesaid, Be it enacted, that the Churchwardens of euery Parish shall truely collect euerie such summe, and the same shall pay ouer vnto the high Constable, in whose diuision such Parish shall be situate, within ten dayes before the saide Quarter Sessions, to bee holde next after two moneths expired frõ this Session of Parliament, in the Countie where the said Parish shall be situate, and so from time to time quarterly, within ten dayes before euery Quarter Sessions. And that euery such high Constable, at euery such Quarter Sessions in such Countie shall paye ouer the same to two such Justices of Peace, or to one of them, as shall be by the more part of the Justices of Peace of the same Countie elected, to be Treasourers of the saide collection, which Treasourers in euery Countie so chosen, shall continue but for the space of one whole yeere, and then giue vp their charge, with a due accompt of their receiptes and disbursementes, at their meeting in Quarter Sessions to such others, as shall from yeere to yeere in the fourme aforesaid succeslyuely be elected. And if any Churchwarden or high Constable, or his executors or administratours, shall fayle to make payment in fourme aboue specified, then euery Churchwarden, his Executors or administrators so offending, shall forfaite the summe of ten shillings, and euery high Constable, his executours or administratours the summe of xl.s. to be leuied by the Treasurers aforesaid, by distresse and sale in maner before expressed, & to be taken by the said Treasourers in augmentation of their stocke, to the vses aforesaid. And if any Treasourer, his executours or administrators, shall faile to giue vp his accompt, or shall bee otherwise negligent in the execution of his charge, then it shal be lawful for the more part of the Justices of Peace of the same Countie, in their Sessions to assesse such fine vpon such Treasourer his executours or administratours, as in their discretion shal seeme conuenient. And for the true and iust distributiõ and imployment of the summes so receyued according to the true meaning of this act, Be it enacted by the authoritie aforesaid, that euery souldier or Mariner hauing had his, or their limmes lost, or disabled in their bodies by seruice, being in her Maiesties pay, as aboue is mentioned, or such as shal hereafter returne into this realme hurt or maymed, or grieuously sicke, shal repaire, if he be able to trauaile and make his cõplaint to the Treasourers of the Countie out of which he was prested, or if he were no prestman, to the Treasourers of the Cõtie where he was abiding by the more part of three yeres, before his departure to serue, or of the Countie where he was borne at his election, and if he be not able to trauaile to the Treasourers of the Countie where he shall lande or arriue, & shall bring a certificate vnto ante of the Treasourers aforesaid, vnder the hãd and seale of the General of the Campe, or Gouernour of the Towne wherin he serued, and of the Captaine of the Bande vnder whom he serued, or his Lieutenant, or in the absence of the said General or Gouernour, frõ the Marshall or Deputie of the Gouernour, or from any Admirall of her Maiesties Fleete, or in his absence from any other General of her Maiesties ships at the Seas, or in absence of such Generall, from the Captaine of the ship wherein the said Mariner or Souldier did serue the Queenes Maiestie, conteyning the particulars of his hurtes and seruices, which Certificate shalbe also allowed by the Generall muster Maister for the time beyng, residing here within this Realme, or receiuer general of the Muster Rolles, the Treasourer and Comptroller of her Maiesties Nauie, vnder his hande, that for the auoiding of all fraud and counterfaiting, vpon which certificat such Treasourers as are before expressed, shall according to the nature of his hurt and commendation

mendation of his seruice, assigne vnto him such a portion of relieke, as in their discretiō shal seeme conuenient for his present necessitie, vntil the next quarter sessions, at the which it shall be lawfull for the more part of the Justices of peace vnder their hands, to make an instrument of grant of the same or like relieke to endure, as long as this act shall stād in force, which shalbe a sufficient warrant, to al Treasurers of the same Coūtie to make payment of such pencion vnto such persons quarterly, except the same shall bee afterwards by the said Justices reuoked, so that such relieke as shalbe assigned, by such Treasurers or Justices of Peace, to anie such Souldier or Mariner, hauing not borne Office in the said warres, exceed not the summe in grosse, nor yerely pencion of ten pounds, nor to any that haue borne office vnder the degree of a Lieuetenant, the summe of fiftene pounds, nor to any that hath serued in the office of Lieuctenāt, the summe of twentie pounds: And whereas it must needs fall out, that many of such hurt and maimed Souldiers and Mariners, do arriue in Portes and places farre remote from the Coūties where they are by vertue of this act to receiue their yeerely annuities and pēcions, as also they are prescribed by this Acte, to obteine the allowance of their certificates from the muster Maister, or Receiuer generall of the muster Rolles, who cōmonly is like to abide about the Court, or London, so as they shall need at the first prouisiō, for the bearing of their charges to such places: Be it therefore enacted, that it may be lawfull for the Treasurers of the Countie where they shall arriue, in their discretion, vpon their certificate, though not allowed, to giue them any conueniēt relieke for their iourney, to carie them to the next Coūtie with a testimoniall of their allowance to passe on towards such a place, and in like maner shall it be lawfull for the Treasurers of the next Countie to doe the like, & so from Countie to Coūtie, till they come to the place where they are directed to find their maintenaunce, according to the tenor of this Statute.

And for the better execution of this Act in all the braunches thereof, Be it enacted that euerie such Treasurer in their seuerall Counties, shal kēpe a true booke of Computation, of all such summes as they leuie, & also a Register of the names of euerie such person vnto whome they shal haue disbursed any relieke, & shal also preserue or enter euery such certificat, by warrant whereof such relieke hath bin by them disbursed, And also that the Muster master, or Receiuour generall of the Muster Rolles, shall kepe a Booke wherein shalbe entred the names of all such whose Certificates shalbe by him allowed, with an abstract of their certificates.

And bee it further enacted, that if any Treasourer shal wilfully refuse to distribute and giue any relieke according to the forme of this act that it shalbe lawfull for the Justices of Peace in their Quarter Sessions, to fine such Treasourer by their discretions, the same fine to be leuied by distresse, & sale thereof, to be prosecuted by any two of the whom they shal authorize.

And be it also enacted that euery Souldier and Mariner that shalbe taken begging in any place within this Realme, after the feast of all Saintes next, or anie that shall counterfeit any Certificate in this Acte expressed, shall for euer lose his Annuitie or pencion, and shall be taken, deemed and adiudged as a commō Rogue or vagabond person, and shall haue & sustaine the same & the like paynes, imprisonment and punishment, as is appointed and prouided for common Rogues & vagabond persons.

Prouided alwayes & be it enacted, that all the surplusage of money which shall be remayning in the stocke of any Countie, shall by discretion of the more part of the Justices of Peace in their quarter sessions, be ordered, distributed and bestowed vpon such good and charitable vses, and in such fourme as are limitted and appointed in the Statutes made in the xiij. and xviij. yeares of her Maiesties reigne, Intituled, An Acte for the punishment of vagabonds, and for the relieke of the poore and impotent, And an Acte for the setting of the poore on worke, and for auoiding of idleneste.

Prouided alwayes that the Justices of Peace within any coūty of this realme or Wales, shal not intromit or enter into any city, borough, place or towne corporat, where is any Justice of peace for any such city, borough, place or towne corporat, for the executiō of any article of this Act, but that it shalbe lawfull to the Justice & Justices of Peace, Maiors, Bailifes, & other head officers of those cities, boroughs, places & townes corporate where there is any Justice of Peace, to proceed to the exe-

cution

cution of this act within the precinct & compasse of their liberties, in such maner as the Justices of Peace in any Cyttie may do, by vertue of this acte, & that every Justice of the peace within every such Cytie, borough, place or towne corporate, for every offence by him committed, contrary to the meaning of this Statute, shalbe fineable as other Justices of peace at large in the Counties are by this act appointed to be, & that the Maior & Justices of peace in every such Cytie, borough, place & towne corporate, shal haue authoritie by this act to appoint any person for receiuing of the saide money, & paying of the same within such Cytie, borough, place or towne corporate, which person so appointed, shal haue authoritie to doe all such things, & be subiect to all such penalties, as high Constables by vertue of this acte, should haue or be: Prouided alwaies that this act shall endure no lōger thē to the end of the next Session of Parliament. An. 35. Eliz. ca. 4.

¶ Caske.

WHereas of late yeres Timber is greatly decaied & cōsumed within this realme, the want whereof is greatly to be feared & spedily to be prouided for, And forasmuch as there is great occasiō of spending & consuming therof, by selling of great quātities of Timber, & conuerting the same into clouē Wood for the making of Caske, which is vsually transported out of the Realme into the parties beyōd the seas, And forasmuch also as wine Caske brought into this realme is very serviceable, aswel for her Maiesties household, & Navie, in time of her highnesse seruice for victualling of her highnesse ships, & also for victualling of Marchāts ships, & a great cause of sparing Timber within this Realme: Be it therefore Inacted by the Queenes most excellēt Maiestie, the Lords Spirituall and Temporall, and Commons in this present Parliament assembled, & by authoritie of the same, that all & every person and persons, which shal after the feast of the Natiuitie of S. John Baptist next ensuing, ship, carry, or trāspart any Caske into the parties beyōd the seas, to be sold or chāged for other Marchandize, shall if he be a straunger, forfeit before the same transporting, If he be a subiect borne, then either before the same transporting, or within foure Moneths after, bring or cause to be brought into this Realme, from the parties beyond the seas, for every tunne of Claphoord fit for to make Caske of, to contayne in length three foote and two inches at the least, Or else the same Caske vnframe, or so much of the said good and sweete Caske in quantitie, and the same to be entred at the Customs house without any colouring. Or if the saide transporting shal be into the realme of Ireland, then to bring in maner and forme as is aforesaid, so much of the shaffold boorde in quantitie as the saide Claphoord amounteth vnto.

Claphoord Caske

Shaffold boord

And also be it further Inacted by the authoritie aforesaid, that no straunger borne shal after the last day of June, which shalbe in the yeere of our Lord. 1594. ship, carrie, or transport beyond the seas anie Pilchers or other fishe in Caske; vnlesse the same person haue before such shipping, brought, or caused to be brought into this Realme, from the parties beyond the seas, for every six tunnes of Pilchers, or other fishe, according to the rate and maner aforesaid, of Claphoord fit for Caske, or else of Caske as aforesaid, vpon paine of forfeiture of the said Boore, Pilchers, & Caske, that shall be shipped or laden to be transported into the parties of beyond the seas.

Straungers

Pilchers Fish

Foxe.

And be it further Inacted by the authoritie aforesaid, that it shall not be lawfull for any person or persons after the saide feast of S. John the Baptist next ensuing, to transport or carry any wine Caske out of this Realme, with any Boore or Wedraager, nor any wine Caske shaken, and fit for the same Boore or Wedraager, or Caske, Except for the victualling of any Shippe or portable vessell, or of anie of her Maiesties garrisons and forces in the parts of beyonde the Seas, vpon paine of forfeiture of the summe of fourtie shillings for every tunne of Caske to be carried or transported. Prouided alwaies that this act, or anie thing therein contained, shall not extend to the transportation of any Herrings whatsoeuer in Caskes, This act to continue to the end of the next Parliament.

Wine caske

Victualling Ships

Herrings

¶ Castles & Fortresses.

Eldtype Beere

NO Constable nor his bailife, shal take any corne or cattell of any man for to distraine his cattell, if the man bee not of the towne where the cattell is, but that he shall forthwith pay for the same, vnles it may appeare that the will of the seller was to re-

Constable Bailifs Corne

Dyce

spite the payment, and the one of the saide towne, the price of the toyne & carrel shall be paied vnto him within xl dayes. Mag. Char. cap. 19. See the like Prouision. 2. Ed. 6. cap. 25.

Constable Distraine Knights

¶ No Constable shall distraine any knighe for to giue money for keeping of his castle, if he himselfe will do it in his proper perso, or cause it to be done by another sufficient man, if he may not do it himselfe for a reasonable cause. And if we do commaũd or send him to our warres, he shall be free from castleward for the time that he hath beene with vs in the of our hoste, for the which he hath done to vs knights seruice in our warres. Magna Char. cap. 20.

Knights seruice

¶ An. 4. H. 8. cap. 1. An act was made for making Bulwarkes and fortresses in Cornewall & other places on the sea side, to indure to the next Parliament.

Bulwarkes Cornewall

¶ Anno 2. E. 6. cap. 16. An acte was made that the king may remoue the keepers of castles and fortresses (though they haue letters patents thereof) & put them to serue in other places, giuing them like wages and profits as they had before. See the Statutes at large.

Letters P.

¶ For the better habitation, reforing, and reedifying of the Castles, Fortresses & Fortlets, villages & houses that be decayed within the Counties of Northumberland, Cumberland, Westmerland, & the bishoprike of Durham: And for the better manuring & employing the grounds within the same, & for the more increase of tillage.

Northumberland Cumberland Westmerland Durham Tillage

Be it enacted &c. that from & after the first day of December next ensuing, commission vnder the great seale of England shalbe directed from time to time as need shall require, to such persons as shalbe thereunto named & appointed by the king & Quenes Maiesties, and the heires and successours of the Quenne, by their bill or billes signed with their signe manuell, to be directed to the Chancelor of England for the time being: which commissions shall be according to the manner, forme, tenor and effect hereafter ensuing.

Commission

Bils signed Chancelor

Forme

Philip and Maria &c. Know ye that we haue assigned you or any number of you, being vi. at the least, of the which we will that A. B. and C. shalbe three, to be our commissioners, to survey our Counties of Northumberlande, Cumberland, Westmerland, and the bishoprike of Durham, or as much thereof, as to you or six of you, whereof A. B. and C. shalbe three, shalbe thought conuenient, & by such wayes and meanes as you best can, to inquire what and how many castles, fortresses, & fortlets, villages, houses and habitations haue bene decayed within the same, & by whom and by what occasions, and how many of them are mete to be reedified, & also how many castles, fortresses, and fortlets, villages, houses and habitations, were mete to be made of newe within the said Counties and Bishoprike, and in what places the same were most mete to be situat, and what parties of the saide Counties and Bishoprike, be most apt for to be inclosed and conuerted to tillage or other necessary mainteinance, meet and conuenient for those countries, & the people of the same. And also to inquire what persons be owners, Lords, proprietaries, farmors & possessours of the same, or claime any interest in the same, and what estate or estates, termes or interestes they or anie of them haue, of and in the same. And thereupon to take such order for the reedifying of such the castles, fortresses & fortlets, villages, houses & habitations heretofore decayed, and for the newerecting and making of others, and the situation of the same, and for the inclosing and conuerting to tillage or other necessarie mainteinance, such parts and portions of the said Counties and Bishoprike as to you or vi. of you, whereof A. B. and C. shall be three shalbe thought most meete and conuenient.

Tillage

Inquire

Prouided alwayes that by colour or vertue of this commission you doe not reedifie, renew make, erect, or cause to be reedified, newe made, & inclosed as aboue said in any place or places, in anie of the said Counties or Bishoprike being in distance and lying aboue twentie miles frõ the knowen parts of the borders of Scotland. And we doe giue vnto you, or to any nũber of you being five at the least, whereof A. B. and C. shalbe three, full power and authoritie to inquire by the othes of the honest and lawfull men of the Counties of Northumberland, Cumberland, Westmerland, and the countie Palatine of Durham also as well within the libertie as without, by whom the truth may be best knowen, who hath or holdeth any lands and tenements, or vseth or perceiueth any profit of pasture or other profite apprender in the said Counties or Bishoprike, throughout the whole parties of the same, and all those persons and euery of them, or such of them, to tare, assesse, charge, distraine, and paine, after the

Inquire

Take

quantitie

quantitie of their landes, tenements and rents, by the number of acres & perches after the rate of euery perſons profit, rent or tenure, or after the quantitie of their common of paſture or profit apprender or other commodities there, by ſuch waies & meanes, and in ſuch maner & forme, as to you, or 6. of you whereof A.B. and C. to be three, ſhal ſeeme moſt conuenient to be ordained and done for the reedifying, making new, and inclosing as is aforeſaide.

Keepers Bailifes Surueiors Collectors Expenditors

And alſo to depute and aſſigne diligent, faithfull and true keepers, Bailifes, ſurueyors, collectors, expenditors, and other miniſters & officers, ſuch as you our ſaide Commiſſioners that ſhall appoint them, will anſwere for, for the reedifying, new making and inclosing as is aforeſaid, and finiſhing of the premiſſes and euerie of them. And to heare the accompts of the collectors, and other miniſters of and for the receit and laying out of the mony that ſhall be leuied and paied in and about the ſaid reedifying newe making, inclosing and finiſhing of the premiſſes and of euery parcell thereof, and to diſtraine for the arrerages of euery ſuch collection, take or aſſeſſement, as often as ſhalbe expedient or otherwiſe to punish the debtors and deteinours of the ſame, by fines, amerciaments, paines, and other like meanes after your good diſcretions. And alſo to arreſt and take as manie Cartes, Oxen, beaſts and other inſtruments neceſſary, and as many worke men and labourers, as for the doing, making and finiſhing of the premiſſes, ſhall ſuffice, paying for the ſame competent wages, ſalary & ſtipend.

Accompt

Diſtraine

Punish

Arreſt Take carts Labourers

Trees, woods, quickſets ſtone, timber

And alſo to take ſuch and as manie trees, woods, underwoods, quickſets, ſtone and timber, and other neceſſaries, as for the ſame workes and reparations ſhall bee ſufficient, at a reaſonable price, by you or vi. of you, of the which we will that A.B. C. ſhall be three, to be aſſeſſed or limitted aſwell within the limits and bounds aforeſaide, as in anie other place and places within the ſaid Countie, Counties, or Countie Palantine. And to make and ordaine Statutes, ordinances and prouiſions, from time to time as the caſe ſhall require, for the ſafegarde, conſeruation, redreſſe, correction and reformation of the premiſſes, and of euerie of them, after the lawes and cuſtoms of Rumney marſh in the Countie of Kent, or otherwiſe by anie waies or meanes after your owne wiſdomes and diſcretions, and to heare and determine all and ſingular the premiſſes aſwell at our ſuit, as at the ſuite of anie other whatſoeuer, complayning before you, or ſire of you, whereof A.B.C. ſhall bee three, after the lawes and cuſtomes aforeſaid, or otherwiſe by anie other waies or meanes after your diſcretions. And alſo to make and direct writs, precepts, warrants, and other commandements by vertue of theſe preſents to al Shirifs, Bailifes, and al other miniſters, officers, and other perſons, aſwell within the liberties as without, before you or ſir of you, whereof the ſaid A.B.C. to be three, at certaine daies, termes and places, to be preſixed, to bee returned and receiued, and further to continue the proces of the ſame. And finally we doe giue vnto you, or vnto anie number of you being ſix at the leaſt, whereof A.B.C. ſhalbe three, full power and authoritie to doe all and euery thing and things, which ſhall be requiſite for the due execution of the premiſſes, by all waies and meanes after your diſcretions. And therfore we command you, that at certaine daies and places, when, and where you or ſire of you, whereof the ſaid A.B.C. to be three, ſhall thinke expedient, ye ſhall meete together and ſurueye the ſaid Counties and biſhoprick, as is aforeſaid, and accompliſh, fulfill, beare and determine, all & ſingular the premiſſes in due forme, and to the effect aforeſaid, after your good diſcretions. And all ſuch as ye ſhal find negligent, gainſaying, or reſiſting your doings and proceedings, in, and for the due execution of this our commiſſion, that ye do compel them by diſtreſſe, fines, or amerciaments, or by other reaſonable puniſhments, waies, or meanes, which to you or ſire of you, whereof A.B.C. ſhall be three, ſhall ſeeme moſt expedient for the ſpeedie remedie & redreſſe thereof. And all ſuch things as by you ſhalbe made and ordained in this behalfe, aſwell within the liberties as without, that ye doe cauſe the ſame firmely to bee obſerued, doing therein, as to our Juſtices appertaineth, after the forme and effect of this preſent Commiſſion, and the acts of Parliament concerning the premiſſes made and prouided, and according to your wiſdomes & diſcretions: Hauing al waies to vs ſuch fines & amerciaments as to vs therof ſhal belong. And we alſo command aſwel our Shirife or Shirifes of our ſaide Counties of Northumberlande, Cumberlande, Weſtmerland, and the Biſhoprick of Durham,

Make ſtatutes

Rumney Marſh

Determine

Writs Warrants Shirifes Bailifes

Sururey

Compel

Shirifes

Durham, & euerie of them, as al and eu-
Bailifes rie other bailifes, miniſters and officers,
within the ſaid counties & countie palay-
tine, that they & euery of them ſhall cauſe
to come beforе you or fiue of you, of the
which A.B.C. ſhal be 3. at ſuch daies and
places, as ye ſhal appoint vnto them, ſuch
and as many honeſt men of his or their
bailiwike or roomes, aſwel within the li-
Enquire berties as without, by whom the trueth
may be beſt knowē, to inquire of the pre-
miſſes, or anie part thereof, commanding
alſo al the ſaid ſhirifs, miniſters and offi-
cers, aſwel within the liberties as vvout,
that they & euery of them ſhalbe attendāt
to you, in & about the due execution of this
our commiſſion. In witnes whereof we
haue cauſed theſe our letters to bee made
patents. Witneſſe our ſelfe at Wſt. the
day of in the yeres
Commiſſi- of our raignes. And it is alſo enacted, that
oner. euery ſuch perſon as ſhalbe named Com-
miſſioner in the ſaid Cōmiſſion, after that
he ſhal haue knowledge therof, ſhal effec-
tually put his diligence & attendance, in &
about the execution of the ſaid cōmiſſion.
Othe Chancelor And he ſhal take a corporal othe beforе ỹ
L. Chancelor, or beforе ſuch to whom the
ſaid Lord Chancelor ſhal direct the kings
Dedimus po- teſtatem Iuſt. of P. writ of Dedimus poteſtatem, to take the
ſame, or beforе the Iuſtices of the peace
in the quarter ſeſſions holden in the ſhire
where ſuch commiſſion ſhall bee directed.
Othe The tenor of which Othe hereafter enſu-
eth. Ye ſhal ſweare that you to your cun-
ning, wit & power, ſhal truly and indiffe-
rently execute the authority to you giuen
by this commiſſion, without any fauour,
affection, corruption, dread or malice, to
be borne to any maner perſon or perſōs: &
as the caſe ſhall require, you ſhal conſent
& endeuour your ſelfe for your part to the
beſt of your knowledge and power, to the
making of ſuch wholſome, iuſt, equal, and
indifferent lawes & ordinances, as ſhalbe
made & deuiſed by the moſt diſcréte & in-
different number of your felowes being in
cōmiſſion with you for the making, erec-
tion, and preſeruation of al and euery ſuch
things as are contained and ſpecified in
the ſaid commiſſion. And ỹ the ſame lawes
and ordinances to your cunning, wit and
power, ye cauſe to be put in due execution
without fauour, mēd, dread, malice or af-
fection, as God you help, & al Saints. And
ouer that, be it enacted, that the commiſſi-
oners hereafter to be named in any of the
ſaid Commiſſions, according to the pur-
port & effect of the ſame commiſſions, ſhal
haue ful power & authoritie to make, con-
ſtitute and ordain lawes, ordinances, and Make lawes
decrées, concerning the premiſſes, & fur-
ther, to doe al and euery thing mentioned
in the ſaid Commiſſion, according to the
purport, effect, words, and true meaning
of the ſame, and the ſame lawes, decrées, &
ordinances ſo made, to reforme, repeale,
and amend, and make new from time to Amend
time, as the caſes neceſſarie ſhall require.

Prouided alway, and be it enacted, that
if any perſons being aſſeſſed or tared to a-
nie lot, tare, or charge, for any lands, te-
nements or hereditaments, within the li-
mits of any Commiſſion hereafter to be
directed by vertue of this act, do not pay to
the ſaid lot, tare and charge, according to
the ordinance and aſſignment of the com-
miſſioners hauing power of the execution
of the ſaid commiſſion, by reaſon whereof
it ſhal happen the ſaid Commiſſioners hā-
ving power of the execution of ſuch com-
miſſion, for lacke of paiment of ſuch lotte,
tar, and charge, to decree and ordaine the
ſame landes, tenementes, and hereditā-
ments, from the owner or owners there-
of, and their heires, and the heires, execu-
tors, and aſſignes of euerie of them, to a-
nie perſon or perſons for terme of yeares,
terme of life, in fée ſimple, or fée taile, for
payments of the ſame lotte, tare, and
charge, that then euery ſuch decree and
ordinance ſo by them made, ingroſſed in
parchment, and certified vnder their ſeals
into the Court of Chauncerie, with the Chancerie
kings or the Queenes, her heires or ſuc-
ceſſours royal aſſent had to the ſame, ſhal
binde all and euery perſon or perſons,
that at the making of the ſame decree, had
any right and intereſt in the ſame, their
heires and ſucceſſours for euer. Bit not
Prouided alwayes and bee it enacted, Owns
that no order or decree to be made by the
ſaide Commiſſioners, or any of them,
ſhall binde or conclude anie right or in-
tereſt of any perſon or perſons: nor the
breach of any decree or order ſhalbe cauſe
of forfaiture of the right or intereſt of any
perſon or perſons, except the ſame decree
and ordinance ſo made by the ſaide Com-
miſſioners and fiue of them, whereof A. Except
B. and C. ſhall bee three, bee ingroſſed in
parchmēt, and certified vnder their ſeals Engroſſe
into the court of chancerie, and that the
royall aſſent of the King and Queene, Royall aſſent
her heires and ſucceſſours be firſt had to
the ſame.

Proui-

Prouided also and be it enacted, that euerie decree and ordinance so had, made, certified, and assented vnto, shall bind all and euery person and persons, that at the making of the same decree had anie interest in the landes, tenements, or hereditaments so decreed, in vse, possession, reuersion, or remainder, their heires and feoffees, euery of them: And not to be in anywise reformed, vnlesse it be by authoritie of parliament hereafter to be summoned and holden within this realme: Saving to all euery person and persons, bodies politike & corporate, their heires and successors, other then such as shall forfait by this statute their interest in the same lands, tenements, or hereditaments, in possession, reuersion, or remainder, al such interest and title, as they or anie of them shall haue at the time of the same forfaitures. And also it is prouided by authoritie aforesaid, that the same lawes, ordinances, and decrees to be made and ordained by the saide commissioners or six of them, by authoritie of the said commissiõ, shall binde aswell the landes, tenements and hereditaments of the Quene our soueraigne Lady, her heires and successors, as all and euery other person or persons, and their heires for such their interest as they shal fortune to haue, or may haue, in anie lands, tenements, or hereditaments, or other casual profit, aduantage, or commoditie whatsoeuer they bee, whereunto the said lawes, ordinances, & decrees shall in any wise extend, according to the true purport, meaning, and intent of the same lawes. And it is furthermore by the authoritie aforesaid established and enacted, that if any maner person or persons, of what estate or degree soeuer he or they be, that from henceforth doth take vpon him or them to sit by vertue of any of the said Cõmissions, not being before sworne, in forme as is aforesaid, & according to the tenor of the othe afore specified: Or if anie person so named, and sworne, doe sit as is aforesaid, dwelling within the said 20. miles, or not hauing landes, and tenemẽts or other hereditaments, in fee simple, fee taile, or for terme of life, to the cleere yerely value of xl.li. aboue al charges, to his owne vse, except he bee learned in the lawes of this realme: that is to say, admitted in one of the foure principal Innes of court for an Vtterbarrester, and not dwelling within the said twentie miles, shall forfait xl.li. for euerie time that hee shal attempt so to doe: The one half therof to be to our soueraigne Lord and Lady the King and the Queene, her heires and successors, the other halfe therof to the vse of him or them that will sue therefore, by action of debt, bill, plaint, or information, in any of the Queenes Courts, in which action or suit no wager of law shall be admitted, nor any essoine or protection shall be allowed: and if any action or trespasse, or other suite shall happen to bee attempted against anie person or persons for taking any distresses, or any other act doing, by authoritie of the said commission, or by authoritie of any lawes or ordinances, made by vertue of the saide Commission, the defendant or defendants in anie such action, shal and may make auowry, cognisence, or iustification for the taking of the same distresse, or other act doing touching the premisses, or any of them, alleadging in such auowrie, cognisance, or iustification, that the said distresse, trespasse, or other act, whereof the plaintife complayneth, was done by authoritie of the commission, for the surueying of the counties of Northũberland, Cumberland, Westmerland, and the Bishoprick of Durham, made & prouided: or for such acte or cause, as the said defendant did by authoritie of the said commission, and according to the tenour, purporte and effect of this present act, made in the second and third yeeres of the raign of our soueraigne Lord and Ladie King Philip and Queene Marie, wout any expressing or rehearsal of any other matter or circumstance contained in this present act, anie commission, lawes, statutes or ordinances thereupon to bee made, whereupon the plaintife shalbe admitted to replie that the defendant did take the said distresse, or do anie other acte or trespasse supposed in his declaration, of his own wrong, without any such action alleadged by the said defendant, whereupon the issue in euery such action shall bee ioyned, to bee tried by verdict of xij. men, and not otherwise, as is accustomed in other personal actions, and vpon the triall of the issue, the whole matter to be giuen on both parties in euidence, according to the verie truth of the same, and after such issue tried for the defendant, or nonsuite of the plaintife after apparance, the same defendant to recouer treble damages by reason of his wrongfull veration in that behalfe, with his costs also in that part sustained, and that to be assessed by the same

Iurie,

Writs

Sit not sworne

Verdict

Triall

xl.li.

Except

3. damages

Vtterbarrester

Fees.

Enquire Damage

Jury, or writ of enquirie of damages, as the cauſe ſhall require. And it is alſo enacted, that euerie of the ſaide Commiſſioners, ſhal haue & perceiue iij.s. for euery day that they ſhall take paine in the execution of this commiſſion, & one Clerke by them to be aſſigned vj.s. for euery daie, of the rates, tares, lots, & ſummes of mony, that ſhall be aſſeſſed or loſt by authoritie of the ſaid commiſſion, & to be leuied & paid by their diſcretions. And that the ſaide commiſſioners or ſix of them, ſhall haue power & authoritie to limit & aſſigne ſuch reaſonable ſummes of money to the ſaide clerke, for writing booke and proces concerning the premiſſes, & to the collectors, expenditors, and ſuch other as ſhall take paine in the due execution of the ſaid commiſſion (the ſame to be leuied by diſtreſſe or otherwiſe out of the lands ſo ſurueied) as by the diſcretions of the ſaid commiſſioners or ſix of them, whereof A.B.C. to be three ſhalbe thought reaſonable. Prouided alwaies, that whenſoeuer and as often as ſuch commiſſion, as is before limited, ſhalbe made & directed to any perſon or perſons, for the reformation and amendment of or in anie of the premiſſes ſpecified in the ſaid commiſſiō, within the fées, liberties or poſſeſſion of the Duchie of Lancaſter: that then ſuch Commiſſioners as ſhal execute any ſuch commiſſion, ſhall be alwaies named & appointed as is aboueſaid. And that in euery ſuch caſe, ij. Commiſſions ſhalbe awarded and made, according to the tenour of the commiſſion aboue expreſſed, one thereof vnder the great ſeale of England, and the other vnder the ſeale of the ſame Duchie, as before time hath bin accuſtomed: any thing afore rehearſed in this preſent act to the contrarie thereof notwithſtanding. And it is further enacted, that the ſaid Cōmiſſion from time to time as the caſe ſhal require, ſhalbe had and obtained without any money or other charge to bee paid for the ſeales or writing of the ſame. And it is further enacted, that euery commiſſion to be made by authoritie of this acte, ſhall endure and continue for the terme of ſeuē yeeres, next after the Teſte of the Commiſſion: Neuertheleſſe after any Commiſſion made & delinered out of the court of Chaunceric, the King and Quēnes highnes, and the heires and ſucceſſours of the Quēne, ſhall alwaies at their pleaſures, by writte of Superſedeas out of the ſaid court of Chancerie, at any time diſcharge aſwel euerie ſuch commiſſion, as euery commiſſioner that ſhalbe made or named by authoritie of this acte, after which diſcharge the ſaid Commiſſioner ſo diſcharged, ſhall haue no power nor authority to proceed in the execution of their commiſſion, nor in any thing by authoritie of this act.

4.s. the day

Clerke ij.s.

Allowance

Lancaſter

2. Commiſſions

Great ſeale

Duchy ſeals

Endure 7. yeres

Superſedeas

Diſcharge

Prouided alwaies, that whenſoeuer and as often as ſuch Commiſſion, as is afore limited, ſhall be made and directed to anie perſon or perſons, for the reformation and amendement, of, or in any of the premiſſes, ſpecified in the ſaid Commiſſion within the fées, liberties, and poſſeſſions of the Biſhoprick of Durham, or within the fées, liberties, and poſſeſſions of anie other place, where there is liberty and iuriſdiction of Countie Palantine, that in euery ſuch caſe two Commiſſions ſhall be awarded and made, according to the tenour of the Commiſſion aboue expreſſed, one thereof vnder the great ſeale of England, and the other vnder the ſeale of the Countie Palantine, in maner and fourme as is aboue prouided for the Duchie of Lancaſter: any thing afore rehearſed in this preſent act to the contrary notwithſtanding. And neuertheleſſe be it enacted, that if the Officers of the ſame Duchie, or of the ſaid Biſhoprick, or Countie Palantine, doe not deliuer the Commiſſion by them, or one of them, to bee made within ſixe daies after the requeſt ſhalbe made for the ſame: that then the Commiſſion vnder the great Seale only, ſhal proceede in the ſaid Countie Palantine without anie other commiſſion. And it is prouided and alſo enacted, that the royall aſſent limited to bee had vnto the lawes and ordinances to bee made by the ſaid Commiſſioners, as is aboueſaid, ſhal bee certified into the ſaid Court of Chancerie vnder the priuie ſeale, and that there ſhall not any ſumme of money be paid for the ſame priuie ſeale.

2. Commiſſions

Great ſeale

Countie P.

Officers

Priuie ſeale

Prouided alwaies, that the Chancelors and ſuch other as ſhall haue the cuſtodie of the Seales of the ſaide Biſhoprick of Durham, or within the fees, liberties, & poſſeſſions of any other place where there is libertie and iuriſdiction of the Countie Palantine, vpon reaſonable requeſt, and vpon the ſight of the Commiſſion vnder the great ſeale of England, ſhall without delay, make out any other commiſſiō vnder the ſeale of the ſaide Countie Palantine, according to the tenour of the Commiſſion

Tares

Diſtreſſe

Acquitance

Officers

Iſſues Amerciaments

mission to them shewed, vnder the great seale, and to those commissioners named in the same commission, & to none other nor in other maner. And be it further enacted and established by the authority aforesaid, that all charges and summes of money hereafter to be rated and taxed by vertue of such Commission, vpon any of the lands, tenements, or hereditaments of our Soueraigne Ladie the Quéene, her heires or successours for anie manner of thing or thinges concerning the articles of this Commission, shall be gathered and leuied by distresse, or otherwise, in like maner and forme, as shall or may be done in the landes, tenements, and hereditaments, of any other person or persons. And that all the billes of acquitance, signed with the hand or hands of such collector or receiuor, as shal haue the collection thereof, by the appointment of the saide Commissioners, or syre of them, shall be aswel a sufficient discharge to the tenãts, fermors, & occupiers of the same grounds so to be charged for the said summe wherwith their grounds shall be so charged, as also a sufficient warrant to all and every the receiuors, Auditors, and other whatsoeuer officer or officers, of our said soueraigne Lord and Ladie the king & Quéen, her heires and successors, for the allowance to such tenaunt, fermor, or occupier of the same.

Taxes

Distresse

Acquitance

Officers

Prouided also and be it enacted, that the said commissioners shall not let nor set anie part or parcell of the premisses, nor shal not meddle with the rating, renting, or valuing of anie parte or parcell of the premisses, but the same shall remain and be at the disposition of the Lorde and owners of the same, as they were before the making of this Acte, except it bee for the causes of forfaiture aboue specified: any thing heretofore mentioned to the contrarie notwithstanding.

Prouided alwaies, and be it enacted by the authoritie aforesaid, that al issues and forfaitures, fines and amerciaments, which shal rise, happen, & growe, by anie occasion whatsoeuer, by vertue or colour of this act, or any commission to be made by authoritie of the same, aswell within the liberties and Countie Palantine as without, whether they shall seeme to bee due to the King and Quenes Maiesties, her heires and successors, or to any other person or persons, or bodies politike or corporate, shalbe leuied, imployed, & conuerted, in, and about the charges and expences concerning the execution of this act, in such sort, maner and form, as by the said commissioners, or syre of them, wherof three to be of the Quorum, shall be ordered, adiudged, or decréed: any thing in this acte, or in anie commission aforesaid to the contrarie notwithstanding.

Issues Amerciaments

Prouided alwaies ỹ this statute shall onely continue for v. yeres next after the end of the session of this parliament. And further to the end of the next parliament then next following. An. 2. & 3. P. & M. cap. 1. This Statute is reuiued for diuers yeeres by 23. Eliz. cap. 4. which see in Scotland 4.

¶ Certificate of the cause of attaint.

VVHere before this time diuers persons haue bin indicted, arraigned, and attainted, and some of them Clerkes conuict, and some of them Clerkes attainted, and some of them outlawed for Murder, burglarie, robberie, and other felonies, before Justices of peace, Justices of Gaole deliuerie, and Justices of Oier and Determiner, within diuers cities, counties, franchises and liberties within this realme, the records of which attainder, outlawry, and conuictions, often and manie times by negligence of the Clerkes of the Crown, clerks of the peace, clerks of Assise, and such other as haue had the order, rule, keeping, and gouernance of the same records, haue bin imbesiled and not readie to be obiected against such persons to haue bẽn newlie arraigned before our Soueraigne Lorde the King in his bench, or before other the kings Justices for like and such other offenees by them committed or done: And for that it hath not been knowen certainlie, whither to resort for the same records, because they were not certified into any place certain, by reason wherof somtimes such persons and like offendors, which haue bin newly arraigned, as before is said, haue had the benefit of his or their Clergie, where they ought not, ne should haue had the same, if the said Records had bin then present in the same place, where such person or persons were so newly arraigned, or else certified into some other place certaine, where the same records might haue bẽn seene, sent for, or written for, to haue been obiected against such person or persons so newly arraigned, whereby aswell the K.

Just. of P. Justice of gaole deliuerie Oier & ter.

Clerke of the crowne Clerke of the Peace

Clergie

our

Eschetes

our Soueraign Lord, as also al other persõs haue many times lost their Eschetes & other aduantages and forfeitures, that they should haue had by meane of the said attainders, to the great losses, both of our saide Lorde the King and other persons, and also the same offenders haue had their

Clergie

Clergie where they ought not so to haue had, to the great boldnesse and incouraging of like offenders: In consideration

Clerke of the Crowne Clerke of the Peace Clerke of Assise

whereof, bee it &c. that the Clerke of the Crowne, Clerke of the peace, and clerks of Assise for the time being, where any such attainder, outlawrie or conuiction, shall so be had, shal from the feast of Pentecost nert comming, not onely certifie a

Transcript

transcript briefly and in few words, conteining the tenour and effecte of euerie such Indictment, outlawrie, or conuiction, and clerke attainted, before them so to be had, made, or pronounced: that is to say, the name, surname, and addition of euerie such person and persons, as shall be so indicted, and thereupon outlawed, conuicted, or clerke attainted, and the certaintie of the saide Felonie or other offence, whereupon he or they shall be so outlawed, conuicted, or Clerke attainted, and the day and place of his outlawrie, conuictiõ, and attainder, and the daye and place, where and when the said felonie or other offence, whereupon the saide person or persons shall be so indicted, outlawed, cõuicted, or clerke attainted shall be made & done before the K. our Soueraigne Lord

K. Bench

in his bench at Westminster in the Coũtie of Middlesex, there to remain of record for euer among other the Kings recordes

xl. daies

there, within forty daies nert after ame such attainder, conuiction, or outlawrie shall bee had, made, or pronounced if the terme be then: and if not, then within xx. daies nerte after the beginning of the terme nert following the said forty daies: but also shall deliuer a transcript of euery such indictment whereupon the saide person & persons shall fortune hereafter so to be conuicted, or clerks attainted, to ỳ Ordinarie to whom the body of the said person or persons shall bee committed, at the time that the said person or persons shall

Ordinarie

be so committed, the saide Ordinaris paying to euery such Clerks as shal write the said transcript, for euerie copie of such indictmente twelue pence for his paines,

Paine

vpon payne that euerie Clearke of the Crowne, Clerke of the Peace, & Clerke of Assise for the time being, before whom such indictment, attainder, outlawrie, or conuiction shall be so had, made, pronounced or remaine, for the not certifying of euery such record, and not deliuering of the copie of such indictments to the said Ordinaries, according to this statute, to loose and forfait forty shillings: The one moitie thereof to bee to the King our Soueraigne Lord, and the other moitie to him that wil sue for the same by action of debt, bill, information, or otherwise in any of the kings courts of Record, wherein no wager of law, essoine, or protection shalbe allowed. And the Clerke of the Crowne

Fork. Wottis

Clerke of the Crowne

in the kings bench, shall receiue the saide certificats and transcripts at such time as they shall bee tendred and prefered vnto them by the said Clerks of the Crowne, Clerkes of the peace, and Clerkes of Assise, or by their deputie or deputies, without taking any thing for the same, vpon paine of forfaiture of the summe of forty

Fork. xl. s

shillings for euery such certificate by him refused.

Prouided alwaies, and be it &c. that if there be any more persons contained and named in any such indictment, other then such persons so attainted, cõuicted, or outlawed: that then such Clearke of the Crowne, Clerke of Assise, Clearke of the Peace, with whom the record of such attainder, outlawrie, conuiction shall remain, shall within the time before in this act limitted, certifie the transcript of such

Transcript

Indictment, outlawrie, or conuiction, only concerning such person or persons so indicted and attainted, outlawed or conuicted, into the kings bench at Westminster, as is afore saide, which transcript so

K. Bench

certified, shall be had and taken as good, effectual and auailable in the lawe, to all intents, constructions, and purposes, against such person and persons against whom it shall be so obiected, alleadged, or pleaded, as if the verie record thereof,

Record

whereupon hee or they were so indicted were there present.

And be it &c. that the said Clerke of the Crowne in the Kings bench for the time being, shall at all such times as the Iustices of Gaole deliuerie, Iustices of Peace, in euerie Countie within this Realme of Englãd, do write vnto him for the names of such persons which bee so attainted by outlawrie, or clerkes attainted or conuict and certified vnto the saide bench of our

Certifie

said soueraign Lord the King, shall incontinently without delay, certifie the saide

Clerke of the crowne Justice of gaole Just. of P.

names

Freeman Ellowers

Action

Chancery

Guertie

names and ſurnames of the ſaid perſons, with the cauſes, why and wherefore they were conuict or attainted, vnto the Iuſtices of gaole deliuery, or Iuſtices of peace, vpon the paine and penaltie to forfait for euery name of ſuch perſons which ſhalbe ſo written for, & not certified by the ſaide Clerke of the crowne in the kings Bench to the ſaid Iuſtices xl. ſhillings.

Prouided alwaies, and be it further enacted, that this acte, nor anie thing therin contained, ſhal not extend to the clerke of the Crowne, clerkes of the peace, clerkes of gaole deliuerie, neither to any of the Prenotaries wthin the counties of Wales and Cheſter, or within the counties Palantine of Lancaſter and Durham, or any of them, to make any tranſcript of any ſuch attainder, conuictiõ, or outlawrie, of anie perſon or perſons conuicted, attainted, or outlawed, before the kings Iuſtices of his coũties of Wales nor Cheſter, or countie of Lancaſter, Durham, or any of them, but that the ſame records ſhall & may remaine and be in the cuſtodie & képing of the ſaid clerkes & Prenotories, in ſuch maner and wiſe, as they are at this daie: this acte or any thing therin contained to the contrarie notwithſtanding. An. 34. H. 8. cap. 14.

Prenotaries Wales Cheſter Countie Palantine

But note, that at this day there needeth not anie tranſcripte of Clerkes conuict, to bee deliuered to the Ordinarie, by reaſon that they haue not to deale with thẽ nowe, by the Statute Anno 18. Eliz. cap. 7. after in Clergie 28.

¶ Ceſſauit.

IF a man let his land to tée ferme, or to find eſtouers, in meate or in clothe amounting to the fourth parte of the verie value, and he which holdeth the lande ſo charged, letteth it lie freſh, ſo that the partie can find no diſtreſſe there, by the ſpace of two or thrée yeeres, to compel the fermor to render, or to doe as is contained in the writing or leaſe: It is eſtabliſhed, that after the two yeres paſſed, the leſſor ſhal haue an action to demand the lande in demeſne, by a writte out of the Chancerie: and if he againſt whom the land is demãded, come before iudgement, and pay the arrerages and the damages, and finde ſuerty (ſuch as the Court ſhal thinke ſufficient) to pay, from thenceforth as is cõtained in the writing of his leaſe, he ſhall keepe the land. And if he tarrie vntill it be recouered by iudgement, hee ſhall bee barred for euer after. Gloceſt. cap. 4. An. 6. Ed. 1.

Freman Eſtouers

Action Chancery

Guertie

Barre

2 ¶ Whereas in a Statute made at Gloceſter it is contained, that if any leaſe his land to another to pay the value of the fourth part of the land or more, the leſſor or his heire after that the payment hath ceaſed by 2. yeres, ſhall haue an action to demand the land ſo leaſed in demeſne. In like maner it is agreed, that if any withholde from his Lord his due and accuſtomed ſeruice by the ſpace of two yeres, the Lord ſhall haue an action to demaund the land in demeſne by ſuch a writ.

Seruice Action

Writ

Præcipe A. quod iuſtè &c. reddat B. tale tenementum quod A. de eo tenuit per tale ſeruitium, & quod ad prædictum B. reuertere debet, eo quod prædictus A. in faciendo prædictum ſeruitium per biennium ceſſauit vt dicit.

And not only in this caſe, but alſo in the caſe whereof mention is made in the ſaide ſtatute of Gloceſter, writs of Entre ſhall be made for the heire of the demandant againſt the heire of the tenãt, and againſt them to whom ſuch land ſhall be alienes. Weſt. 2. cap. 21. An. 13. E. 1.

Writ of Entrie Heire

¶ Challenge.

OF Inqueſts to bee taken before anie of the Iuſtices, wherein our Soueraigne Lord the king is partie, whoſoeuer it be: It is agréed and ordained by the king, & all his Counſel, that from thenceforth notwithſtanding it be alleadged by them that ſue for the K. that the Iurors of thoſe inqueſts or ſome of them bee not indifferent for the King, yet ſuch inqueſts ſhal not remaine vntaken for that cauſe: that is to ſay, if any of thẽ that ſue for the king wil challenge any of thoſe Iurors, they ſhall aſſigne for their challenge a cauſe certaine, and the truth of the ſame challenge ſhall be enquired whether it be true or not, after the diſcretion of the Iuſtices. Weſt. 2. cap. 22. Anno 13. E. 1.

Inquèſts

Iurors

Challenge

2 ¶ The challenge commonly called Riens deins le gard (s. within London) be no challenge, but vtterly void and of none effect: Sauing to euery perſon all maner of other challenges whatſoeuer they bin, according to the law. Anno 7. H. 7. ca. 4.

London

3 ¶ Peremptorie challenge ſhall not from hẽceforth be admitted or allowed in any caſes in high treaſon, nor Miſpriſion of Treaſon, Anno 33. Henr. 8. cap. 23.

Peremptorie

Miſpriſion Treaſon

And

And see more of Peremptorie challenge Abiuration 5. and Clergie 20.

4 ¶ In Anno 1. Ed. 6. cap. 12. diuers Treasons, & diuers Felonies, be repealed, as appeareth in Treason and in Felonie. And in that Act among other things it is enacted: That all clauses, articles & sentences, mentioned or specified in ante acte or acts of parliament, statute or statutes, made in the time of the raigne of ỹ said late king Henrie the viij. touching or in any wise concerning any manner of challenge for the county, Hundred, or peremptorie challenge, or any of them, or touching, or in any wise concerning ante maner of triall of forreine pleas, pleaded by Murderers, felons, or other offendors, shal (as concerning the said challenge and trials) remaine in their force & strength not repealed: any thing in this acte mentioned, sounding or seeming to the contrarie in any wise notwithstanding. An. 1. E. 6. cap. 12.

Forreine pleas

¶ Champertie.

Champerty

NO minister of the kinges by themselues nor by other, shall maintaine pleas, plaints, or matters, hanging in the Kings court, for landes, tenements, or other things, for to haue parte or profite therof, by couenant made betweene them, and he that doth so shall be punished at the kings pleasure. Westm. 1. cap. 25. An. 3. Edw. 1.

Chancelor Treasorer Justices

2 ¶ The Chancelor, Treasorer, Justices, nor none of the kings counsell, no Clerke of the Chauncerie, nor of the Escheq. nor of any Justice, or of other Minister, nor none of the K. house, neither clerke nor lay, shall receiue any church, nor aduouson of a Church, land nor tenement in fee, by gift, nor by buying nor to ferme, nor to champertie, nor otherwise, so long as the thing is in plea before vs, before any of our ministers, nor shal take any reward therof. And he that doth contrary to this act, either himself, or by another, or doth therein committe any deceit: shall be punished at the kings pleasure, aswel he that purchaseth, as he that doth sell. Westm. 2. cap. 49. An. 13. Ed. 1. But it seemeth that this Statute was made rather about 20. Edw. 1. for all the rest of the Statute of Westminst. 2. is in latine, and this onely in French, and throughly at the end of it.

Church Auowson

Punish

3 ¶ Where it is contained in our estatute, that none of our court should take any plea to champerty by craft, nor by engine, And pleaders, apprentices, attornies, stewards of great men, bailifes, and other of the realm, do take plees to champertie, and by other crafts all manner of plees against all maner of men, whereby all the realme is much grieued, and both rich and poore troubled in diuers maners: It is prouided by a common accord, that al such as from henceforth shalbe attainted of such emprises, suites, or bargaines, and such as consent to such maner of dealing, shal haue imprisonment of 3. yeres, and shal make fine at the Kings pleasure. And our soueraigne Lord the King by Gilbert Rowberie clerke of his Counsel, hath commanded, that whosoeuer will complaine himselfe of conspirators, inuentors, and maintainers of false suites, and their abbettors, vpholders and partakers, and of bargainers of controuersies: that Gilbert of Thornton shal cause them to be attached by his writ, that they before our soueraigne Lord the King do answere vnto the plaintifes by this writte following.

Attaint

Imprisonment.

Conspirators

Rex Vicec' salutem: Præcipimus tibi, quod si A. de C. fecerit te securum de clamore suo prosequendo, tunc ponas per vadium & saluos plegios G. de C. quod sit coram nobis in octauis sancti Iohannis Baptistæ, vbicunque tunc fuerimus in Anglia, ad respondendum prædicto A. de placito conspirationis & transgressionis, secundum ordinationem nostram nuper inde prouisam, sicut idem A. rationabiliter monstrare poterit, quod ei respondere debeat. Et habeas ibi nomina plegiorum, & hoc breue. Teste &c.

And if any man shal be conuicted at the suite of any such complaint of any such offence, let him be imprisoned vntill he hath satisfied the partie grieued, and towards the king let him be grieuously redeemed. Giuen at Berwike vpon Twede An. 20. or. 21. E. 1.

4 ¶ Because the king hath heretofore ordained by estatute, that none of his ministers shal take no plea to champerty, by which estatute other ministers were not bounden before this time: The king wil, that no ministers, nor any other (to haue part of the thing in plea) shall take vpon him any matter that is in suit. Nor none vpon any such couenant shall giue vp his right to another, and if any doe so, & be attainted therof, there shalbe forfaited vnto

Attaint Fork.

the

the king, so much of his landes & goods of the taker, as doth amount to the value of the part that he hath purchased by such taking vpon him, & to attaint him thereof: whosoeuer will sue for the king before the Iustices afore whome the plea hangeth, Iudgement let him be admitted thereto, & the iudgement be giuen by them. But it may not be vnderstood hereby, that any persō shal be prohibited to haue counsel of pleaders, or of learned men in the law, for his fée, or of his next friends. Articuli super chartas cap. 11. Anno 28. E. 2.

5 ¶ Champertors be they that moue plæs and suits, or cause them to be moued either by their owne procurement, or by others, & sue them at their proper costes, for to haue part of the land in variance, or part of the gaines. Anno 33. E. 1.

¶ Chapleines.

Wages IF any secular man of the Realme pay any more then v. Markes to any Priest yerely in money, or in other things to the valure, or if he paye to such Priest reteined to abide at his table, aboue two Markes for his gowne, & his other necessaries (his table accompted to xl. s.) and Retaint Forf. thereof be attainted, hee shall pay to the king fully asmuch as he paied to the saide Priest. An. 39. E. 3. cap. 8.

2 ¶ No yeerely Chaplaine within the Realme shall take from henceforth more Wages for his whole wages by yére, that is to saye, for his board, apparel, and other necessaries but vii. Markes: nor the parish Parish Priest Priestes, which bee or shalbe retained to serue cures, shal take from henceforth for their whole wages by yere, that is to say, for the things aforesaid, but viii. Marks, Licence vnlesse it be by licence of the Ordinarie, so that the whole summe passe not nine Markes. Anno 2. H. 5. statut. 2. cap. 2.

¶ Chauncerie.

Chancellor Iustices THe Chauncellor and the Iustices of his bench shall followe him, so that hée may haue at all times néere vnto him, some that bee learned in the lawes, which bee able duely to order all such matters as shall come vnto the court at all times, when néede shall require. Articuli super chartas Anno 28. E. 1. cap. 5.

2 ¶ If any that féeleth himselfe grieued contrarie to any of the Articles aboue written, or other conteined in diuers statutes, come into the Chauncery, or any for him, and thereof make his complaint, he shall foorthwith there haue remedie by force of the saide articles and statutes without elswhere pursuing to haue remedie. An. 36. E. 3. ca. 9. See the Statute.

¶ Chester and Chestershire.

ANno 21. R. 2. cap. 9. It was enacted that the Countie of Chester, should bee a principalitie and bee to the Prince. And diuers lands assigned thereunto, and the liberties confirmed. But this Parliament was repealed by 1. H. 4. cap. 3.

2 ¶ If any person of the Countie of Chester, resiant or dwelling within the same Countie, of what estate or condiciō he be, doe commit any Murder or felonie Murder Felony Proces Exigent in any place out of the said Countie, prōcesses shalbe made against him by the common lawe, till the Exigent in the Counties where such murder or felonie was done. And if he flye from thence into the Flie Outlawed Countie of Chester, and be outlawed and put in Exigent for such murder or felony, the same outlawrie or Exigent shall bee certified to the Officers and Ministers of the same Countie of Chester, & the same felon taken by the same officers or ministers, and his lands and tenements, goods Lands Goods Forf. and cattels, being within the Countie of Chester, seised as forfait into the hands of the Prince, or of him that shall bee Lorde of the same Countie of Chester for the time: and the king shall haue the yeere & Yere day and wast day, and the wast. And the other landes and tenements, goods and cattels of such felon being out of the said countie of Chester, shall remaine wholy to the king and to the other Lordes hauing thereof franchise as forfait. And if any person of the same countie of Chester, resiant or dwelling in the same, make batterie or other Batterie Trespas Proces tresspalle in any place out of the said countie of Chester, procesle shalbee made against him by the Common lawe till the Exigent in the counties where such battarie or tresspas is done. And if he flie from Flie thence into the saide Countie of Chester, and be outlawed for such battery or tresspasse, the outlawry shal be certified to the officers & ministers of the saide county of Chester. And his goods and cattels being Goods within the same countie of Chester, shall be seised into the handes of the Prince, or of him which shalbe lord of the said coun-

tie of Chester for the time. And his other goods and cattels being out of the saide countie of Chester, shall remaine wholie to the king and to other Lordes aforesaid, as forfait in maner as is aforesaid. Anno 1. H. 4. cap. 18.

3 ¶ Because the manifolde offences against the Kinges peace bee daily committed in his counties of Chester, Flint, Anglesey &c. by reason that common Justice hath not bin indifferently ministred there, in such forme as in other places of the Realme: nowe for an uniforme order of administration of Justice: Bee it &c. That the Lord Chauncelor of England, or the Lord Keper of the great Seale for the time being, from time to time and at all times, shall haue full power and authority by his discretion, to nominate and appoint Justices of peace, Justices of Quorum, & Justices of Gaole deliuerie of the said Counties of Chester, Flint, Anglesey, Cayernaruen, Merioneth, Cardigan, Cayermerthen, Pembroke, & Glamorgan by Commission vnder the kings great Seale which shall haue full power and authoritie, to inquire, heare and determine all manner thing and things inquirable, presentable or determinable, before Justices of Peace, Justices of Quorum, and Justices of Gaole deliuerie in other shires of this Realm of England, by force or vertue of any statute or statutes, made and to be made, or by the course of the common lawes of this Realme. And that the said Justices of peace, Justices of Quorum, & Justices of Gaole deliuerie, so to be named and appointed by the saide Lord Chauncellor, or Lorde Keper of the great Seale and euery of them, shal haue like power and authoritie within the said Counties of Chester, Flint, Anglesey, Cayernaruan, Merioneth, Cardigan, Cayermerthen, Pembroke and Glamorgan, to doe, vse & execute euery thing and things as other Justices of Peace, Quorum & Gaole deliuerie, haue within any other of the shires of this Realme of England. And also shalbe sworne, affricted, & obliged to the keeping of their Sessions of the peace, and to the due execution of all & singuler statutes and ordinances made & to be made, in like manner and fourme, & vnder like paines and penalties, as Justices of peace, Quorum, and Gaole deliuerie, in other shires of this Realme of England, bin, and shalbe bound and obliged: any acte, statute, prescription, vlage, custome, libertie or priuiledge had, made, accustomed or vsed to the contrarie notwithstanding.

Chauncellor L. Keeper

Just. of P. Just. of Q. Just. of O.

Commissiō Great Seale

Oier & ter.

Just. of P.

Sworne

And it is further enacted, that the extreates of the issues, fines and amerciamentes, tared, set, lost, or forfaited by or before such Justices of Peace, Quorum and gaole deliuerie in the saide Counties of Chester and Flint, shalbee returned and certified into the Eschequer of Chester, before ỹ kings Chamberlaine there. And that the estreates of the issues, fines, and amerciaments, tared, set, lost or forfaited by or before the Justices of peace, Quorum, and Gaole deliuerie, in the saide Counties of Anglesey, Cayernaruan, and Merioneth, and euery of them, shalbee returned and certified into the Kinges Eschequer at Carnaruan, to and before the kings Chamberlaine of North Wales. And that the extreates of the issues, fines, and amerciaments, tared, set, lost or forfaited by or before the Justices of Peace, Quorum and Gaole deliuerie, in the saide Counties of Cayermerthen and Cardigan, and euery of them, shalbee returned and certified into the kings Eschequer at Cayermerthen to and before the Kings Chamberlaine of South Wales. And that the extreates of the issues, fines and amerciaments, tared, set, lost or forfaited by or before the Justices of Peace, Quorum and gaole deliuerie in the Countie of Pembroke, shall bee returned and certified into the Kings Eschequer at Pembroke. And that the extreats of the issues, fines and amerciaments, tared, sette, lost or forfaited by or before the Justices of Peace, Quorum and Gaole deliuerie in the saide Countie of Glamorgan, shalbee returned and certified into the kings Eschequer at Cayerdiffe. And that the said extreates of the saide issues, fines, and amerciaments, certified and returned into euery of the forsaide Eschequers, shall bee indented in such like manner and fourme as is vsed in the Kinges Eschequer at Westminster. And that the saide Justices of Peace and Quorum, or gaole deliuerie, in euery of the said Shires, shal direct such like processe by extreates indented with the extreates certified in the saide Eschequers to the shirifes of euery of the saide Counties, for the leuying and gathering of the saide issues, fines and amerciaments in such like like maner and forme, as is vsed by the Justices of peace, Quorum and Gaole deliuery, in euerie

Estreats Issues Fines

Eschequer of Chester Chamberlaine

North Wales

South Wales

Eschequer of Pembroke

Eschequer of Kardifs

Indented

Just. of p.

other

other of the Shires within this realme of England. And that euery of the Shiriſes of euery of the ſaid ſhires ſhal make their accompts in euery of the ſaid Eſchequers, of & for the iſſues, fines, & amerciaments vpon the extreates to them directed, in maner and forme, as is vſed in the kings Eſchequer of Weſtminſter.

Accompts

And it is &c. that the ſaide Juſtices of peace, and Clarks of the peace within the ſaid counties of Cheſter, Flint, Angleſey, Caiernaruan, Merioneth, Cardigan, Caiermerthen, Pembrok & Glamorgan, & euery of them ſhalbe payed and allowed of the ſaide iſſues, fines & amerciaments, ſuch like fees, profits and commodities as other Juſtices of peace and clarkes of the peace in other ſhires of this Realm haue and ought to haue. And it is &c. that the ſhirife or his deputies, and all other his miniſters in al & euery of the ſaid ſhires, & al Coroners, high Conſtables, petie conſtables & other officers within euery of ý ſaid ſhires, ſhalbe obliged & bounden to be alſwell attendant vnto the ſaide Juſtices of peace, of Quorum and gaole delinerie, in all and euery thing and things concerning their authorities, as in executing & returning of all precepts and proceſſe to them directed by any of the ſaide Juſtices, in like manner and forme and vnder like paines and penalties, as al and euery ſhiriſes, coroners, and other officers be and ſhalbe bound and obliged by any ſtatute or common lawe in other ſhires of this Realme of England: any acte, Statute, preſcription, vſage, cuſtome, libertie or priuiledge, had, accuſtomed or vſed to the contrarie notwithſtanding. Anno 27. H.8.cap.5.

Coroners Conſtables Officers

4 ¶ By reaſon of which acte (S. Anno 27.H.8.cap.5.) it is nowe vſed, to kepe ſeſſions in the ſaid Countie Palantine of Cheſter as is vſed in other ſhires of England. Alſo it is vſed in the ſaid countie Palantine of Cheſter, that ý Juſtices of the ſame for the time being, haue yerely time out of minde vſed to kepe the ſhires or countie dayes, in manner and fourme following (that is to ſay) one yere viii. ſhires or countie daies, & another yeere ix. ſhires or countie daies, to the which the gentlemen freeholders & ſuters of the ſaid countie, are bounden of auncient cuſtome and duetie to appeare, & giue their attendance to ſerue the king, which ſhire or Countie dayes, come very often times in the yere. And nowe by reaſon of the ſaid newe ſtatute of Juſtices of peace, (S.An.27.H.8. ca.5.) had in the ſaid countie, the ſaid gentlemen freeholders, & ſuters of the ſaide Countie being bounden of their ſaid olde cuſtome & law to giue their attendance & apparãce to ý ſaid ſhires or countie daies, are now bounden alſo to giue their apparance & attendance at 4. quarter ſeſſions & other priuie Seſſiõs in the ſaid countie. By meanes whereof, the ſaid apparance & attendance commeth ſo often & ſo thicke together, that at many times they cannot depart from the one court, & attend their buſines ſcarcely one day, or ſome time leſſe, but they muſt againe ride to ſerue ý other court, which is too painfull, chargeable, intollerable and importune, for any man to ſuſtaine and abide.

Countie dayes

Freeholders

Quarter Seſſions

In conſideration whereof be it enacted &c. that from hencefoorth the law and adminiſtration of Juſtice, & all other things in the ſaid countie in times paſt vſed to bee had at the ſaid ſhire dayes, ſhalbe holden, had, made, done and executed by the Juſtices of the ſaide countie for the time being, at two times in the yere onely, that is to wit, at the Seſſions nert after the Feaſt of Saint Michael the Archangell, & at the Seſſions nert after Eaſter yerelie for euer, during ſo manie daies at euerie of the ſaid times as nede ſhal require, in like manner and fourme as is nowe vſed and executed in the Countie Palantine of Lancaſter. And that no actions, ſuite or proceſſe now or hereafter to be depending in the ſaide counties, ſhalbe therby diſcontinued, hurt or impaired, nor any aduantage therein to bee taken by erour, diſcontinuance of proceſſe, ne otherwiſe, but that the ſame is to proceede after the ſame newe order. And that from hencefoorth the ſaide olde order, rule and cuſtome, in holding of the ſaide Countie or ſhire daies, ſhall vtterly ceaſe and determine for euer: Any act, Statute, preſcription, graunt, vſage, cuſtome, priuiledge, law, libertie, conſtitution or confirmation heretofore had, made, accuſtomed or vſed to the contrarie in any wiſe notwithſtanding. An. 32. H.8. cap. 43.

Seſſions

Actions

No errour

5 ¶ The ſhirife of the ſaide countie (S. Palantine of Cheſter) for the time beeing after the feaſt of Eaſter nert comming ſhal bee bound to kepe his ſhire courte in the ſhire hal of the ſaid Countie euery moneth for euer, for determinatiõ of plaints and actions vnder fortie ſhillings, and for Proclamations and calling of exigendes

Shirife

Shire court

Proclamations.

and other necessarie causes as is vsed in other shires of this Realme of England, And that two head Coroners for the bodie of the said shire shalbee elected & chosen by vertue of the kings writ De Coronatore eligendo awarded out of the Eschequer of Chester, which Coroners shalbee bound to sitte with the said Shirife at the saide courtes, to giue iudgement vpon vtlaries, and to do al other things as appertaineth.

Coroners

Iudgements

And be it ac. that the said two Sessions in forme aforesaid to be holden within the said Countie, shall and may be holden at such time and times as by the said Iustices or his deputie shalbe appointed, aswel before the said feast of Easter and Michelmas, as any other time, according as is most commonly vsed in other Shires of this Realme, so alwaies open Proclamation be therefore made by the space of xv. dayes at the least, before the firste day of the keping of the same Sessions. An. 33. H. 8. cap. 13.

6 ¶ The same Countie Palantine of Chester shall haue two Knightes to the saide Countie Palantine, and likewise two citizens to be Burgesses for the city of Chester, to be elect and chosen by proces to be awarded by the Chauncellor of England, vnto the Chamberlaine of Chester, his lieutenant or deputie for the time being. And so like proceese to bee made by the said Chamberlaine, his lieutenant or deputie, to the shirife of the said countie of Chester. And the same election to bee made vnder like manner and forme, to all intents, constructions and purposes, as is vsed within the Countie Palantine of Lancaster, or any other countie and Citie within this Realm of England, which saide knightes and Burgesses, and euery of them so elected and chosen, shalbee returned by the said Shirife into the Chancerie of Englande, in due forme and vpon like paine, as it is ordained that the shirife or shirifes of any other countie within this Realme, should make their returne in case like. All which said knightes and Burgesses, and euery of them so elected and returned, shalbe knights & Burgesses of the court of Parliament, & haue full voice & authoritie to all intents and purposes, as any the other knights & burgesses of the saide court of Parliament, haue, vse, and inioy: And in like wise shal and may take al and euery such like liberties, aduãtages, dignities, priuileges, wages, fées and commodities, concerning the said court of Parliament, to all intẽts constructions and purposes, as any other the knights & burgesses of the said court shall, may or ought to haue, take or enioy. And also where it is, and hath bẽne vsed within the saide Countie Palantine, that vpon the suggestion of any person that is or hath bẽn indebted to any other person or persons, cõming to the Eschequer within the said Countie Palantine, and there taking a corporall othe, that hee or they shall paye his or their creditors at such time as hee or they shalbee able thereto, the Officers of the saide Eschequer haue vsed without warrant, to graunt out of the same Eschequer, a writ in nature of a Protection, whereby the saide creditors haue bẽne and bee greatly delaied and in maner defrauded of their saide debtes, to the great impouerishment and vndooing of the saide creditors. For reformation whereof, it may please your said highnes, that it may be enacted by authority aforesaid, that no such writ of course, without a speciall warrant from your said highnes, your heires or successours, containing any such protection, be from the first day of October, which shalbe in the yeere of our Lorde God 1543. graunted, But that all and euery such writtes of course after the said day to be graunted, to be voide and of none effect, any custome, vse or priuiledge to the contrarie hereof notwithstanding. Anno 34 H. 8. cap. 13.

Palantine 2 Knightes Burgesses of Parliament

Chancellor

Shirifes

Chancery

Returne

Wages

Persons indebted, howe to pay their debts

Protection

Voide

7 ¶ Anno 31. H. 8. cap. 31. An acte is made, diseuering the Bishoprick of Chester, & the Bishoprick of Man, from the iurisdiction of Canterburie, to the iurisdiction of Yorke.

Man Canterbury Yorke

8 ¶ An. 2. E. 6. cap. 31. An act is made for the recognisances before the Maior of Chester.

Recognisanes

9 ¶ An. 3. E. 6. cap. 25. An act is made concerning Chester for Weres in the riuer of Dee.

Weres

¶ Churchyard.

FOrasmuch as wee haue vnderstood verie often, that contention hath risen betweene Parsons of Churches, and their Parishioners, touching trees that growe in the Churchyarde, both of them affirming, that they belong to themselues: Wee haue thought good to declare the doubt of such contentions by written lawe, rather then by lawe of Statute. For whereas the Church-

Trees

yarde

yard is a ground specially dedicated to the Church, and whatsoeuer is planted vpon the ground, belongeth to the ground, it followeth necessarily, that ẏ trees themselues ought to be numbred amongst the Church goods; the disposing whereof is not giuen to laie men, but as the holye scripture witnesseth the care of disposing them (vnpiercussed of God) ought to be cõmitted vnto Priests onely, but those trees often times are planted to kẽpe away the force of the winde for hurting of the Churches, we will that the Parsons of Churches doe not presume to fell those trees indiscreetly, but onely when the Chauncell of the Church doeth want necessarie reparations, nor shall conuert thẽ to any other vse by any other means, vnlesse the bodie of the Church doe likewise want reparations, and the Parsons doe of charitie thinke good to giue of those trees to the parochiners wanting them, which we doe not commaunde to be done, but when it is done, we do commend it, Ne Rectores prosternant arbores in cœmiterio.

Church goods

Chauncell to Reparation

¶ Cirographer.

THe Cirographer nor his farmer, deputie, or lieutenant for the time being shall from henceforth take no more then foure shillings for any fine leuied in the court. And if the said farmor, lieutenant or deputie take any more then foure shillings for a fine as before is said, he shall loose his office, & be foreiudged in the Court, & haue one yeres imprisonment, and pay to the partie grieued his treble damages, & the partie grieued shall haue his suite before the Iustices of the said bench. An. 2. H. 4. cap. 9.

Mr. Fine Farmor

Pœn. Imprisõ. & damage

¶ Citation.

BE it prohibited from henceforth to Hospitellers & Templers, that hereafter they bring no man in plee before the kœpers of their priuiledges, for any matter, the knowledge whereof belongeth to the kinges Court, which if they do, first they shal yeld dammages to the partie grieued, & bee grieuously punished vnto the king. The king also prohibiteth to the kœpers of such priuiledges, that from henceforth they graunt no Citations at the instance of Hospitellers, Templers, or other persons priuiledged, afore it bee expressed vpon what matter the Citation ought to be made. And if the kœpers doe see such a citation is required vpon any matter, the knowledge whereof belongeth to the kings Court, the kœpers shall neither make nor knowledge the citation. And if the kœpers doe otherwise they shal yeld damages to the party grieued, and neuertheless shall be grieuously punished by the king. And forasmuch as such persons priuiledged, deputie, kẽpers, subpriours, chantors, fertons, which be religious men, & which haue nothing to satisfie the parties grieued nor ẏ king, which bee more bolde to offende the kings dignitie, then their superiours, to whome punishmẽt may be assigned by their temporalties: Let the Prelates of such obedients therefore beware from henceforth, that they doe not suffer their obedients to vsurpe any iurisdiction in preiudice of the king and his crowne, and if they doe, their superiours shalbee charged for their fact, as much as if they had bẽne commit vpon their proper act. West. 2. cap. 43. Anno 13. E. 1.

Hospitellers Templers

Damages Punished

Religious

Temporalties Obedients

2 ¶ No maner of person shalbee from henceforth cited or summoned, or otherwise called to appeare by himselfe or herselfe, or by any procurator before any ordinarie, Archdeacon, Commissarie, Officiall, or any other Iudge spirituall, out of the Dioces or peculier Iurisdiction where the person which shalbe cited, summoned or otherwise, as is aboue said, called, shall be inhabiting & dwelling at the time of awarding or going forth of the same citation or summõs: except that it shalbe for, in, or vpõ any of the cause or causes hereafter written, that is to say, for any spirituall offence, or cause committed or done, or omitted, forslowed or neglected to bee done, contrary to right, or duetie by ẏ Bishop, Archdeacon, Commissarie, Officiall or other person hauing spirituall iurisdiction, or being a spirituall Judge, or by any other person or persons within the dioces or other iurisdiction, wherunto hee or shee shalbe cited, or otherwise lawfully called to appeare & answere: And except also it shalbe by or vpon matter or cause of appeale, or for other lawfull cause wherin any partie shall finde himselfe, or herselfe grieued or wronged by the Ordinarie Judge or Judges of the Dioces or Iurisdiction, or by any of his substitutes, Officers or ministers, after ẏ matter or cause there first cõmenced & begun to be shewed

Bishops

Spirituall Judges

Spirituall offence

Appeale

Officers

vnto the Archbishop or Bishop or any other having peculier iurisdiction, within whose prouisate the dioces or place peculier is: Or in case that the bishop or other immediat Judge or Ordinarie, dare not nor wil not commit the partie to be sued before him, or in case that the bishop of ỹ Dioces, or the Judge of the place within whose iurisdiction, or before whome the suite by this act should be commenced and prosecuted, be partie directly or indirectly to the matter or cause of the same suit: Or in case that any Bishop or any inferior Judge, hauing vnder him iurisdiction in his owne right and title, or by Commission make request or instance to the Archbishop, Bishop or other superior Ordinarie or Judge, to take, treate, examine or determine the matter before him or his substitute. And that to be done in cases onely where the law Ciuile or Canon doth affirme execution of such request or instance of iurisdiction to bee lawfull or tollerable, vpon paine of forfaiture (to euery person by any Ordinarie, commissarie, or officiall or substitute by vertue of his office, or at the suite of any person to be cited or otherwise summoned or called contrarie to this act) of double damages & costes, for the vexation in that behalfe sustained: to bee recouered against any such Ordinarie, Commissarie, Archdeacon, Officiall or other Judge as shall awarde or make proces, or otherwise attempt or procure to doe any thing contrary to this acte, by action of debt, or action vpon the Case according to the course of the common law of this realme, in any of ỹ kings high Courtes, or in any other competent temporall court of Recorde, by originall writ of debt, bill or plaint: In which action no protection, other then such as shalbe made vnder the kings great seale, and signed with his signe manuell, shall be allowed, neither any wager of lawe nor essoine shalbee admitted. And vpon paine of forfaiture for euery person so summoned, cited or otherwise called (as is aboue said) to aunswere before any spirituall Judge out of the Dioces or other iurisdictiō where the saide person so dwelleth or is resident or abiding, x li. sterling: The one halfe thereof to bee to the King our Soueraigne Lorde, and the other half to any person that will sue for the same in any of the kings said Courtes or in any other the saide temporall Courts by writ, information, bill, or plaint. In which action no protection shall bee allowed, nor wager of law nor essoin shalbe admitted.

Ciuile law
Canon law

Forf. Spirituall Judge

x. damage

Forf.

Mottie

Prouided alwaies that it shal bee lawful to euery Archbishop of this realme to call, cite, & summon any person or persons inhabiting or dwelling in any Bishops Dioces within his prouince for causes of heresie, if the Bishop or other Ordinarie immediate thereunto consent, or if that the same Bishop or other immediate Ordinarie or Judge doe not his dutie in punishment of the same.

Archbishop

Heresie

Prouided also that this acte shall not extend in any wise to the prerogatiue of the most reuerend father in God the Archbishop of Canterburie, or any of his successors, or, for calling any person or persons out of the Dioces where hee or they be inhabiting, dwelling or resident for probate of any testament or testaments, any thing in this act contained to the contrarie not withstanding. And bee it further enacted by authoritie aforesaide, that no Archbishop or Bishop, Ordinarie, Officiall, Commissarie, or any other substitute or minister of any of the said Archbishops, Bishops, Archdeacons, or other, hauing any spirituall iurisdiction, at any time from the feast of Ester next coming, shall aske, demaund, take or receiue of any of the kings subiectes any summe or summes of money for the seale of any citation, after the saide feast to bee awarded, or obtained, then onely iii. d. sterling, vpon the paine & penalties before limited, contained & exprest in this present act, to bee in like forme recouered as is aforesaid. Prouided alwaies that this act be not in any wise hurtfull or prejudiciall to the Archbishop of Yorke, nor to his successors, or for or concerning probate of testaments within his prouince & iurisdictiō by reason of any Prerogatiue: any thing in this acte to the contrarie thereof notwithstanding. Anno 23. H. 8. cap. 9. This act was repealed, as it seemeth by the Statute of An. 1. & 2. P. & M. cap. 8. And renued by the Statute of Anno. 1. Eliz. cap. 1. which Act is in Crowne. 6.

Archbishop of Canterburie

Seals

Probate of testamnt

¶ Clergie.

WHen a Clerke is taken for guilt of felonie, and is demanded by the ordinarie, he shal be deliuered to him according to ỹ priuiledge of the holy Church on such perill as belongeth to it, after the custome of olde times vsed. And the King admonisheth

Felony Ordinary

shed the p̄lates, & enioyned them vpon the faith that they owne to him. & for the common p̄fit & peace of the realme, that they which be indicted of such offences by solempne inquest of lawfull men in the kings court, & no maner shalbe relieued without due purgation, so that ꝑ king shal not haue to p̄uide any other remedie therein. W. 1. cap. 2. An. 5. E. 1. But see now the statute 18. El. cap. 7. after 28.

Purgation

2 ¶ Concerning men twice maried (called Bigamy) whom the Bishop of Rome by a constitution made at the Counsell of Lions hath ꝑiudged from all Clerks p̄uiledge: whereupon certaine p̄lates (when such persons as were twice maried before the same constitution, haue but called in question for felonie) haue p̄layed for to haue them deliuered as Clerks. It is agreed and declared before the king & his counsaile, that the same constitution shalbee vnderstanden in this wise, that whether they were Bigamy before the same constitution or after, they shall not from henceforth be deliuered to the p̄lates, but Iustice shalbee executed vpon them, as vpon other late people. Statut. de Bigamis cap. 5. An. 4. E. 1.

Bigamy Counsel of Lions

3 ¶ A Clerke flying to the Church for felonie to obtaine the p̄uiledge of the Church, if hee affirme himselfe to bee a Clerk, he shal not be compelled to abiure the realm, but yelding himselfe to ꝑ law of the realme shall inioy the p̄uiledge of the Church according to the lawdable custome of the Realme heretofore vsed. Articuli cleri, cap. 15. An. 9. E. 2.

Felony
Abiure

4 ¶ The p̄uiledge of the Church being demaunded in due forme by the ordinarie shall not bee denied vnto an applonour. Articuli cleri cap. 16. An. 9. E. 2.

Ordinary

5 ¶ If any Clerk be arraigned before our Iustices at our suite, or at the suite of the partie, & the Clerk holdeth him to his clergie, alleaging that he ought not before them thereupon to make answere, and any man for vs. or for the partie maketh a suggestion, that hee hath maried two wiues or one widow, that vpon the same the Iustices shall not haue the cōstance nor power to trie the bigamie by inquest, or in other maner, but it shalbe sent to the spirituall court as hath beene done in case of bastardie, and til the certificate be sent by the ordinarie, the partie in whome the bigamie is alleaged by the wordes aforesaid, or in other maner, shall abide in prison, if he be not mainpernable. Anno 18. E. 3. pro clero cap. 2.

Clerke
Bigamy Triall Spirituall Court Bastardie

6 ¶ All maner Clerkes, as well secular as religious, which shalbee from henceforth conuict before ꝑ secular Iustices a foresaid, for any maner treasons or felonies touching other persons, then ꝑ king himselfe, or his royall maiestie, shall from henceforth freely haue & inioy this priuiledge of holy church, & shalbee without any impeachment or delaie deliuered to the ordinaries demanding them. And for this grant the saide Archbishop p̄mitteth to our soueraigne Lord the king, that for the punishment & safe keeping of such Clerks offences, which so shalbe deliuered to the ordinaries he shal make such a conuenient ordinance, wherby they shalbe safely kept & duely punished, so that no Clerke shall take courage so to offende for default of correction. An. 25. E. 3. pro clero, cap. 4.

Clerke conuict
Treasons Felonies

7 ¶ Whereas Clerkes arraigned of felony before secular Iustices haue challenged their Clergie, and were demaunded by the ordinaries of the place, haue been often times before this time remaunded to the gaile by the saide Iustices, surmising to them that other thinges are to be laide against them: neuertheless because the common law is, that a clerke in such case ought not to bee remaunded to the gaile, but ought to bee forthwith arraigned of all, or otherwise deliuered to the Ordinarie: It is accorded, that this point be kept by all maner of Iustices & Iudges secular throughout our Realme. An. 25. E. 3. pro clero cap. 5. See now the statute Anno 18. El. after 28.

Felony
Ordinary

8 ¶ The King considering that the wordes and termes (that is to say) Insidiatores viarum & depopulatores agrorum, comprised in the petition deliuered to him in this Parliament by the Clergy of England, hath not been commonly vsed in indictments, arraignements, appeales, nor in other impeachments in the time of his saide grandfather, nor in the time of his other noble progenitors, and willing therefore to auoid such nouelties, for the great quiet and tuertie of his people, by the assent of the Lordes and commons of the same parliament, willeth and graunteth, & hath ordayned & established, that the said wordes and termes shall not bee from henceforth vsed, nor put in indictments, arraignments, appeales, nor in any other impeachments. Nor that by force of any such worde, or terme, any Clerk religious or secular, nor none other

Indictments
Religious

of the kinges liege people, shal bee from henceforth arraigned, appealed, impeached nor gritnall before any seculer Judge. But our said soueraigne Lorde is well willing, that the Justices may take & receiue before them, inuitements, accusations, & appeales of felonies, bearing in them the effect of the said words & termes, if any person of such felonies shalbe hereafter indicted, accused or appealed. And if percase in time to come, any Clerks religious or seculer, shalbee indicted, accused or appealed, and their indictments, accusations, and appeales doe beare the effect of the said words, that is to say, Incendiatores viarum, & depopulatores agrorum, or other wordes purporting like effect, yet nevertheless such Clerkes shal haue and inioy the priuiledge of holie Church, and shall be deliuered to the Ordinaries them demaunding or their deputies, without any impeachment or delaye. Anno 4. H. 4. cap. 2.

Justices

Felonies Appeales

Priuileges Ordinaries

2 ¶ See An. 4. H. 4. cap. 3. How the Bishop of Canterburie, for him & other, promised, that Clerks conuict should be kept safely by their Ordinaries, according to a constitutiō prouinciall therof to be made, and that they should not make purgation against the constitution.

Bishop of Canterbury Counct

10 ¶ Euery person not being within orders, which once hath ben admitted to the benefite of his Clergie, albeit owes arraigned of any such offence, be not admitted to haue the benefite or priuiledge of ỹ Clergie. And that euery person so conuicted for murder, to be marked with an M. vpon the brawne of the left thumb. And if he be for any other felony, the same person to bee marked with a T. in the same place of the thumbe, and these markes to be made by the gaoler openly in court before the Judge, yet that such person be deliuered to the Ordinarie.

Murder Burning in the hand

Prouided alway, that if any person at the second time of asking the Clergie, because he is within orders, hath not there his letters of his orders, or a certificate of his ordinarie, witnessing the same, that then the Justices afore whom he is so arraigned, shall giue him a day by their discretion, to bring in his said letters or certificate. And if he faile and bring not in at such a day his said letters nor certificate, then the same person to loose the benefite of his clergie, as he shal doe that is without order. An. 4. H. 7. cap. 13.

Letters of orders Justices

11 ¶ See Captaines 6. An. 2. E. 6. cap. 2.

that if soudiors depart, it is felonie, and they shall not inioy the benefite of their Clergie.

Souldiers Felony

12 ¶ If any late person hereafter prepensely murder their Lorde, Maister, or Soueraigne immediat, that they hereafter be not admitted to their Clergie. And after conuiction or attainder of any such person so hereafter offending, and after the course of the law, that the same person be put in execution as though he were no Clerke. An. 12. H. 7. cap. vltimo.

Petie treason

13 ¶ Anno 4. H. 8. cap. 2. Clergie was put out in certaine cases to indure to the next Parliament.

14 ¶ No person or persons which hereafter shal happen to be found guiltie, after the lawes of this lande, for any maner of petie Treason, or for any wilfull murder of malice prepensed, or for robbing of any Churches, Chappels or other holy places, or for robbing of any person or persons in their dwelling houses, or dwelling place, the owner or dweller in the same house, his wife, his children or seruants then being within, & put in feare and dread by the same, or for robbing of any person or persons in or nere about the high wayes, or for wilfull burning of any dwelling houses or barnes, wherein any graine or corne shall happen to bee: Nor any person or persons being found guiltie of any abbetment, procurement, helping, maintaining, or counselling of any such petie treasons, murders or felonies, shall not from henceforth be admitted to the benefite of his or their Clergie, but vtterly be excluded therof, and suffer death in such maner and fourme, as they should haue done for any the causes or offences abouesaide, if they were no Clerks (such as be within holy orders, that is to say, of the orders of Subdeacon or aboue, all onely except.)

Petie treason Wilfull murder Sacrilege

Burglarie

Robbery by the way Burning of houses

Abbettors in petie treason

Exception Subdeacon

And be it ec. that euery such person and persons within such orders of subdeacon or aboue, which at any time hereafter be found guiltie of any petie treasō, or of any murder of malice prepensed, or of any of ỹ felonies aboue rehearsed, or of any accessorie to petie treason, wilful murder, or to any other ỹ felonies aboue specified, & admitted to his or their Clergie, & deliuered to ỹ Ordinarie for the same: shall not in any wise from henceforth be suffered to any purgatiō, nor be set at libertie, but remain and abide in perpetuall prison, under the keeping of ỹ Ordinarie, to whom he shall

Petie treason Murder Accessories

Perpetuall prison

be committed and his succeſſors, without any maner of purgation during the naturall life of euery ſuch conuict, except onlie ſuch perſon or perſons ſo being within ſuch holy orders, and conuict of or for any of the offences aforeſaide, and deliuered to the Ordinary for the ſame, do finde two ſufficient ſureties by recognisance, before two of the Kings Iuſtices of his Peace within the ſame ſhire, where the petis Treaſon, Murder, or Felonie, thereof hee was conuicted, was committed and done, whereof one of them to bee of the Quorum, that ſuch conuict ſhalbe of good abearing, againſt the King our Soueraign Lorde, his lawes and ſubiects, euery ſuch conuict to bee bounde in the ſumme of xl. pound, & euery his ſureties in xx. pound. And that no ſuretie bee taken, vnleſſe ſuch as may diſpend in landes, tenements or hereditaments, yearely aboue all charges, of eſtate of inheritance or charter holde xxvi.s.viij.d. or elſe hee woorth xx. pound in moueable ſubſtance at the time of the taking of ſuch recognisance. And that two Iuſtices of Peace, whereof one to bee of Quorum, by authoritie aforeſaide, haue power and authoritie to take ſuch recognisance. And that the ſaide Iuſtices afore whom any ſuch recognisance ſhal be take ſhal certifie the ſame into the kings bench, within viij. Monethes next after the taking thereof, vpon paine to loſe and forfait C.s. for euery default thereof. (See like matter infra 17.)

Sureties Recognisces Iuſt. of P.

Good abearing

Freehold

Iuſt. of P.

Certifie

Forf.

Prouided alway, that this Acte extende not to giue any benefite to any ſuch perſō or perſons, which after their confeſſion or iudgement giuen againſt them, of, or for Felonie, or Murder, or after they bee outlawed for any ſuch cauſe, bee admitted to their Clergie, and deliuered to the Ordinary for the ſame, but that they and euery of them ſhal remaine in the cuſtodie of the Ordinarie, without making purgation, vpon ſuch perill, and in ſuch manner and forme, as it was vſed by the common law before the making of this preſent act: this Acte or any thing therein contayned notwithſtanding.

Confeſſion Iudgement

Outlawrie

Ordinarie

Prouided alwayes, and it is further enacted, that euery Ordinarie to whoſe cuſtody any ſuch conuict for any of the offences afore rehearſed ſhalbe committed, may at his libertie diſgrade euery ſuch conuict after the law of the Church, if hee ſe cauſe ſo to doe, and ſend the conuict ſo diſgraded in ſure and ſafe keeping into the Kinges Bench, with a certificate vnder his ſeale, teſtifying the ſaide diſgrading, vpon the which the Iuſtices of the Kings Bench hauing afore them the Recorde, vpon the which the ſaide perſon ſo diſgraded was firſt conuict, ſhall giue ſuch like iudgement of death vpon the ſame recorde, againſt euery ſuch perſon ſo conuict diſgraded, as the Iuſtices afore whome he was conuict might haue done, if the ſaide perſon diſgraded at the time of his conuiction afore them, had been no Clerke, his admiſſion to his Clergie, and committing to the Ordinary, ne any other thing, vſe or cuſtome to the contrarie hereof not withſtanding. And that euery ſuch iudgement ſhall bee executed accordingly. And that euery Ordinarie ſo ſending anie ſuch conuict diſgraded into the Kings Bench, ſhall bee diſcharged againſt the King our Soueraign Lorde his heires and ſucceſſors, of, or for any further cuſtody or keeping of the ſame conuict. This acte to continue to the laſt day of the next Parliament. Anno 23. H. 8. capit. 1. And this Act was continued An. 28 H. 8. cap. 1 to endure to the laſt daye of the next Parliament. And after 32. H. 8. ca. 3. it was made perpetuall.

Diſgrade

K. Bench

Iudgement

Felonie

And it is there further enacted, that ſuch perſons as been or ſhal be within holy orders, which by the lawes of this Realme, ought or may haue the Clergie for anie felonies, and ſhal be admitted to the ſame, ſhalbe burnt in the hand, in like manner & fourme, as lay Clerkes bin accuſtomed in ſuch caſes, and ſhall ſuffer and incurre afterwarde, all ſuch paines, daungers, and forfaitures, as be ordered & vſed for their offences of felonie, to al intents, purpoſes and conſtructions, as lay perſons admitted to their Clergie, be or ought to bee ordered and vſed by the lawes and Statutes of this Realme, any ſtatute, lawes, prouiſions, priuiledges, cuſtomes, or anie other thing to the contrary hereof heretofore vſed notwithſtanding. An. 32. H. 8. ca. 5. But the ſaid act of 23. H. 8. cap. 1. is altered and diminiſhed in diuers things, vt patet poſtea 21. An. 1. E. 6. cap. 12.

Burning in the hand

Forf.

15 ¶ Anno 23. H. 8. cap. 11. It was enacted, that if a Clerke conuict breake the Ordinaries priſon, it is felony, and he ſhal not haue his Clergy, except hee be within holy Orders, and then to remayne without purgation, but the Ordinarie may diſgrade him, and ſend him to the Iuſtices to haue his iudgement and execution &c. But this Felonie is repealed by 1. Ma. 1. Seſſ.

by

by generall wordes.

Petite treason

16 ¶ Euery person and persons, that is or hereafter shall bee indicted of Petite Treason, wilfull murthing of houses, murder, robberie, or burglarie, or other felony, according to the tenor and meaning of the same statute, and thereupon arraigned, and do stand mute of malice, or will not, or challenge peremptorie aboue the number of xx. or elis will not, or do not answere directly to the same Indictment and felonie, whereupon hee is to bee arraigned, shall from henceforth lose the benefit and priuiledge of his or their Clergie, in like manner and forme, as if he had directly pleaded to the same petie Treason, murder, robberie, burglarie, or other felony, whereupon hee is to arraigned, not guiltie, and thereupon had been found guiltie after the lawes of the land. And be it enacted that if anie person or persons bee hereafter indicted of felonie, for the stealing of any goods or cattels, in any Countie within this Realme of England, and thereupon arraigned and be found guiltie, or stand mute of malice, or challenge peremptorie aboue the number of twentie persons, as is aforesaide, or will not vpon his said arraignement directly answere to the same felony, that the the same person and persons so arraigned and found guilty, or stand mute of malice, or challenge peremptorie aboue the number of xx. persons, or will not directly answere to the law, shall lose & be put from the benefit of their Clergie, in like maner and forme, as they should haue bin, if they had been indicted and arraigned, and found guiltie in the same Countie, where the same robbery or burglarie was done or committed, if it shal appeare to the Justices, before whome any such felons or robbers be arraigned, by euidence giue before them, or by examination, that the same felonies whereupon they bee so arraigned, had been such robberies or burglaries in the same shires where such robberies or burglaries were committed or done, by reason whereof they should haue lost the benefite of their Clergy, by force of the said statute, in case they had bin found guiltie thereof in the same shire, where such robberies or burglaries were so committed & done. An. 25. H. 8. cap. 3.

Robbery Burglary

This Acte is confirmed in Anno 28 H. 8. cap. 1. to endure to the last day of the next Parliament. And after Anno 32. H. 8. ca. 3. it is made perpetuall.

This Acte is altered and minished in diuers things, as appeareth hereafter 21. Anno 1. E. 6. cap. 12. But after 5. E. 6. cap. 10 this act of 25. H. 8 is reuiued, as appeareth hereafter 24.

17 ¶ Euery such person and persons, as is recited in the saide Statute of 23. H. 8. capit. 1. (before 14.) within such orders of Subdeacon, or aboue, being conuicted of anie petie Treason, or of any Murder of malice prepensed, or of anie of the saide felonies aboue rehearsed, (as in the saide Statute of 23. H. 8. capit. 1.) or of anie accessorie to petie Treason, wilfull murder, or to anie other the said felonies aboue specified (as in the sayde Statute of 23. Hen. 8. capit. 1.) before the Lorde Marcher, Steward, Lieutenant, Deputie, or other Justice or Officer, within Wales, or within anie other place, Citie, towne, honor, lordship, or manour, within the kings Dominions, where no Justices of the Peace, and of the Quorum bee, and thereupon the same conuict admitted vnto his Clergie, that the same person or persons so being within such holy orders, and conuict before any such Lorde Marcher, Stewards, Lieutenant, Deputie, or other Justice or Officer in Wales, or within any such place, Citie, or Towne, Honour, Lordship, or manour, within any the kinges Dominions, where bee no Justices of the Peace and of the Quorum, or, for or for anie of the offences aforesayde, and deliuered vnto the Ordinarie as Clerke conuict for the same, shall or maie finde two sureties by recognisance for his good abearing, before two of the kinges Justices of Peace, whereof the one to bee of the Quorum, in the Shire where the same conuict is or shall bee kept in the Ordinaries prison, if the same prison be within the Shire grounde where Justices of the Peace and of the Quorum bee, or elis before two of the kings Justices of the Peace, whereof one to bee of the Quorum in the next shire adioyning vnto the same prison. And that the same two Justices of the Peace, whereof the one to bee of the Quorum, to haue power and authoritie to take such recognisance, and to certifie the same in like maner and forme, and vpon like paine, as it should or ought to haue bin done by vertue of the said former Acte, if the same petie Treason, Murder, Felonie, or other offence, of, or for which any such conuict was or shall bee so conuict and admitted vnto his Clergie, as is aforesaide, had been committed and done within the Shire ground

Subdeacon. Petty treason Murder Felonie

Accessorie

Wales

Sureties Recognisaces Iust. of P.

Conuict

ground, where Iustices of the peace and of the Quorum be. Anno 26. H. 8. cap. 12.

18 ¶ Such as bee within holie orders, shall from henceforth stande and bee under the same paines and paunggers for the offences conteyned in any of the saide statutes (S. in abbreuiation Anno 22. Hen. 8. capit. 14. and infra 23. Hen. 8. capit. 1. and infra 25. Hen. 8. capit. 3. and in Felonie Anno 25. Hen. 8. capit. 6.) and be vsed and ordered to all intentes and purposes, as other persons not being within holie orders: anie priuilege or exception therein in any of the said actes, or anie other plage or custome of this Realme to the contrary thereof notwithstanding. This acte to endure vnto the last day of the next Parliament. Anno 28. H. 8. capit. 1. And after Anno 32. Hen. 8. cap. 3. This Acte is made perpetuall.

Clergie prohibited

19 ¶ See Tryall Anno 28. H. 8. capit. 15. That Clergie is put away for Treason, Murder, Robberie, or Felonie done vpon the Sea, or in any hauen, riuer, or creeke, where the Admirall pretendeth to haue iurisdiction.

20 ¶ That if any person or persons at anie time after the saide feast of the Nativitie of our Lorde God next comming, doe steale anie Horse, Gelding, Mare, Fole, or Filly, and thereof be found guiltie by verdict of twelue men, or by his owne confession bee attaynted, or otherwise bee indicted for the stealing of anie Horse, Gelding, Mare, Fole, or filley, and thereupon arraigned, and doe stand mute of malice, or frowarde minde, or challenge peremptory aboue the number of twenty, or else will not answwere directly to the same Indictment and Felonie, whereupon he is so arraigned: That then euerie such person or persons shal not from henceforth bee admitted to haue the benefite of his or their Clergy, but vtterly be excluded thereof, and shall suffer death, in such manner and forme, as they should if they were no Clerkes. Anno 37. H. 8. cap. 8. See here following 22.

Mute Peristeate challenge

21 ¶ No person or persons that heretofore haue bene, or at anie time hereafter shall bee in due forme of the Lawes attaynted or conuicted of Murder of malice prepensed, or of poysoning of malice prepensed, or of breaking of anie house by daye or night, anie person being then in the same house where the same breaking heretofore hath bene, or hereafter shall be committed, and heretofore hath bene, or hereafter shall be thereby put in feare or dreade, or of, or for robbing of any person or persons, in the high way, or neere to the high way, or for felonious stealing of horses, geldings or Mares, or of felonious taking of any goodes out of anie parish Church, or other Church or Chappell, or being indicted or appealed of anie of the same offences, and thereupon found guilte by verdict of twelue men, or shall confesse the same vpon his or their arraignement, or will not answere directly, according to the lawes of this realme, or shall stande wilfully or of malice mute, shall not bee admitted to haue or enioie the priuiledge or benefite of his Clergie or Sanctuarie, but shall bee put from the same. And that in all other cases of Felonie, other then such as before are mentioned, all and singuler person and persons, which after the first day of Marche next comming, shalbe arraigned or found guilty vpon his or their arraignement, or shall confesse the same, or stande mute in forme aforesaide, or will not answere directly, in forme aboresaide, shal haue and enioy the priuiledge and benefit of his or their Clergie, the liberties and priuiledge of Sanctuarie, in like manner and forme, as hee or they might or should haue done before the prim. daye of Aprill, in the first yeere of the raigne of the said late King Henry the eight.

Robbe by the way

Horse Mares

Sacrilledge

Clergy and Sanctuary prohibited

Confesse Mute

And bee it &c. that in all and euerie case and cases, where any of the Kinges Maiesties subiectes, shall and may vpon his prayer, haue the priuiledge of Clergie as a Clerke conuict, that may make purgation in al those cases and euery of them, and also in all and euery case and cases of Felonie, wherein the priuiledge and benefite of Clergy is restrained, excepted or taken away by this estatute or Acte, (wilfull Murder, and poysoning of malice prepensed onely excepted) the Lorde and Lords of the Parliament, and Peare and Peeres of the realme, hauing place and voice in parliament, shall by vertue of this present act of common grace, vpon his or their request or prayer, alleaging that hee is a Lord or a Peere of this Realme, and claiming the benefite of this Acte, though hee can not read, without anie burning in the hande, losse of inheritance, or corruption of his blood, bee adiudged, deemed, taken, & vsed for the first time only, to al intents, constructions, and purposes, as a Clerke conuict, and shalbe in case as a Clerk conuict,

Purgation

Murder Poysoning Lordes Peeres

Clergie allowed without reading

vise, which may make purgation without any further or other benefite or priuiledge of Clergie to any such Lord or Peere from thencefoorth at anie time after, for any cause to bee allowed, abridged, or admitted: Anie Lawe, Statute, vsage, custome, or any other thing to the contrary in any wise notwithstanding.

Trialls

Prouided alwayes, that if any of the saide Lordes of the Parliament, or anie of the Peeres of this Realme for the time being shall fortune to bee indicted of anie of the offences limitted in this Acte, that then they and euerie of them shall haue his or their triall by their Peeres, as it hath been vsed heeretofore in cases of high Treason. And bee it ee. that if anie person or persons that by this Statute, or by anie other Statutes or lawes of this realme ought to haue or to be admitted to the benefite of his or their Clergie, that the same person or persons shal be from henceforth admitted and allowed to his or their Clergie, although they or any of them haue been diuers and sundrie times married to anie single woman, or single women, or to anie widowe or widowes, or to two wiues or more: anie law, Statute, or vsage to the contrarie notwithstanding. An. 1. E. 6. cap. 12.

Clergie allowed notwithstanding Bigamy

Horse Gelding Mare

22 ¶ All and singuler person and persons feloniously taking or stealing anie Horse, Gelding or Mare, shall not be admitted to haue or enioy the priuiledge or benefite of his or their Clergy or sanctuarie, but shall be put from the same, in like manner and forme, as though he or they had been indicted or appealed for felonious stealing of two horses, two geldings, or two Mares, of any other, and thereupon found guiltie by verdict of xij. men, or confesse the same vpon their arraignment, or stand wilfully, or of malice mute. Anno 2. Ed. 6. cap. 33.

Clergie disallowed

Burglary

23 ¶ If it happen anie person or persons to be founde guiltie, according to the lawes of this Realme, for robbing of anie person or persons, after the first daye of May next ensuing in any part or parcel of their dwelling houses, or dwelling places, the owner or dweller in the same house, or his wife, his children, or seruants, liuing tho within the same house or place where it shall happen the same robbery and felonie to be committed and done, or in any other place within the precinct of the same house or dwelling place, that such offenders shal in no wise be admitted to their Clergie, whether the owner or dweller in the same house, his wife or children then and there being, shall bee waking or sleeping. And that no person or person, which after the said first day of May shal happen to be found guilty, after the lawes of this realme, of and for robbing any person or persons in any bothe or tent, in any Faire or Market, the owner, his wife, his children, or seruaunts or seruant, then being within the same bothe or tent, shall not from henceforth bee admitted to the benefite of his or their Clergy, but vtterly bee excluded thereof to suffer death, in such manner & forme, as is before mentioned in the saide Acte, made in the same xxvij. yeere of the raigne of the same late king, for robberies and felonies committed and done in dwelling houses & dwelling places, the owner or dweller in the same, his wife, children, or seruaunts then being within the same, and put in feare and dread, without hauing any respect or consideration whether the owner or dweller in such bothes and tentes, his wife, children, or seruants being in the same bothes or tentes, at anie time of such robberies and felonies committed, shal be sleeping or waking. Anno 5. E. 6. cap. 9.

Faire Market

Clergie disallowed

24 ¶ By reason of an article and clause contayned in the Statute (here before 2. Anno 1. Ed. 6. cap. 12. the Seature heretofore 16. Anno 25. H. 8. cap. 3.) which did put such Felons and Burglaters from their Clergie that doe such offence in one Countie, and after are taken with the goods stolle in another Comity and there indicted, arreigned, and found guilty, was made voide. Wherefore in Anno 5. Ed. 6. cap. 10. it is enacted, that the saide Acte made in the saide xxvij. yeere, touching the putting of such offenders from their Clergie, and euery article, clause, and sentence contained in the same, touching Clergie, shal from henceforth touching such offenders from henceforth to be committed and done, stand, remaine, & be in full strength and vertue, in such maner and forme, as it did before the making of the said act, made in the saide first yeere of the raigne of our saide Soueraigne Lord the king that now is: any clause, article, or sentence, compriſed in the saide acte made in the saide first yeere, to the contrary notwithstanding. An. 5. E. 6. cap. 10.

Retained

Bennet Smith

¶ Anno 2. & 3. P. & M. An Act was made, to take away the benefit of Clergy from Bennet Smith, for the Murder of Rufford,

Rufford, if the same Bennet shoulde bee found guiltie as accessory to the Murder, or should confesse the Murder, or not answere directly, or stand mute, or chalenge peremptory aboue xx.

26 ¶ That all and euery person and persons, that after the first day of March next comming, shall maliciously command, hyre, or counsel any person or persons, to committe or doe any petie Treason, wilfull murder, or to doe any robberie in any dwelling house or houses, or to commit or doe any robberie, in or neere anie high way in the Realme of England, or in any other the Quenes Dominions, or to commit or doe any robberie in any place within the Marches of England, against Scotland, or wilfully to burne any dwelling house, or any part thereof, or any barne then hauing corne and graine in the same: that then euery such offendor or offendors, and euery of them, being outlawed thereof, or being therof arraigned and founde guilty by the order of the law, or being otherwise lawfully attainted or conuicted of the same offence, or being arraigned thereof doe stand mute of malice, or of froward mind, or do chalenge peremptory aboue the number of xx. persons, or will not aunswere directly to such offence, shall not haue the benefite of his or their Clergie.

Petty treason
Murder
Marches
Burne houses
Burne corne
Mute
Peremptory challenge
Clergie denied

Prouided alwayes, and bee it enacted, that euery Lorde and Lordes of the Parliament, and Peere and Peeres of the realme, hauing place & voice in the Parliament, vpon euery Indictment of any of the offences aforesaid, shalbe tried by their Peeres, as hath been accustomed by the lawes of this Realme. An. 4. & 5. P. and M cap. 4.

Peeres

27 ¶ Bee it enacted, that no person or persons, which hereafter shall happen to bee indicted or appealed for felonious taking of any money goods, or cattels, from the person of any other, priuily without his knowledge, in any place whatsoeuer, & thereupon found guilty by verdict of xij. men, or shal confesse the same vpon his or their arraignmēt, or wil not answere directly to the same, according to the lawes of this Realme, or shall stand wilfully, or of malice, or obstinately mute, or chalēge peremptorie aboue the number of xx. or shall bee vpon such indictment or appeale outlawed: shal not from henceforth be admitted to haue the benefite of his or their Clergie, but vtterly bee excluded thereof, and shall suffer death in such manner and forme as they shoulde if they were no clerkes. Be it further enacted &c. that euerie person and persons which shall hereafter vpon his or their arraignement for any felony bee admitted to the benefite of his Clergie by the lawes of this realme, & deliuered to the Ordinary for the same, & shal make his due purgation for the same offence or offences, whereupon he was so admitted to his Clergy, & shall before the same admission to his Clergy, haue committed any other such offence whereupon Clergy by the lawes or Statutes of this realm is not allowable, & not being therof before indicted and acquited, conuicted, or attainted, or pardoned, shal & may be inditted or appealed for the same, and thereupon put to answere, & ordered and vsed in al things according to the lawes & statutes of this realm, in such and like maner and forme, as though no such admissiō of clergy had bēn, any lawe, custome, or vsage to the contrary notwithstanding. An. 8. Eliz cap. 4.

Money Goods
Clergie denied

28 ¶ For the repressing of the most wicked and felonious rapes, or rauishments of women, maides, wiues, & damsels, and of felonious Burglaries, and for the auoyding of sundrie periuries and other abuses, in, and about the purgation of Clerkes conuict, deliuered to the Ordinaries: Be it enacted and ordeined by authoritie of this present Parliament, that if any person or persons, shal fortune at any time after the first day of June nowe next ensuing, to commit or do any maner of felonious rape, rauishment, or Burglary, and to bee found guilty by verdict of any such felonious Rape or Burglarie, or that any person or persōs shal fortune to be outlawed for any the offēces aforesaid, or vpō his or their arraignmēt shal confes any such felonious rape or burglary, that in euery such case, euery person and persons so being founde guilty, outlawed, or confessing any of the said felonious rapes or burglaries, shal suffer paines of death, and forfait as in cases of Felony hath bin vsed and accustomed by the common lawes of this Realme, without anie allowance of the priuiledge or benefite of Cleargie: anie lawe, custome, or vsage heretofore had, made, or vsed, to the contrarie notwithstanding.

Rape
Burglary
Outlawed
Fork.
Clergie denied

And moreouer bee it further enacted by the authoritie aforesaid, that euery person and persons, which at any time after the

ende

ende of this present Session of Parlyament shall bee admitted and allowed to haue the benefite or vntledge of his or their Clergie, shall not thereupon be deliuered to the Ordinary, as hath bẽn accustomed, but after such clergie allowed, and burning in the hand, according to the statute in that behalf prouided, shal forthwith be inlarged and deliuered out of prison, by the Justices before whome such Clergie shall be graunted, that cause notwithstanding.

Ordin' vic

Prouided neuertheles, & be it also enacted by the authority aforesaid, that the Justices before whom any such allowãce of Clergie shalbe had, shal & may for the further correction of such persons to whome clergie shall be allowed, detaine & kepe them in prison for such conuenient time, as the same Justices in their discretions shal thinke conuenient, so as the same doe not excede one yeares imprisonment: any law or vsage heretofore had or vsed to the contrary in any wise notwithstanding.

Imprit.

And for plaine declaration of law, be it enacted, that if any persõ shal vnlawfully and carnally know & abuse any woman child, vnder the age of x. yeres, euery such vnlawful & carnal knowledge shalbe Felonie, and the offender thereof being duly conuicted, shal suffer as a Felon, without allowance of clergie.

Kape

Felonie

Prouided alwaies, that all & euery person and persõs, which shal hereafter be admitted to haue the benefit of his or their Clergy, shal notwithstanding his or their admission to the same, bee put to answere to all other felonies, wherof hee or they shalbe hereafter indicted or appealed, & not being therof before acquited, cõuicted, attainted, or pardoned, & shal in such maner and forme be arrayned, tried, adiudged, & suffer such execution for the same, as he or they should haue done, if (as clerke or clerks conuict) they had bẽn deliuered to the Ordinary, and there had made his or their purgations: any thing in this acte contejned to the contrary notwithstanding. An. 18. Eliz. cap. 7.

Answere

¶ Clerkes of the Chancery.

YE shall sweare, that wel and lawfully ye shall serue our soueraign Lorde the King, and his people, in the office of Clerke of the Chauncerie, to which yée be attitled. And yé shall not assent nor procure the Kinges disherison or damage to

your power, nor ye shall doe, nor procure to bee done anie fraude to anie mannes wrong, nor any thing that toucheth the keping of the seale, and yé shall lawfully counsaile in the things that toucheth the king, when yé shall be thereto required, and the counsel which yé know touching him yé shal kepe secret. And if yé know the kings disherison, or perpetuall damage, or fraude to be done vpon thinges, which touch the keping of the seale, yé shal put your lawful power to redresse & amend the same. And if yé can not the same do, then ye shal certifie the Chanceler or other, which may do the same to be amended to your intẽt. And for the Clerks of course shall be added. And yé shall not bring, nor to your knowledge suffer to be brought anie writs, which yé make out of the court not sealed, therefore to do execution, nor shall record any Atturney by writs, nor without writs, without speciall licence, if ye haue not lawfully examined the partie, and the Atturney in proper person, or at the least, him that shall make Atturney in proper person: nor yée shal deliuer no writ which shalbe of commaundement to the examiners, nor to the seale, before that the same writ be sent to you by the commander, which therof hath power vnles it be to the Chanceler, or to one of the Maisters, which commandeth you to make the writs. And all the writs that ye shall make, yé shall deliuer them to the examiners by your owne hande, or by your owne fellowes which is sworne to the king, if yé your selfe bee out of the Court, because of sicknes or other cause necessarie, so that yé can not the same do. And no writte written of an other mans hand, be deliuered to the examiners vnder your name, as yours, nor no name shall yé put vpon your writs, but your owne, as God you helpe and all Saintes. Anno 18 E. 3. Stat. de Sacramento Clericorum Cancellariæ.

Fraud

Seale

Chanceler

Writs

Atturney Licence

Maisters

Examiners

2 ¶ Anno 14. H. 8. capit. 8. An Acte is made, that the six Clerks of the Chancerie may marrie.

vi. Clerkes marrie

¶ Clerkes of the Crowne.

BEcause that complaint is made to our Soueraign lord the king by the commons, of the Clerke of the Crowne of the Kings Bench, whereas xx. xl. or C. men be indicted of one felony, or of one trespas, & all they pleade to an issue, as not guilty,

Indicters Felonie

the

the saide Clerke ought not to take for the Venire facias, nor for the entring of the plee more then ij. s. the saide Clerke doth take for euery such name by extortion ij. s. in greate oppression of the people: Our said Soueraigne Lorde the king willing to saue his said people of such extortions & iniuries, by the aduise & assent of the said Lords spiritual, and temporal, and at the prayer of the said commons, hath ordained & established, that the saide Clerkes of the crowne shall take no more then hath been duely vsed of olde times. And moreouer our said Soueraigne Lorde the king hath charged the Justices of the kings bench, that no extortion bee done in this behalfe in the bench aforesaid. An. 2. H. 4. cap. 10.

Venire facias
Extortion
Fees
Just. of the K. Bench

¶ Clerke of the Market.

THe Clerk of the Market of the kings house, shal do his office wel and duly. And that al false Measures and Weights shal be burned, after the forme of the Statute. And that the saide Clerke take no common fine, but that euery person which is founde in default touching the same office bee punished according to his deseruing. And that he shal not ride but with fiue horses, at the most, and that bee shall not tarrie in no towne nor other place no longer then the necessitie of his dede shal require, and if he doe any thing contrary to this statute, and bee thereof duely conuict, hee shall pay to the king at the first time that he shal be so conuict an C. s. and at the second time x. pound, & at the third time xx. li. An. 13. R. 2. cap. 4.

Kings house
False measures
Weightes
Fine

¶ Clerkes of the Signet, and priuie Seale.

ANno 27. H. 8. cap. 11. An acte was made, howe and in what wise the kings grants, writinges, and leases shall passe the priuie Signet, the priuie Seale, and the great Seale, and in what time they shal passe the Seales, and forfeitures set vpon those Clerkes of the priuy Signet & priuy Seale, for not doing their duetie, and what fees they shall take for those writings, & what fees shall be paide to any person for the same, and howe and where such writings shall come to the great seale with an immediate warrant, and not passe the Signet or priuy Seale, and what fees shall then bee paide therefore and how and vnder what Seales the kings leases, graunts, and writtings of landes, or offices of the countie Palantine, or Dutchie of Lancaster shall passe, and what graunts, leases, or writings for the king may bee made without his warrant, and diuers articles at large concerning these matters.

Grauntes
Leases

¶ Collectors.

ANno 9. H. 5. cap. 9. An act was made (to endure to the nert Parliament, that should bee after the Kinges returne into England) that Abbots and Priors, should not be Collectors of Dismes or Subsidies out of the Shires where they dwelt.

Abbots
Priors
Dismes
Subsidies

2 ¶ Anno 6. H 5. Stat. 2. cap. 10. An acte was made (to endure to the nert Parliamẽt, that should be holden after the kings returne into Englande) for Collectors of x. and xv. to recouer such money as they paide for their fellowes.

Dismes
Fiftenes

3 ¶ That no man dwelling within anie Citie or Borough, within the sayde realme, of which citie or borough it hath been vsed before this time and yet is, the names of certaine men by the persons for the said citie or borough, comming to the Parliament, to be deliuered in the kings Chancery to be Collectors of Dismes in the same citie or borough. And whereupon the king hath sent his letters Patents to the same persons so named and deliuered in his Chancery, to be Collectors of the Disme or parcell of the same, within the saide citie or borough, and the which Collectors haue occupied and be bound to accompt of their receipt in this behalfe, immediatly in the kings Eschequer, shall in any wise be deputed nor assigned to be Collector of any quinzime, or any parcel of the same, graunted or to be granted to the king or his heires within any countie of this Realme, except that he may expende in the countie out of the saide City or Borough in lands or tenements to the value of an C. s. by yeere, ouer all charges and reprises. An. 18. H. 6. cap. 5.

Citie
Parliament
Dismes
Letters patents
Chancerie
Eschequer
Freehold

¶ Common plees.

COmmon plees shall not followe our Court, but shall bee holden in some place certaine. Mag. chart. cap. 11.

2 ¶ No cõmon plee shalbe from hence forth holden in the Eschequer, contrary to the forme of the great Charter. Articuli super chart. cap. 4. An. 28. E. 1.

Eschequer

Commis-

¶ Commission and Commissioners.

Enquiries

By Anno 18. E. 3. cap. 1. Commissions granted to enquire of certain things were repealed.

Measures Yardes Weightes

2 ¶ By An. 18. E. 3. cap. 4. Commissions made to assay Measures, Yards, and Weightes were repealed, and that no such Commissions should after bee graunted.

Justices of both bēches Just. of ass. Just. of P.

3 ¶ From henceforth in all inquiries within this realme, Commissions shal be made to some of the Justices of the one bench, or of the other, or Justices of assise, or Justices of the peace, with other of the most worthy of the country, aswel for the kings profite as the commons: Saving in the office of Escheatorship, or any thing that toucheth the same office. Anno 42. E. 3. cap. 4.

Escheator

Surueye

4 ¶ Anno 10. R. 2. A Commission was made by the king, and authorized by the parliament, to diuers to surueye the kings reuennes, and to correct and reforme for many thinges there expressed, and penalties set vpon them that should moue the king to repeale the Commission. 1. And after An. 11. R. 2. ca. 2. & 3. the said Commission was affirmed, and all that was done by force of the Commission, and that none should bee molested for railing or assembling of force, for any thing against them that did resist the Commission, nor for anie euil gouernance about the king, except certaine persons there named. And after Anno 21. R. 2. cap. 2. the said Statute of Anno 10. R. 2. in that article, and in the saide Commissions, and al the paines and dependants thereupon were repealed. It was there enacted that no such Commission should after bee made, and that who so purchased or procured, or put in vre any such Commission should bee a Traytour. But the Parliament of An. 21. R. 2. was repealed by 1. E. 4. cap. 3.

Traitor

Discharge Othes

5 ¶ Anno 2. H. 4. cap. 9. It was enacted, that Cōmissioners made in the time of K. the 2. that were rifled, and had deliuered their Commissions, should not bee charged to certifie, but should be discharged by their othes.

Chancerie

Dierꝛter.

6 ¶ Because that many Commissions be made in the Chauncerie, and directed to diuers persons of the realme, sometime to enquire, and certifie, sometime to enquire, heare and determine, and sometime to seise landes and tenements, goodes and cattels, which Commissions neuer came to the handes of the said Commissioners, whereupon writs issued out of the Eschequer of our Soueraigne Lord the King, to distraine such Cōmissioners, their executors, heires, and landtenāts, sometime to yelde the estreates of the fines, issues, and amerciaments, which pertaineth to our Soueraigne Lorde the King, because of the saide commissions, sometime to certifie that which is founde before them by enquest, & sometime to accompt of certain things contained in the said Cōmissions, to the greate dammage and disquieting of manie the Kings liege people. The same our soueraigne Lord the king, for the ease and quietnes of his people, willing in this case to prouide remedie, by the assent aforesaid, will, and hath ordeined and established, that the Chauncelor of England, for the time being, shall vse his power, as he hath done before this time, in this case and in other cases, The same Chauncelor calling to him such Justices, as him shall please, or the chiefe Baron of the Eschequer, if nede bee, shall haue power by authority of Parliament, to prouide remedy from time to time by their discretions. An. 4. H. 4. cap 9.

Eschequer Executors

Amerciaments

Chauncelor

Justices Chiefe Baro

7 ¶ Whereas many of the kings liege people bee assigned by the Commissions, to doe and performe the conteinue of the same, some to heare and determine, some to enquire and certifie, and otherwise, whereby the same Commissioners bee grieuously distrained by proces out of the Eschequer, by reason of the saide commissions, and by that occasion doe lose great issues, where the saide cōmissioners were neuer knowing of such Commissions, nor the same Commission neuer came to their handes, to the great damage and disease of many of the kings subiects: It is ordeined and established, that the barons of the Eschequer, shall haue power to receiue the othe of such Commissioners, and of their excuse and discharge of the receipt or occupation of the saide Commissions, and also that the same Barons, and the Justices of the one bench and the other, shall haue power by writte of Dedimus potestatem, to receiue such othes in the countrey, and that the same Justices shal thereof certifie the said barons in the Eschequer from time to time, and that vpon the same the saide Barons shall discharge the saide Commissioners. And in likewise it shall bee done for their heires, executors, or lande tenants, of the same Commissioners.

Barons of the Esch.

Justices of both bēches Dedimus potestatem

Discharge

Heire Executors

Prou-

Prouided alwaies, that such othes be not taken, but in the case of commissions of Dier & determiner, of enquirie and certifying onely. An. 7. H. 4. cap. 11.

Dier & ter.

8 ¶ An. 31. H. 8. cap. 14. An acte was made for matters of religion, called ỳ act of the sixe articles, and therein was enacted, that commissions should bee made to inquire of these matters. But An. 1. E. 6. cap. 12. that Act was repealed. And before the repeale. s. An. 32. H. 8. cap. 15. an Acte was made, that certaine Spirituall Officers and Iudges, should be Commissioners. But after 1. E. 6. this acte of 32. H. 8. was of no force because the saide statute of 31. H. 8. cap. 14. was repealed.

6. Articles

¶ Condition.

As well al and euerie person and persons, and bodies politike, their heirs successours and assignes, which haue, or shal haue any gift or grant of our said Soueraigne Lord, by his letters patents, of anie Lordships, manors, lands, tenemẽts, rents, parsonages, tithes, portions, or anie other hereditaments, or of anie reuersion or reuersions of the same, which did belong and appertaine to anie of the said Monasteries, or other religious & Ecclesiastical houses, dissolued, suppressed, relinquished, forfait or by any other means come to the kings hands, since the said 4. of Februarie, the 27. yere of his most noble raigne, or which at any time heretofore did belong or appertaine to any other person or persons, & after came to ỳ hands of our said soueraign lord, as also al other persons being grantées or assignées to or by our soueraign Lord the K. or by any other person or persons then the K. Highnesse, and the heirs, executors, successors and assignes of euery of them, shall & may haue and inioy like aduantages against ỳ lessées, their executors and administrators, and assignees, by Entre for nonpaiment of the rent, or for doing of waste, or other forfaiture, and also shal & may haue and inioy all & euery such like, & the same aduantage, benefit and remedies, by action only for not performing of other conditions, couenants or agréements, contained & expressed in the Indentures of their said leases, demises, or grants, against all and euery of the said lessées & fermors and grantées, their executors and administrators, & assignes: as ỳ said lessors or grantors, themselues or their heires or successors ought, should or might haue had and inioyed at any time or times, in like maner and forme, as if the reuersion of such landes, tenements or hereditaments had not come to the handes of our said Soueraigne Lorde, or as our said Soueraigne Lorde, his heires and successours should or might haue had and inioied in certaine cases by vertue of the actes made in the first sessions of this present Parliament (s. An. 31. H. 8. cap. 13. which is in Monasteries 11.) if no such grant by letters patẽts had bin made by his highnes. Moreouer be it &c. that all farmors, lessees & graunteés of Lordships, manors, lands, & tenemẽts, rents, parsonages, tithes, portions or anie other hereditaments, for terme of yeres, life or lives, their executors, administrators & assignes, shal and may haue like action, aduantage & remedie against all & euery person or persons, and bodies politike, their heirs, successors & assignes, which haue or shal haue any gift or grant of the king our said soueraign Lord, or of any person or persons of the reuersion of the same manors, landes, tenements, and other hereditamẽts so letten, or any parcel therof, for anie condition, couenant or agreement contained or expressed in the Indentures of their lease, as the same or anie of them might and should haue had, against the said lessors & graunteors, their heirs or successors: all benefits and aduãtages of recoueries in value, by reason of anie warrantie in deed or in law, by voucher or otherwise only excepted.

Gift Grant

Heire Executors

Waste

Leases

Parsonage Tithes

Action

Prouided alwaies that this act, nor any thing or things therin contained, shal extẽd to hinder or charge any person or persons for ỳ breach of any couenant or conditiõ comprised in any such writing, as is aforesaid, but for such couenants & conditions, as shalbe broken or not performed after the first day of September next cõming, and not before: any thing before in this act contained to the contrary thereof notwithstanding. An. 32. H. 8. cap. 34.

Couenants

2 ¶ See first fruits and Tenthes 9. a like statute for grants of reuersions, and that the lessées and their grantees of benefices appropriate renounced by the King and Queene to the spiritualtie.

Reuersions

¶ Confirmation.

THe great Charter shalbe obserued in all his articles, aswell in such as pertain to the king, as to other, & that shalbe inqui-

Mag. char.

Shirife

inquired afore ỳ Iuſtices in Eire in their circuits, & before the ſhirifs in their counties, when nede ſhalbe. And writs ſhalbe freely granted againſt thẽ that do offend before the K. or the Iuſtices of the bench, or before Iuſtices in Eire, whẽ they come into thoſe parties. Likewiſe the charter of forefts ſhalbe obſerued in all his articles, & the offenders, when they be conuict, ſhal be grieuouſly puniſhed by our ſoueraigne Lord the king, in forme aboue mentioned. Marleb. cap. 5. An. 52. H. 3.

Charta de Foreſta

Mag. char.

Charta de Foreſta

2 ¶ Frõ hencefoorth the great charter of the liberties of England, granted to al the Comminaltie of the realme, and the charter of foreſt in like maner graunted, ſhall be obſerued, kept and maintained in euery point, in as ample wiſe as the king hath granted, renued, and confirmed thẽ by his Charter. And that the Charter be

Shirife

deliuered to euery ſhirife of England vnder the kings ſeale, to be read foure times in the yeere before the people in the full countie, that is to wéte, the nert countie day after the feaſt of Saint Michael, & the nert countie day after the feaſt of Chriſtmas, and after Eaſter, & after the feaſt of Saint Iohn Baptiſt. And for theſe two charters to be firmely obſerued in euerie point and article (where before no remedy was at the Common law) there ſhall be choſen in euery Shire court, by the Comminaltie of the ſame ſhire, thre ſubſtantial men knights, or other lawfull wiſe and well diſpoſed perſons, to be Iuſtices,

Knights

Iuſtices

which ſhal be aſſigned by ỳ kings letters patents vnder the great ſeale, to heare & determine (wout any other writ, but only their commiſſion) ſuch plaints as ſhall be made vpon al thoſe that commit or offend againſt any point cõtained in the foreſaid charters, in the ſhires where they be aſſigned, aſwel within franchiſes as without, & aſwel for the K. ſeruãts out of their places, as for other, & to heare the plaints from day to day without any delay, & to determine thẽ without allowing the delaies which be at the common law. And ỳ ſame knights ſhall haue power to puniſh al ſuch as ſhalbe attainted of any treſpas done contrarie to any point of the foreſaid charters (where no remedie was before at the Common law) as before is ſaid, by

Dier & ter.

K. ſeruants

Impriſ.

impriſonment, or by fine, or by amerciament according to the treſpas. Neuertheles the king nor none of his counſell that made this ordinance intend ỳ by vertue hereof, any of the foreſaid knights ſhould hold any maner plee by power for to admitte any ſuit in anie ſuch caſes, wherein there hath bin remedie prouided in times paſſed after the courſe of the common law by writ. Nor alſo that the common lawe ſhould bee preiudiced, nor the charters aforeſaid in any point. And the king willeth that if all thre be not preſent, or cannot at al times attend to do their office in forme aforeſaid, the K. commandeth that two of them ſhal do it. And it is ordained that the kings ſhirifs and bailifes ſhalbe attendant to doe the commandements of the foreſaid Iuſtices as farre forth as appertaineth vnto their offices. Articuli ſuper chartas cap. 1. An. 28. E. 1.

Common law

Shirife Bailifes

3 ¶ In the ſecond volume of the olde ſtatutes, is an ordinance intituled: Confirmatio Chartarum de libertate Angliæ & Foreſtæ An. 25. E. 1. By which is ordained that the charter of Magna Charta and the charter of the foreſt ſhalbe kept, & that the ſame charters ſhalbe publiſhed in townes, and read in cathedrall churches, and that Biſhops ſhall excommunicate the breakers thereof. And then followeth a forme of a ſentence of excommunication intituled: Sententia lata ſuper confirmatione Chartarum.

Excommunication

4 ¶ Magna Charta & Charta de Foreſta ſhall be kept and put in execution. An. 1. 2. 4. 5. 10. 14. 28. 31. 36. 37. 38. 42. 45. & 50. E. 3. cap. 1. An. 1. 2. ſtat. 2. 5. 6. ſtat. 1. 6. ſtat. 2. 7. 8. & 12. R. 2. cap. 1. An. 1. 2. 4. 7. 9. & 13. H. 4. cap. 1. And An. 4. H. 5. cap. 1.

5 ¶ If anie ſtatute bee made contrary to Magna Charta, and Charta de Foreſta, it ſhalbe void. An. 42. E. 3. cap. 1.

6 ¶ Al ſtatutes not repealed ſhall bee kept and put in execution. An. 10. 28. 36. 37. 38. & 50. E. 3. cap. 1. An. 1. 2. ſtat. 2. 3. 5. 6. 7. 8. 9. & 12. R. 2. cap. 1. & Anno 13. R. 2. cap. 8. & An. 15. R. 2. cap. 2. & An. 1. 2. 4. 7. 9. & 13. H. 4. capit. 1. & An. 4. & 5. Phil. & M. cap. 1.

7 ¶ All ſtatutes not repealed made againſt artificers ſhall be kept & put in execution. An. 13. R. 2. cap. 8.

Artificers

8 ¶ Al ſtatutes not repealed of eſchetors, Shirifs, Vndershirifs, and clerkes of the ſhires, ſhalbe kept and put in execution. An. 9. R. 2. cap. 1.

Eſchetors Shirifs

9 ¶ Al ſtatutes not repealed of laborers ſhalbe kept and put in execution. An. 8. R. 2. cap. 1. & An. 13. R. 2. cap. 8.

Laborers

10 ¶ All ſtatutes not repealed, of purueiors ſhall be kept and put in execution. An. 5. 6. 8. & 9. R. 2. cap. 1.

Purueiors

11 ¶ All

Attailers

11 ¶ All statutes not repealed of Attailers, shalbe kept and put in execution. An. 13. R. 2. cap. 8.

Parliamẽt

12 ¶ Anno 1. H. 4. ca. 4. It is enacted, that the parliament holden Anno 11. R. 2. shall be holden and kept.

Exemplifi-cation

13 ¶ Anno 1. E. 4. cap. 1. An acte was made whereby was confirmed all iudicial acts, exemplificatiõs, concords, recoueries, proces in court, made in the times of Henrie 4. Hen 5. and H. 6. and all grants

Letters P.

and letters patents of diuers things mẽtioned in the said acte, made by any of the said three kings. See the statute.

14 ¶ See Patents of Confirmations of the kings Letters patents.

Pope

15 ¶ See Rome 4. what things be confirmed by the Pope.

Measures

16 ¶ See Weights 35. of confirmation of statutes, made for measures of vessels and gauging.

¶ Coniurations, Enchantments. and Witchcraft.

VVHeras at this day there is no ordinarie nor condigne punishment prouided against the wicked offences of coniurations and inuocations of euill spirits, & of sorceries, inchantmẽts, charmes and witchcrafts, which be practised to the destruction of the persons and goods of the Quéens subiects, and for other lewd purposes: Bee it enacted &c. that if any person or persons after the first day of June nert comming, shall vse, practise or exercise any inuocations, or coniurations of euill or wicked spirits, to or for anie intẽt or purpose, or els if any person or persons after the saide first daie of June shall vse, practise or exercise any witchcraft, inchantment, charme or sorcerie, whereby any person shal happen to be killed or destroied, that then aswell euery such offendor or offendors in inuocations, or coniurations, as is aforesaid, their aiders and counsellers, as also euery such offender or offenders in that witchcraft, enchauntment, charme or sorcery, whereby the death of any person doth insue their aiders and counsellers, being of either of the said offences lawfully conuicted and attainted, shall suffer paines of death, as a felon or felons, and shal lose the priuiledge and benefit of Clergie and Sanctuarie. Sauing to the wife of such person her title of dower, and also to the heire and successor of such person, his or their title of inheritance, succession & other rights, as though no such attainder of the ancestor or predecessor had bin had or made. And further be it enacted by the authoritie aforesaid, that if anie person or persons, after the saide first date of June nert comming, shal vse, practise or exercise any Witchcraft, enchantment, charme or sorcerie, wherby any person shal happen to be wasted, consumed, or lamed in his or her bodie or member, or where by any goods or cattels of any person shalbe destroied, wasted or impaired, then euery such offender or offenders, their counsailers and aiders being thereof lawfully conuicted, shal for his or their first offence or offences suffer imprisonment by the space of one whole yeere, without baile or mainprise, and once in euery quarter of the said yere, shal in some market towne, vpon the market day, or at such time as any faire shall bee kept, there stand openly vpon the pillorie, by ỳ space of sixe houres, and there shal openly confesse his or her errour and offence, and for the second offence, being as is aforesaid, lawfully conuicted or attainted, shall suffer death as a felon, and shal loose the priuiledge of Clergie and sanctuarie, saiuing to the wife of such person, her title of dower, and also to the heire and successour of such person, his or their titles of inheritance, succession & other rights, as though no such attainder of the auncestor or predecessour had bin had or made.

Attaine Felonie Clergie denied

Dower

Prouided alwaies that if ỳ offender in any of the cases aforsaid for which ỳ pains of death shal insue, shal happẽ to be a pere of the realme, then his triall therein to be had by his peres, as it is vsed in cases of felonie or treason, and not otherwise. And further be it enacted &c. that if anie person or persons shal from and after the said first day of June nert comming, take vpon him or them by witchcraft, enchauntment, charme or sorcerie, to tel or declare in what place anie treasure of golde or siluer should or might be found or had, in the earth or other secrete places, or where goods or things lost, or stollen should bee found or become, or shal vse or practise anie sorcery, enchantmẽt, charm or witchcraft, to the intent to prouoke any person to vnlawful loue, or to hurte or destroy any person in his or her body, member or goods: That thẽ euery such person or persons so offending & being thereof lawfully conuicted, shall for the said offence suffer imprisonment by the space of one whole

Peere of the realme

Peeres

Treasure

Lost goods

Imprisõ.

yere without baile or mainprize, & once in euery quarter of ỳ ſaid yere, ſhall in ſome market towne vpon the market day, or at ſuch time as at any fair ſhalbe kept there, ſtande openly vpon the pillorie, by the ſpace of fiue houres, and there ſhal openly confeſſe his or her error and offence. And if anie perſon or perſons being once convicted of the ſame offences, as is aforeſaide, do eftſones perpetrate and committe the like offence, that then euery ſuch offender being thereof the ſecond time convicted, as is aforeſaide, ſhall forfaite vnto the Quæenes Maieſtie, her heires and ſucceſſors, all goods and cattels, and ſuffer impriſonment during life, An. 5. El. ca. 16.

Pillorie

2. offence

Forf.

Imprſt.

*

¶ Conſpiracie.

Conſpirators be they that doe conſpire or bind themſelues by othe, couenant, or other aliance, that euery of them ſhal aide and beare the other, falſely & maliciouſly to indict, or falſely to moone or maintaine plæs, & alſo ſuch as cauſe children vnder age to appeale men of felonie wherby they are impriſoned & ſore grieued, & ſuch as retaine men in the country with liueries or fees for to maintain their malicious enterprizes & to drown ỳ truth, & this extendeth aſwel to the takers as to the giuers. And ſtewards and bailifes of great lords which by their ſeigniory, office or power, vndertake to beare & maintain quarels, plæs & debates, that concerne other parties then ſuch as touch the eſtate of their lords or of thẽſelues. An. 33. E. 1.

Othe

Stewards

2 ¶ In right of conſpirators, falſe informers, & imbracers of Aſſiſes, inqueſts and iuries, the king hath prouided remedy for the plaintifs by a writ out of the Chãcerie. And from henceforth the king will that the Juſtices of either bench aſſigned to take aſſiſes whẽ they come into ỳ countrey to doe their office, ſhall vpon euerie plaint made vnto them, award inqueſtes thereupon without writ, & ſhall doe right vnto the plaintifs without further delay. Articuli ſuper chartas cap. 10. An. 28. E. 1.

Informers

Imbracers

Juſt. of both benches

Inqueſts

3 ¶ Foraſmuch as diuers mẽ of malice enmitie and for gaine & vengeance, haue often cauſed to be indicted & appealed diuers of our liege people of treaſons & felonies in the County of Lancaſter, pretending by theſe appeales & indictments that the ſaid treaſons or felonies were cõmitted in a certaine place, where of troth no ſuch place is had in the ſaid county, where the ſaid appeale and indictment is made, to the great damage and peril of ſuch our liege people, conſidering that ſome ſo appealed & indicted, dare not appeare before the Juſtices in their proper perſons, to anſwere therto, for feare of beating, maiming or ſleping of them by the conſpirators, or procurors of the ſame appeales & indictments, as by the commons of the realme of England in our laſt parliamẽt holden at Weſtm. by their petition there exhibited, grieuouſly complaining, was ſhewed: It is ordained in the ſame parliament by the aſſent of the prelats, & great men of the ſaid realme there bring, at the requeſt of the ſaid commons, for the common profit & quietnes of the people of the ſame realme, ỳ euery Juſtice, which hath power to heare and determine ſuch treaſons & felonies, within the ſaid countie, by the othe of twelue men, of whome euerie one ſhall haue freehold in the ſame county to the yerely value of an hũdred ſhillings, aboue al charges, before that the erigent be awarded, without allegations of the partie, aſwel in the parties abſence, as his preſence, ſhall inquire of office, whether any ſuch place be in the Countie, where ſuch appeales or indictments bee made or not: and if it be found that there is no ſuch place within the ſame countie, then ſuch appeales & indictments, & the proces therof made or to bee made, ſhalbe void & holden for none. And that in ſuch caſe the indictors aforeſaid, be puniſhed by impriſonmẽt, fine and ranſome by the diſcretion of the ſaid Juſtices. And that this preſent ordinance & remedy extend aſwel to appeals and inditementes to bee taken hereafter. And if any erigent from henceforth be awarded, before that ſuch inquiſition of office (as is aforeſaid) be taken, that ỳ ſame erigent and the awarding therof, be likewiſe void and holden for none.

Juſtices

Freeholders

Inquire

Cloſe

Imprſt.

Erigent

Prouided that this preſent ordinance haue ſtrength, and extend only vntill the next parliament. An. 7. H. 5. ca. 1. And after An. 18. H. 6. cap. 12. This acte is made perpetual, becauſe it was doubted whether it be expired by that, that king H. 5. dyed beyond the Sea before his return into England. See a like ſtatute, Appeales 9.

Repeale Treaſons Lancaſter Felonies

¶ Conſtable and Marſhal.

TO ỳ Conſtable it pertaineth to haue cogniſance of cõtracts touching deeds of armes, and of warre out of the realme, and

Warre

and alſo of things that touch war within the realme, which may not be determined nor diſcuſſed by the common lawe, nor other vſages and cuſtoms to the ſame matters pertaining, which other conſtables heretofore haue duly and reaſonably vſed in their time. Ioining to the ſame, that euery plaintife ſhall declare plainely his matter in his petition afore that any man be ſent for to anſwere therunto. And if anie wil complaine, that any plee be commenced before the Conſtable and Marſhall, that might bee tried by the lawe of the land, the ſame complainant ſhal haue a priuie Seale of the King without difficulty directed to the ſaide Conſtable and Marſhall, to ſurceaſe in that plee, till it be diſcuſſed by the kings counſel (if that matter ought, and of right pertaineth to that Court) or otherwiſe to be tried by the cõmon law of the Realme of England, and alſo that they ſurceaſe in the meane time. Anno 13.R. 2.cap.2.

Priuie ſeale

¶ Contra formam collationis.

IF Abbots, Priors, kæpers of hoſpitals, and other religious houſes, founded by him or by his progenitors, do from henceforth alien the lands giuen to their houſes by him, or by his progenitors: the lande ſhall be taken into the kings handes and holden at his will, and the purchaſer ſhall leeſe his recouerie aſwell of the landes as of the money that he paid. And if the houſe were founden by an Earle, Baron, or other perſons: for the lands ſo altened, be, from whome, or from whoſe anceſtor the land ſo alienes was giuen, ſhall haue ſuch a writte to recouer the lands in demeſne: Præcipe tali Abbati, quod iuſtè &c. reddat G.F. tale tenementum, quod eidem domui collatum fuit in liberam eleemoſynam, per prædictum G. vel anteceſſores ſuos, & quod addictum G. reuerti debet per alienationem, quam prædictus Abbas fecit de prædicto tenemento, contra formam collationis prædict', vt dicit. In like maner for landes giuen for the maintenance of a Chantrie, or of light in a Church or chappel, or other almes to be maintained, if ỹ land giuen be altened. But if the land ſo giuen for a Chanterie, light, ſuſtenance of poore people, or other almes, to be maintained or done, bee not altened, but ſuch almes is withdrawē by the ſpace of two yeres, an action ſhall lie for the donor or his heire to demaund the land ſo giuen in demeſne, as it is ordained in the ſtatute of Gloceſter, for lands leaſed to do or to render the fourth part of ỹ value of the lande or more. Weſt.2.cap.41. Anno 13.E.1.

Abbots Priors

Alien

Chauntrie Church Chappels

Poore people

Action

¶ Conuſance.

VVHereas diuers people doe oftentimes ſue Aſſiſes of Nouel diſſeiſin, or other writtes of plee of land at the common lawe, the lands, tenements, and rents being within franchiſed townes and ancient demeſne, againſt certain perſons, & doe to be named alſo in their ſaid aſſiſes and writs, the Maior & bailifes, and comminalty of the franchiſes, and the Lords and bailifs within ancient demeſne afore-ſaid, wheras of troth they be not diſſeiſors nor tenants of the ſaid lands, tenements or rents ſo being in plee, but named by colluſion and fraud, to voide and exclude the ſaid Maiors, bailifes and comminaltie, and the ſaid Lords & bailifes of ancient demeſne, of their franchiſes and liberties, conſtance & iuriſdiction of their Court before them: It is ordained and eſtabliſhed, that in ſuch Aſſiſes & writs purchaſed or ſued from henceforth, or at this preſent hanging betwixt any parties before anie ſuch Juſtices at the commõ law, in which ſuch Maior, Bailifes, & comminaltie, or lords or bailifs of ancient demeſne be named. That ſuch Juſtices ſhal firſt inquire by the ſaide aſſiſe in the countrey, whether the ſaid Maior, Bailifs, and comminaltie, or Lords or bailifes of ancient demeſne (if they that require before ſuch Juſtices) be diſſeiſors or tenãts in ſuch caſe, or be named by colluſion & fraud, as afore is ſaid. And if it be found that they be not diſſeiſors nor tenants of the ſaid lands, tenemẽts, or rents, but acquited before the ſame Juſtices & found that they be named by colluſion & fraud in the forme afore-ſaid, ỹ in ſuch caſe the Juſtices ſhal do the ſaide writs of aſſiſes, or other writs purchaſed in the forme afore-ſaid, to be abated & annulled, & that the ſaid plaintif or plaintifs ſhalbe grieuouſly amerced by ỹ king notwithſtanding ỹ other tenãts or diſſeiſors be named or found in ſuch aſſiſes or writtes. An.9.H.4.cap.5.

Nouel diſſ.

Ancient demeſne Maior Bailifes

Colluſion

Aſſiſes

Juſtices

Diſſeiſors

Amerced

2 ¶ In all writs of aſſiſes & of actions perſonall, ſued or to bee ſued before the K. in his bench, Juſtices of the cõmon plate, or anie other the kings Juſtices for the time being, of any lands or tenements, or of any thing being and riſing within anie ſeignior, franchiſes or ancient demeſne,

Actions perſonal

Ancient demeſne

wherof the cognisance or iurisdiciō ought to pertaine to any Lordes, Maiors, Bailifes, Cittizens or burgesses or comminaltie of such seigniories, franchises or ancient demesne, that then if any defendant in any such Assise or other actions personall make any default, to put out, exclude and expel the aforesaid Lordes, Maiors, bailifs, cittizens, burgesses or comminalty of their cognisance or franchise, that the Justices at the request of the said Lordes, Maiors, bailifs, cittizens, burgesses or comminalty shal make inquirie by ỹ assise where such exceptions are alleadged in assises, & in actions personals by inquest to be taken before the Justices if such defaults shall be found, as afore is saide, or not: In which assise and inquest so to be taken, aswel the plaintifes as the Lordes, Maiors, bailifes, cittizens, burgesses and comminaltie may haue their challenge. And if it be found by such assises or inquests so to be taken, that such defaults shal be made by collusion, to put out and exclude the said Lordes, Maiors, bailifes, cittizens, burgesses or comminalty of their franchises, liberties, cognisances or iurisdiction, that in such cases the said writs shall be abated, & the plaintifes shalbe in the kings mercie, by consideration that is ordained by the statute made in the ninth yere of the raigne of K. Henrie, grandfather to our Soueraigne Lord the king, that if any Maior, bailife, comminaltie, or Lord of ancient demesne, be named in writs of Assises by collusion, to put them out of their cognisance or iurisdiction in this behalfe, that the Justices first shal inquire by the Assise of the countrey of such collusion, if the said Lordes, Maiors, bailifes or comminalty the same require. And if it be found by such inquisition that they bee so named by collusion, that then the writ shal abate. Anno 8. H. 6. cap. 26.

Default Maiors Bailifes

Challenge

Enquests

Inquire

¶ Cordiners, Curriers, Tanners, and Leather.

SEe the statutes which were collected into this title in the 1.2.3.4.5.6.7.8.9.10.11.13.16.19.& 20. numbers, al repealed after 22. by 5. El. cap. 8. and therefore here omitted.

12 ¶ No maner of straunger or denizen shall packe or cause to be packed anie maner of leather, to be conueied or shipped ouer the sea out of this realme, Wales or other the kings dominions otherwise then in this acte is expressed, that is to say: that all such leather shalbe hereafter packed by a packer sworn in euery such port, where any leather shall be shipped to bee conueied out of this realme, Wales or other the kings dominions, vpon paine of forfaiture of all such leather as hereafter shalbe packed contrarie to the purport of this act, or the value therof. And also that from henceforth euery straunger & denizen which shall ship, send or conuey any leather ouer the sea, out or from any parte of this realm, Wales, Chesshire, or other the K. dominions, shal pay like custom for the same, as is vsed to be paid within the port of London, that is to say, euery straunger to pay for euery dicker of leather for custom iiij. s. ix. d. And euery denizē iiij s. and i. d.

Stranger Denizen

Shipping Wales

Packer Sworne Port.

Forf.

Denizen

London

And be it also enacted, that within euery port, hauen or creke within this realme, Wales, & other the K. dominions where no teller or packers at this present time be, nor before the making of this act haue bin, that from henceforth the customers and comptrollers of euery such port, hauē and creke where such leather shalbe shipped to be conueied into the parties beyōd the sea, shal haue power by authoritie of this act to name, constitute, and appoint one able person to tell & number all such leather as shall be at any time there shipped, which person so named shalbe sworn by the customer and comptroller of euery such port, hauen, & creke truly & duely to execute his office in the presence of the customer & comptroller of euery such port, creek or hauē where any such leather shal be shipped, or of his or their deputie or deputies, the same teller taking of euery straunger for the telling of euery dicker of leather vi. d. whereof the same teller to haue for his labour v. d. & iiij. d. to be to the comminalty of the same towne & port, toward the paiment of their fée farme and other charges. And of euery denizē not being a free man of the said port & hauen, for euery dicker iiij. d. whereof the teller to haue two pence, & the other two pence to be to the comminalty of the same port or hauen, for the intent aboue declared. And of euery dicker by anie person being a free man of such porte and hauen, but onelie two pence for his labour. And that immediatly after such tale had, and entrie therof made by the customer or his deputie, another able person named, deputed, and assigned by the saide customers and comptrollers of euery such port and hauē,

Hauen

Tellers

Sworne

Fee farme

and

and before them sworne truelie & duly to
Packe do and execute his office, shal pack al such
leather so sold & entred, euery pack to con-
taine as many dicker, vnder ỳ number of
7. dicker, as it shall please the merchãt or
owner thereof to appoint, taking for his
labor for the packing of euery pack iiij.d.
And be it &c. that if any packer take vpon
him to pack anie leather before it be told
or numbred, & entre thereof made by the
customer or his deputie, or at any time
packe more leather then shalbe told & en-
tred according to the purport of this act,
Forf. ỳ then the same packer to forfait & lose for
euery time doing the contrary v.li. & to
Imprisl. suffer therfore imprisonment at the kings
pleasure. And also that if the teller win a-
ny such port or hauen at any time hereaf-
ter, take vpon him to tell or number any
leather in ỳ absence of the customer, cõp-
troller, or of his or their deputie or depu-
ties: then ỳ same teller for euery time so
Forf. doing to lose & forfait 5. marks. And for
asmuch as diuers strangers carrie & con-
uey their leather frõ one port to another,
& by the way cause the same leather to be
packed, which packes so conueied, be not
vndone nor opened at their arriual win ỳ
ports whervnto they be so trãsported, but
there only entred by & vpõ the report & in-
Marchant formation of the merchant stranger, or of
his factor, wherby much custom is cõceal-
led. Be it &c. that if any stranger or other
his factor at any time hereafter do cõuey
& carie any leather from one port to ano-
ther, to the intent to ship the same in such
other port whervnto it shal be so cõueied,
ỳ same strãger or other his factor for him,
before such transporting of ỳ same leather,
shall cause the said leather first to be tried
within the same port, from whence he wil
or intendeth to cary the same: & the same
so told, cause to be entred by the custome
of ỳ same port, or his deputy, & cause to be
also packed by ỳ said packer of ỳ said port
wher it shalbe so told, taking of the custo-
mer or customers of ỳ same port or hauẽ,
Certificate or their deputy or deputies a certificate,
expressing ỳ nũber or quantitie of dickers
of al the same leather, so to be caried and
trãsported, directed to the customer of the
other port hauen, wherunto the same lea-
ther shalbe so cõueied, making mẽtion al-
so in the same certificat, whether the cu-
stome therof accordingly be truly paid or
not. And in case any such leather be caried
or conueied frõ one port to another, there
to be shipped, wbout haning of such certifi-
cate, ỳ then the same leather or the value
therof to be forfaited. And be it &c. that no Forf.
Tanner within this realme, Wales, or Tanners
other the kings dominions, or other per- Wales
sons occupying or haning a tanne house,
shall from hence forth send, or cause to bee
conueied ouer the sea, by way of merchã-
dise, or otherwise, any manner of leather
tanned or vntanned, vpon paine of forfai- Forf.
ture of al such leather, or the value therof:
Nor that any person or persons at anie
time hereafter shall carie or conuey ouer
the sea out of this realm, Wales, or other
the kings dominions, any salte or vntan-
ned hides, or any leather called backe or
sole leather, the kings speciall licence not Licence
obtained for the same, vpon paine of for- Forf.
faiture of all such hides and leather called Sole lea-
backes or sole leathes, or the value therof. ther
The one halfe of al the said forfaitures to Moitie
be to the kings highnes, and the other half
to any of his subiects that will pursue for
the same in any of his courts, by action of
debt, bill, plaint, or information, or other-
wise, in which suit no essoin, protection or
wager of law or other dilatory plẽ for the
defendant shalbe admitted or allowed.

Prouided alwaies, that this act or anie
thing therin cõtained, shal not be hurtful
nor preiudicial to any captaine of any ship Captaine
in the time of war being in the retinue &
seruice of the K. highnes. Nor to any ow-
ner or master of any ship, being the K. sub- Shipmas-
iects, going into the Island, Dansk, Nor- ter
way or Southward beyõd ỳ estraits, but
that euery such captaine & master of eue-
ry such ship during the war time, and eue- Warre
ry master of such ships passing into the
places before named, may & shall at their
pleasure haue and cary salt hides in their Salt hides
ships, so that euery of thẽ shal not haue at
such votage, or during the war, at any one
time aboue the number of 8. salt hides:
This act or any thing therin contained to
the contrary in any wise not withstãding.

Prouided alwaies, that hides vntãned Hides
of any beasts being killed win Wales, or
the Marches therof, may be conueied and
caried into outward parties by any persõ
or persons, from time to time, except only
by tanners, and such as haue tan houses, Tanners
in such like maner as they might haue bin
before the making of this acte: any thing
in the same mentioned to the contrarie
notwithstanding. An. 27. H. 8. cap. 14.

14 ¶ An. 2. Ed. 6. cap. 11. An acte was
made for true tanning of leather, to en- Tanning
dure vnto the end of the next parliament.

And An.7.E.6.cap.11. it was continued, & after An.1.M.1.Parliam. cap.13. it was continued to indure to the end of the next Parliament, and then it expired.

Expiry

Artificers

15 ¶ In An.3.E.6.ca.6. It is enacted, that it shal be lawful to diuers artificers there named, to buy & sell tanned leather curried or not curried, so that such should be conuerted by the buyers into wares within the kings dominions, to indure to ẏ end of the next parliamẽt. And after An.7.E.6.ca.11. this act was continued to the last day of the next parliament. And after An.1.M.1. Parliam. cap.13. it was continued to indure to the end of the next parliament, and then it expired.

Ingrosse

Tanned leather

17 ¶ Where by the couetousnes of diuers regrating and ingrossing tanned leather and selling of it againe at excessiue prices to Sadlers &c. and such other artificers making wares of tanned leather, thole wares bee growen to vnreasonable prices. Be it &c. that &c. no person or persons, of what estate, degrée or condition soeuer he or they be, shall buy or ingrosse, or cause to bee bought or ingrossed any kind of tanned leather, to the intent to sell the same againe, vpon paine to forfait the said leather so bought, or ẏ iust price therof: The one moitie of which forf. shalbe to the King our soueraign Lord, & the other moitie to him or them that shal seise or sue for the same, in any of the K. courts of recorde, by action of debt, bill or plaint, &c. wherin no &c. Prouided alway, & be it &c. that al sadlers, girdlers, corduainers, and all other artificers, such as make males, bougets, leather pottes, tankards, boare hides, or any other wares of leather, shall or may buy al such kind of tanned leather as is or shalbe necessary for their occupying, to be wrought and made by thẽ, or by their seruãts, in or about their said wares: any thing before mentioned in this act to the contrary notwithstanding.

Forf.

Moitie

Prouided also, ẏ euery Girdler, & other artificer before mẽtioned in this act, may at his free will & pleasure sel their neckes, woombes, & shreds of tanned leather (such as they or any of thẽ cãnot occupy about ẏ wares they vse to make) to any person or persõs, wout incurring any forfaiture, paine or penaltie before expressed in this act: any thing herein contained to the cõtrary notwithstanding. Prouided also & be it &c. that it shalbe lawfull to or for euery person or persons, which now haue, or hereafter shal haue ẏ kings Maiesties, special licence or licences to transport, carie or conuey ouer the seas, any kind of tanned leather, to buy for the furniture of their saide licence or licences in open Faire or market, such & so much tanned leather, as he or they be, or shall be licẽced to transport, carie, or conuey: so that the same licence or licences be presented and shewed vnto the chiefe officer or officers, that now haue, or hereafter shal haue the gouernance of any Citie, towne, faire or market, whereas the said leather or ante part therof shalbe bought. And so that the said officer or officers, seeing the same licence to be good & perfect, do iustly & truly write vpon the backside of euery such licence or licẽces, how much tanned leather he or they shal there haue bought, and the certain day, time, and place of buying the same, ẏ therby it may manifestly appeare how and when euery such licence or licences be or shalbe satisfied: any thing in this act to the contrary notwithstanding.

Officers

And be it &c. that after the first day of May next comming, no person or persons shal ship, or cause to bee shipped (to the intent to carie, transport or conuey ouer the seas, as merchandise to be sold or exchanged there) any shoes, bootes, buskins, startups, or slippers, vpon paine to forfait all and euery such shoes, bootes, buskins, startups, or slippers so shipped contrarie to the true meaning of this act, or the value of the same: The one moitie of ẏ said forfaiture to be to the king &c. and the other moitie to him or them that shall seise or sue for the same &c. wherein no wager of law, essoin, protection, or iniunctiõ shall be admitted or allowed for the defendant.

Shipper

Shooes
Bootes
Buskins
Startups
Slippers
Forf.

Moitie

Prouided alwaies and be it &c. that this act, ne any thing therein contained, shall not in any wise extend or be preiudicial or hurtful to any person or persons being the K. subiects, for transporting or carrying ouer the Sea vnto Calice, (Transporting to Calice is repealed by 5. Eliz. cap.8. here 21.) or the Marches of the same, and vnto the Isle of Man, so much or as many of ẏ foresaid made wares (as bootes, buskins, startups & slippers, heretofore recited) as shall be necessary and conuenient for the wearing and furniture of the K. subiects in them or any of them: any thing in this last act cõtained to the contrarie hereof in any wise not withstanding.

Made warts

Prouided alwaies and be it &c. that no sadler, girdler, corduainer, or other artificer, dwelling within the citie of London

Sadler
Girdler
Corduainer
Artificer
London

don & the ſuburbs of the ſame, which ſhall cut the ſame tãned leather, as is afoꝛeſaid (to the intẽt to make wares thereof) ſhall
Currie ſhall currie oꝛ dreſſe any of the afoꝛeſaid tãned leather, in his oꝛ their owne houſe oꝛ houſes, oꝛ by his oꝛ their ſeruant oꝛ ſeruãts,
Foyl. vpon paine of foꝛfaiture of all & euery the ſaid tanned leather ſo to be curried: The
Moitie one moitie &c. to the king, & the other moitie &c. that will ſue foꝛ the ſame &c. wherein no wager of law, eſſoine, pꝛotection oꝛ iniunction ſhall bee admitted oꝛ alloweꝺ foꝛ the defendant. An. 5. E. 6. cap. 15. Part of this was repealed by 1. M. cap. 8. but reuiued by 1. Eliz. cap. 9.

* 18 ¶ An. 1. Eliz. cap. 10. An acte was made to continue foꝛ certaine yéres, that the carying of leather, tallow, and raw hides out of this Realme foꝛ marchandiſe ſhould be felonie, And it was reuiued An. 14. El. cap. 4. & repealed An. 18. Eliz. cap. 9.

☞ 21 ¶ Whereas notwithſtãding many foꝛmer ſtatutes made, leather was neuer woꝛſe tanned, curried, oꝛ wꝛought thẽ now it is: Be it enacted, that from and after the feaſt of Pentecoſt next comming,
Butcher Oath no Butcher oꝛ other perſon, ſhall gaſhe, ſlaughter, oꝛ cut any hide of any bull, oxe, ſteére, oꝛ cow, in fleaing thereof, oꝛ otherwiſe, whereby the ſame ſhall be impaired oꝛ hurt. And that no Tãner oꝛ other perſon oꝛ perſons, vſing oꝛ occupying ẏ craft oꝛ Miſterie of tanning of leather, ſhall after the feaſt of S. Michael the archangell next comming, by himſelfe, oꝛ any other perſon oꝛ perſons, offer oꝛ put to ſale anie
Foyl. ſuch hide oꝛ ſkin ſo gaſhed, ſlaughtered oꝛ cut, vpõ paine of foꝛfaiture foꝛ euery ſuch hide oꝛ ſkinne offered oꝛ put to ſale xx. ſ.
Butcher And be it enacted by the authoꝛitie afoꝛeſaid, ẏ no Butcher oꝛ other perſon oꝛ perſons, after the ſaid feaſt of Pentecoſt, ſhal
v. Weekes Calfe Foyl. kill any calfe to ſel, being vnder v. wéekes old, vpon paine to foꝛfait foꝛ euery calfe ſo to be killed and ſold vj. s. viij. ſ.

And be it enacted by the authoꝛity afoꝛeſaid, that no perſon oꝛ perſons occupying
Butcher the craft oꝛ occupation of a Butcher, ſhal after the feaſt of Pẽtecoſt next comming, occupie oꝛ vſe by himſelfe, oꝛ any other perſon oꝛ perſons, the ſeate, craft oꝛ my-
Tanner ſterie of a tanner during the time that he
Foyl. ſhall ſo vſe the craft oꝛ occupation of a Butcher, vpon paine of foꝛfaiture of vj. s. viij. ſ. foꝛ euery day that he ſhal ſo vſe the ſeat, craft, oꝛ miſtery of a Tanner.

And be it further enacted by the authoꝛitie afoꝛeſaid, that no perſon oꝛ perſons, which at the feaſt of Saint Michaell the Archangel, which was in the firſt yere of the Quœnes Maieſties raigne that now is, had not landes, tenements, rents, pꝛofites, oꝛ hereditaments, of eſtate of inheritance, oꝛ foꝛ terme of life oꝛ liues, of the
Foyl. cléere yéerely value of xl. li. oꝛ aboue, oꝛ xl. li. whoſe tãne houſe was not at ẏ ſaid feaſt,
Citie is, oꝛ ſhalbe hereafter in anie Citie, Borough, Towne coꝛpoꝛate, oꝛ Market towne, where ſearchers & ſealers of leather hath bene, & ſhalbe vſually appointed
Exception (except ſuch perſon & perſons as then had any tanne houſe, & did thẽ occupie the miſterie of tanning of leather, and except an
Apprentice apꝛentice oꝛ apꝛentices to a tanner oꝛ tanners, and except ſuch as were then oꝛ ſince, oꝛ hereafter ſhall be bꝛought vp, inſtructed, oꝛ taught, as couenãt oꝛ hired ſeruant foꝛ that purpoſe, by the ſpace of viij. yeres in the miſterie oꝛ craft of tãning of leather, & except the wife & ſuch ſonne oꝛ ſonnes of a tãner, as hath bin bꝛought vp, & hath vſed the miſtery of tanning of leather by the ſpace of iiij. yéres afoꝛeſaid, oꝛ the ſonne & daughter of a tanner, oꝛ ſuch perſõ who ſhal marry ſuch wife oꝛ daughter, to whom he hath oꝛ ſhall leaue a tãne
Tanhouſe houſe & fats) ſhal tãne any leather, oꝛ ſhal vſe, take, oꝛ haue any pꝛofite, gaine, oꝛ cõmoditie, of oꝛ by the ſaid myſterie oꝛ craft of tanning of leather, vpon paine of foꝛ-
Foyl. faiting of all ſuch leather by him oꝛ them ſo tanned, whereof he oꝛ they ſhal receiue any pꝛofite oꝛ commoditie by tanning, oꝛ the iuſt value thereof. And be it further enacted by the authoꝛitie afoꝛeſaide, that after the feaſt of Pentecoſt next cõming, no perſon oꝛ perſons whatſoeuer, which ſhall after the ſaid feaſt of Pentecoſt, occupy oꝛ vſe by him oꝛ them ſelfe, oꝛ by any other perſon oꝛ perſons the craft oꝛ miſterie of tanning of leather, ſhall ſuffer any hyde oꝛ ſkinne to lie in the limes any longer time then the haire falleth off, oꝛ may be taken off, noꝛ in any wiſe to be put into the limes after the haire may be taken off, noꝛ ſhall vſe, imploy, occupy, oꝛ put by themſelues, oꝛ by any other perſon oꝛ perſons, any thing in any licour, ſtuffe, oꝛ woꝛkemanſhip, in oꝛ about the tanning
Lyme of leather but onely Lime, Culuer dung,
Culuer dũg oꝛ Hen dung, and that in cold water onely, and wooſes made of colde water, and
Oken barke onely, without any mixture
Oken barke of any other thing oꝛ things: Noꝛ ſhal by himſelfe, oꝛ by any other perſon oꝛ perſons put any hide oꝛ ſkinne in any tanne

wooles or licour made hoat or warmed in any fat or vessell, to be set or conered in any tanhil, or otherwise, nor shal ouer-lime any hides or skinnes in the lime pits, nor shall put any hides or skins in any tanne fats or vessels, before the lime be wel and perfectly sokened & wrought out of them, & euery of thé, nor shall suffer his or their leather to be laied, or to hange, or to lie wette in any frost, vntill the same be frozen, nor shall drie or parch ỳ leather with the heat of the fire, or of the sunne sunne, nor shall tanne or cause to be tanned any hide or skinne being putrified, rotten, or tainted by long lying, either before the putting of it into the lumes, or after into ỳ water or licour, or by any other meanes, nor shal negligẽtly worke the hides in the wooles, nor shal not renue & make strong the wooles as oftẽ as shal be requisite, nor shal suffer the hides for vtter sole & clout leather to lie in the wooles any lesse time then xij. moneths at the least, & the hides for vpper leather in like wooles any lesse time then ix. moneths at the least, nor shal insufficiently or imperfectly tanne any hide or skin, nor shal tanne any ore hides, Steere hides, or Cowe hides but whole, without cutting off any bellies commõly called wõbes or pieces frõ the same hides for clouting leather, to be cut into iij. or iiij. bendes or pieces, (ouerthwart the whole hide onely excepted) nor shall after the feast of S. Michaell the Archangell nert comming put to sale any tãned hide or skin, which is or shalbe rased, in, or by the tanning, workemãship, or otherwise, or by vsing any other thing or stuffe, or in any other sort, then by this statute is limitted & appointed, vpon paine of forfaiture of euery Ore hide, Steere hide, Cow hide, or skinne tanned, vsed, or put to sale contrary to the true meaning of this present act, or the iust value thereof.

Tannehill

Rotten

Clout leather

xij. Moneths

Clout wounds

Fork.

And be it further enacted by the authoritie aforesaid, that from the feast of Pentecost nert comming, no person or persons whatsoeuer, shall put or cause to be put to sale, exchange, or otherwise depart with any kinde of tanned leather, redde & vnwrought, but in open Faire or Market, in the places therefore commonly accustomed & therefore prepared, nor before the same be searched, and sealed, according to the lawes and order in this statute hereafter mentioned: nor shall after the feast of S. Michaell the Archangell nert comming, put to sale, exchange, or otherwise depart with any tanned leather, red and vnwrought, but sufficiently and well tanned, and throughly dried, nor shal put, or cause to be put to sale, exchange, or otherwise depart with any Ore hide, Steere hide, or Cow hide but onely whole, without cutting any bellies called wombes, or other pieces from it (clouting leather cut into bends, as is aforesaid, only excepted) before the same be searched & sealed, vpon paine of forfaiture for euery hide or piece of leather solde, exchanged, or otherwise departed with, contrarie to the true meaning of this act vj.s. viij.d. and for euerie dozen of calues skinnes iij.s. iiij.d. and the hide or hides, skin or skinnes, & leather in any otherwise sold, exchanged, or bought, or the value thereof.

Key leather

Faire Market

Sealed

Dried

Clouting leather

Fork.

Calues skinnes

And be it further enacted by the authoritie aforesaid, that no person or persons, vsing the Mistерie of tanning of leather by himselfe, or by any other person or persons, from and after the said feast of Pentecost shall (during that time that he shall vse the said Mysterie) occupie or vse the craft or Mistерie of a Shoomaker, Currier, Butcher, or of anie artificer, vsing or exercising cutting or working of leather, vpon paine to forfaite and lose all and euery such hide and hides, skinne and skins, so by them or any of them wrought or tanned, during the time that he shall vse the Mistery or craft of tanning aforesaid, or the iust value thereof. It is also enacted by the authority aforesaid, that no person vsing the Mistерie of tanning of leather by himselfe, or by anie other person or persons, shall after the feast of the Nattuitie of Saint John Baptist nert cõming, tanne any Bull hide, Horse hide, or sheepeskin, or put to sale, exchange, or otherwise depart with any horse hide, bull hide, or sheepeskin tanned, vpon paine to forfaite euery such bull hide, horse hide, or sheepeskinne so tãned or put to sale, or the iust value thereof.

Shoomaker. Currier Butcher Artificer Fork.

Bull hide Horsehide Sheepe-skinnes

And be it further enacted by the authoritie aforesaid, ỳ no person or persons after the feast of Pentecost nert comming, shal bargaine, buy, make any cõtract for, or bespeak any rough hide, or calues skins in the haire, but onely such person or persons as by vertue of this act may lawfully vse the craft or Mistерie of tanning of leather, & shal tanne the same, or such person or persons as shall taw the same, (except salte hides for the necessarie vse of ships) vpon paine to forfait & lose all and

Rough hides Calues skinnes

Salt hides

euery

euery such hides and skinnes so bought, or the iust value thereof.

And be it further enacted &c. that no persons, shall or may after the feast of Pentecost next comming, buy, bargaine, bespeake, or take promise to haue any tãned leather, not wrought and converted into made wares, but onely such person & persons as will and shall worke and conuert the same leather into made wares, vpon pain of forfaiture of the leather so bought, or the value thereof.

Vntanned hides

Forf.

Prouided alwaies & be it enacted, that all and euery Artificer, and other person and persons vsing to conuert tanned leather into made wares, aswell straungers borne as other, may lawfully buy al kind of tanned leather, to make or conuert the same into made wares, at Leaden hall in London vpõ euery Munday, the same being first duely searched, sealed, and registred, as is hereafter limitted.

Leaden hall

Sealed

Prouided also, that Sadlers and Girdlers, may sell their necks and shreddes of tanned leather redde, without incurring any paine or forfaiture for the same,

Sadlers Girdlers

And forasmuch as barke is now become scant by the vnreasonable selling of Oke out of the barking time, and thereby the Tanners be destitute of such barke as is necessary. Be it further enacted by the authoritie aforesaid, that no person or persons shall from & after the feast of S. Michael the archangell nert, fell or cause to be felled any Oken trées méete to be barked, where the barke is worth v.s. a cart load, ouer & aboue the charge of barking and pilling (timber to be imployed or bestowed in or about building or reparatiõ of houses, ships, or mils, or any of thẽ onely except) but betwixt the first day of Aprill, and the last day of June, vpon paine of forfaiture for euery such Oken træ so felled, double the value thereof. And for the better preseruation of Timber, which by the takers of timber is spoiled through the grædie desire of gaine of the loppes, toppes, or barke of timber trées. Be it therefore enacted, that no taker or takers, purueyor or purueyors of timber, or his or their deputie or deputies, shall fell or cause to be felled for ỳ vse of the Quẽnes Maiestie, her heires or successours, any Oken timber trée or trées, méet to be barked, but in the barking time (trées to bee felled for building, or repairing of anie her Maiesties houses or Ships onely excepted) or shal in any wise take or receiue any maner of profite, gaine, or cõmoditie, by any loppes, toppes, or barke of any trée to be taken by them, or any of thẽ, or shall in any wise take, carie away, giue, sell, or dispose frõ the owner any more of anie trées to be takẽ, as is aforesaid, then onely the timber of the same trée or trées, to be vsed and bestowed, or imployed, onely, in, vpon, or about the Quẽnes Maiesties buildings, or ships, vpon paine of forfaiture to the partie grieued for euery trée, & for the loppes, toppes, or barke of euery trée takẽ contrary to the meaning of this article xl. shillings. And that it shall bee lawful to the partie of whom such trée or trées shall be taken, or to any others, for & in his name, to retaine, withholde, take and kéepe to himselfe, all the barke, loppe and toppe of such trée or trées: any Commission or other matter whatsoeuer notwithstanding.

Oke

Timber Reparatiõs

Oke Forf. Timber

Loppes

Purueyors

Barke

Woods Ships

xl.s.

And forasmuch as no leather can be so well tanned but it may be marred in the currying: Bee it therefore enacted by the authoritie aforesaid, that from & after the feast of S. Michael the archangel nert, no person or persons shal currie any kinde of leather in the house of any Shomaker, or other person, but onely in his owne house, scituate in a corporate or Market towne, nor shal currie any kind of leather, except it be wel & perfectly tanned, nor shal after the feast of Pentecost nerte, currie anie hide or skin being not thorowly drie after his wette season, in which wette season he shall not vse anie stale vrine, or any other deceiptfull or subtile mixture, thing, way, or meanes, to corrupt or hurt the same, nor shal currie any leather mét for vtter sole leather, with any other stuffe then with hard tallow, nor with any lesse of that then the leather will receiue, nor shall currie any kind of leather mét for ouer leather & inner soles, but with good & sufficient stuffe, being fresh and not salt, & thorowly licoured till it can receiue no more, nor shal burne nor scald any hide or leather in the currying, nor shal shaue any leather to thinne, nor shal gash or hurt any leather in the shauing, or by any other means, but shall worke the same sufficiently in all pointes and respects, vpon paine of forfaiture for euery such offence or actes done contrarie to the true meaning of this article (other thẽ in gashing, or hurting in shauing) vj.s. viij.d. and the value of euery such skinne or hide marred by his euill workemanship: and for

Currie

Owne house

Tanned

Stale vrine

Sole leather

Tallow

Curris

Burne

Shaue

Forf.

euery

euery offence to be done againſt this article, in gathing or hurting by ſhaving, double ſo much to the partie grieued, as the leather ſhall be empaired thereby, by the iudgement of the Wardens of the Curriers, and the Wardens of the companie whereof the partie grieued ſhal be. Wardens

And be it &c. that no Cordwainer, ſhomaker, or other perſon or perſons, dwelling or inhabiting within the City of Lõdõ, or the libertie of the ſame, nor any perſon or perſons that now is, or hereafter ſhal be free of the citie of Lõdon, dwelling within iij. miles of the ſaid citie, & occupying wet curried leather in his art & occupation, ſhal put or cauſe to be put any leather to be curried, but to ſuch perſon or perſons as he or ſhal be free of the companie of the curriers of the citie of London, vpon paine of forfaiture of al ſuch curried leather, or the value thereof. London Forf.

And be it further enacted, that no perſon or perſons ſhal by any meanes occupie or put in any made wares within the citie of London, or iij. miles of the ſame citie, any curried leather before the ſame ſhall bee ſearched, and allowed by the Wardens of the Curriers of Londõ for the time being, or ſuch perſons as they ſhall thereto aſſigne, & be ſealed with a ſeale therefore to be prepared, vpon paine that euery Shomaker or other artificer cutter of leather, offending againſt this article, ſhall forfait for euery hide or ſkin, otherwiſe curried or imployed, as is aforeſaide, vj.s. viij.d. and the value of euery ſuch hide or ſkin. Searched Seale Forf.

And be it &c. that no perſon occupying the feate or miſterie of a Currier ſhall vſe or exerciſe the feat or myſterie of a tanner, cordwainer, ſhomaker, butcher, or other artificer vſing cutting of leather, during the time that he ſhall ſo vſe or occupie the myſtery of a Currier, vpõ paine of forfaiture of vj.s. viij.d. for euery hide or ſkinne that he ſhal currie during the time that he ſhall occupy or vſe any of the miſteries aforeſaid, contrarie to the meaning of this article. And further be it enacted, that no Currier or Curriers vſing the art of currying of leather, ſhal after the feaſt of Pẽtecoſt next, refuſe to currie any leather to him or thẽ for that purpoſe brought by any ſuch artificer as is or ſhal be a cutter of leather, the ſame Artificer or his ſeruant bringing with him or them good & ſufficient ſtuffe, as is before mentioned, for the perfect licouring of the ſame leather, and that the ſaid leather in the preſence of the ſaid Artificers cutters of leather, his ſeruant or ſeruants (if he or they will be preſent) ſhal be licoured & curried in al things & degrees perfectly, & if he or they will not be preſent, it ſhall neuertheleſſe be likewiſe licoured & curried in his or their abſence perfectly, with as cõuenient ſpæd as may be, not exceeding v. daies in the ſummer, & x. daies in the winter, after he ſhall or may take it in hand, vpon paine to forfait to the partie grieued for euery hide & piece of leather not in this maner curried, and well and ſpædily dreſſed, x.s. Butcher Forf. Artificer Forf.

And be it &c. that the Wardens of the Curriers for the time beyng, or ſuch perſons as they ſhall aſſigne or appoint, ſhall from time to time ſearch and trie all ſuch curried leather as ſhal be brought to any of their companie to be curried, and ſhall with a ſeale therefore to be prepared with conuenient ſpæde not exceeding one day after the currying & requeſt made, ſeale ſuch leather as they ſhall finde ſufficiently curried, taking for euery hide ſo ſealed after the rate of a penny for the diker, and for euery ſixe dozen of calues ſkinnes j.ſ. and not aboue, to be paid by the Currier, vpon paine of forfaiture for euery hide which ſhall not be ſearched and ſealed as is aforeſaid vj.s. viij.d. Wardens Seale Diker Forf.

And foraſmuch as leather well tanned and curried may by the negligence, deceipt or euill workemanſhip of the Cordwainer or ſhomaker be vſed deceitfully, to the hurt of the occupier or wearer of it: Be it further enacted by the authoritie aforeſaide, that no perſon or perſons, which after the ſayd feaſt of Pentecoſt, ſhall occupie the miſterie or occupation of Cordwainer or Shomaker, ſhal make or cauſe to be made any Bootes, Buſkins, ſhoes, ſtartups, ſlippers, or pantofles, or parte of them of Engliſh leather wette curried (other then Dærelskinnes, Calueſkins, or Goateſkinnes, made or dreſſed, or to bee made or dreſſed like vnto Spaniſh leather) but of leather wel and truely tanned and curried, in maner & fourme aboue ſpecified, or of leather well and truly tanned onely, and well and ſubſtantially ſewed with good thræd, well twiſted and made, and ſufficiently waxte with ware well raſoned, and the ſtitches harde drawen with hande leathers, as hath bẽene accuſtomed without mingling or mixing ouer leathers, that is to ſay, parte of the ouerleather beyng of neathes leather, and part of Calues leather, nor ſhal Shoomaker Bootes Shoots Dereſkins Goatſkins

put

put into any part of any shoes, bootes, buskings, startups, slippers, or pantofles, any leather made of a sheepe skin, bull hide, or horse hide, nor into the vpper leather of any shoes, startups, slippers, or pantofles, or into the nether part of any bootes (the inner sole and heele of the shoe onely except) any part of any hide from which the sole leather is cut, called the wombe, necke, flanke, poll, or cheeke, nor shall put into the vtter sole, any other leather then the best of the ore or steerehide, nor into the inner sole any other leather then the wombes, necks, poll, or cheeke, nor in the treswelles of the double soled shoes, other then the flankes of any the hides aforesaid, nor shall make or put to sale in any yere betwen the last of September, and the xx. of April, any shoes, bootes, buskins, startups, slippers, or pantofles, meete for any person to weare, exceeding the age of iiij. yeres, wherein shal be any drie English leather (other then Calues or Goates skins, made or dressed, or to be made or dressed like vnto Spanish leather, or any part therof nor shall shew to the intent to put to sale, any shoes, bootes, buskins, startups, slippers, or pantofles vpon the Sunday, before the diuine seruice vsed in the forenoone be done and ended, vpon paine of forfaiture for euery paire of shoes, bootes, buskins, startups, slippers, and pantofles, made, sold, shewed, or put to sale contrary to the true meaning of this Act iij. s. iiij. d. and the iust and full value of the same.

Sheepskins
Bull hide
Horse hide

Dyd leather

Sunday

Forf.

And be it further enacted for the true execution of this estatute, that the Maior of the Citie of London, and the Aldermen of the same for the time being, or the more part of them, vpon paine to forfait xl. li. for euery yere that they make default: The one halfe whereof to bee to the Quenes Maiestie, her heires and successors, and the other halfe to him or them that will sue for the same, shall yerely appoint iiij. or more expert persons of their discretions to be searchers, who shal be sworne before the said Maior and Aldermen for the time beyng, to doe their office truely, which saide searchers, shall by vertue of this act iiij. times in the yere at the least: that is to say, once euerie quarter of the yere, or oftner if need require, as they shal thinke good, make true search and view, of and for all bootes, shoes, buskins, and other wares and thinges whatsoeuer made of tanned leather, in all and euery house and houses, place and places, aswell within the said citie and suburbs thereof, as in euery other place within three miles of the same citie where any Shoomaker, sadler, girdler, or other artificer vsing cutting of leather, doth or shall dwell or occupy any of the occupations of cutting of leather. And after euery such search and viewe, to make true presentmēt in writing before the saide Mayor and Aldermen for the time being, of euery default that they or anie of thē shall find in the making, selling or putting to sale of any bootes, buskins, startups, shoes, bridels, saddels, or other thinges, stuffe or wares made of leather, contrary to the true meaning of this estatute.

Maior
London

Forf.

Searchers

Sadler
Girdler

Bridels
Saddels

And be it further enacted, that the said Maior of the said Citie of Londō and the Aldermen for the time being, vpō the like paine likewise to be leuied and imployed, shall likewise yerely appoint iiij. or more other skilfull, expert, and honest persons, whereof one shal be a Sealer, and keepe a seale for the sealing of leather to bee prepared: Who shall also be sworne before the said Maior and Aldermen for the time being, to doe their office truely: which saide Searchers and Sealers shall viewe and search all and euery tanned hide, skin, or leather, which shall be brought aswell to the market at Leadē hal, as to any other lawfull faire or market therefore vsually appointed, within iij. miles of the said citie, whether the same be wel and sufficiently tanned, according to the purport and true meaning of this statute, or no: And finding it sufficiently and well tanned, in such māner and forme, as by this estatute is appointed and as it ought to be, shall seale the same with the said seale, for that purpose to be prouided and prepared.

Seales

Leaden hall
Faire
Market

And be it further enacted by the authoritie aforesaid, that al other Maiors, Bailifes, and other head Officers for the time being, in al other cities boroughs, and market townes of this realme, and all Lords of liberties, faires and markets, out of the circuit or cōpasse of the said iij. miles, shal vpon like paine of xl. li. likewise to be leuied and imployed, euery yere that they make default herein, appoint and sweare yerely ij. or iij. or more persōs, of the most honest and skilful men within their seuerall offices or liberties, by their discretiō to search and viewe within the precinct of their said offices, liberties and authoritie, which shall as often as nede shall be, or they thinke good, make like search

Maior
Bailifes
Officers

Forf.

Search

within

within their limits, & shall haue a Marke or Seale prepared for that purpose, and that the said searchers or one of them shal kepe the same Seale or Marke, and with the same shall seale or marke such leather as they shall find sufficient, and no other. Seale

And if the said Searchers or any of thē do find any leather sold, or offered to be solde or brought to bee searched or marked, insufficiētly tāned, or insufficiently curried, or any bootes, buskins, shoes, startups, slippers, bridles, saddels, or ante thing made of tāned or curried leather, insufficiently tāned, curried, or wrought, contrary to the true meaning of this statute, it shalbe lawfull to ẏ searchers or any of thē to seise as forfeited, al such leather, shoes, & wares made of leather, & to retayne the same in their custodie, vntil the same be tried by vj. expert men, appointed by such Maior, bailife, or other head officer, or lord of liberty, or his sufficient deputy, within whose precincts or liberties such seisure shal happē to be: the same trial to be within xv. daies after such seisure at the furthest, vpon the othes of the said Triers. Forf. Triall Seisure

And be it further enacted by the authoritie aforesaid, that all redde tāned leather which shall bee brought into the Citie of Londō (whether it be to be sold or bought before hand or no) shalbe brought to Leaden hall before it be housed in his or their houses, and there viewed, whether it hath bene searched or sealed, or no, and shall also be registred by the searchers to bee appointed, as is aforesaid, with halfe such fée therefore to be payed, as is hereafter expressed for leather to be sold in Leadēhal, vpon paine that euerie person housing, or not bringing his leather to Leaden hall, as is aforesaid, shall forfait for euery hide or skinne vj. s. viij. d. Red leather London Leaden hall Registred Forf.

Prouided that this article shall not extend to any leather to be bought in Bartholomew faire, or Southwarke market being searched, sealed, and registred according to the true meaning of this act. Bartholomew faire Southwarke.

And also be it further enacted, that if any person will after the said feast wilfully withstand or denie any such search to bee made according to the tenor of this act, as is aforesaid, or wil not suffer the said searchers so appoynted to enter into his or their house or houses, or other place to viewe & search at their will & pleasure, all maner of tanned leather, and al maner of shoes, bootes, males, saddels, and al manner of wares, wrought and made, or to be wrought and made of leather, and to seise & carie away all such leather, shoes, and wares as they shall finde insufficiently tanned, curried, or wrought, or made of euil stuffe: that then all & euery such person & persons so denying & withstāding, & not suffering the saide searchers or any of thē so sworne & appointed for the time being, to enter & make search, & seise as is aforesaid, shall lose and forfaite for euery time so denying and withstanding x. li. Refuse Seise Forf.

And be it further enacted by the authoritie aforesaide, that if the persons so to be appointed for the seuerall searchers of leather, & wares made of leather, as is aforesaid, doe refuse with conuenient spæde to seale leather sufficiētly tāned, or do make default in their search, or doe allow that, which shal be sufficiently tanned, curried, or wrought, cōtrarie to the true meaning of this acte, or shall eyther for affection or corruption conceale the faultes of any of them found in that behalfe: that then the Maior, bailifes, Lords of liberties, and other persons, which by vertue of this acte shal appoint such searchers & sealers, shal forfaite and lose for euery such default & offence xl. shillings: The one moitie of which forfaiture shal be to our soueraigne Lady the Quéene, her heires & successors, and the other moitie to him or them that wil sue for the same in any of the Quéens Maiesties courts of record by bill, plaint, information, or otherwise. Refuse to seale Conceale Maior Bailife Lords Forf. Moitie

And forasmuch, as heretofore great deceit hath bene vsed in cutting of the wōbs from the backes, for that the tanner did not cut off so much as was méete, but left more to the backe, whereof vtter sole leather was made, then was conuenient and méete. And forasmuch also as if the Currier should carie the whole hide together, the Shoomaker might then put that part of the hides, called the wombs into vtter sole leather, which is méete but for the innersole leather, to the great deceite and dāmage of the wearer of shoes, bootes, or other stuffe made by the Shoomaker or Cordwayner: Be it &c. by the authority aforesaid, that such persons as shalbe so appointed searchers or sealers, as is aforesaid, shall after the true tanning, & before the currying of any leather brought to be searched & sealed, as is aforesaid, by their discretiōs cut off so much of the hide truly tanned, to be solde to a Shoomaker, Cordwainer, or Cobler, into wombes, as they shall by their othes thinke vnméete to Wombes Cutte

make

make vtter sole leather of, vpō paine that the shomaker, cordwainer, or cobler, shal forfait for euery such hide not cut, as is aforesaid. iij s. iij. d. Foyl.

And be it &c. that such person and persons as hereafter shal be assigned and appointed Searchers and Sealers of tanned leather by vertue of this acte, shall within the limits and precincts of euery of their Searches, kéepe one booke, or Register, wherein they shall enter all such bargaines, as shall bee made for leather, hide or skins by any person or persons during and by all the time of the Faire and Market, beyng thereto required by the buyer or seller, and also the prices of such leather bought and sold with the names and dwelling places of the buyer & seller, taking for his and their paine and trauell therein to be taken, aswell for the sealing of such leather, & cutting of the wombs as is aforesaid, as for registring thereof, of the seller of euery diker of leather so entred y. d. and so after the rate, & for euery vj. dozen of calues skinnes y. d. and of the buyer after the same rate, and no more or greater summe or summes of money to be paied for entring of the same vpō pain of forfaiture of not entring & registring, or not cutting off of the wombes, as is aforesaid, for euery diker of leather iij. s. iiij. d. & for euery dozen of calues skins ij. s. iij. d. & so after the rate. And be it &c. by the authoritie aforesaid, that no person or persons, shall after the first day of March next comming, sel, exchange, & put away, or cause to be sold, exchāged, or put away any maner of tanned leather, redde, & vnwrought, except hee or they register, or cause to be registred the said tanned leather, & euery part and parcell thereof, and the price thereof, vpon paine of forfaiture of the value of the leather so sold, exchanged, and put away, and not registred. And be it &c. by the authoritie aforesaid, that it shall not be lawfull, to or for any person or persons to buy any tanned leather, before the same shall be searched and sealed, nor to carie or cause to bee caried out of the Faire or Market, any leather, till it be registred, as is aforesaid, vpon paine to forfait the said leather, or value thereof, so bought and not searched and sealed, or caried away not registred.

Booke Register

Faire Market

Seller

Buyer

Foyl.

Tanned leather

Register

Foyl.

Searched Sealed

Foyl.

And be it further enacted that no Cordwainer, Shomaker or Cobler, shal carie or cause to be caried, any Ore or Steere hides tāned, whereof any sole leather shal be cut, out of any faire or market whole, before the wombes be cut off, as is aforesaid vpō paine of forfaiture for euery hide otherwise caried out of the same Faire or Market vj. s. viij. d. and the hide or the value thereof. Foyl.

Cobler

And be it further enacted by the authoritie aforesaid, that if any Currier within the said Citie of London, or iij miles compasse, after the feast of S. Michael the Archangell next, doe currie such leather insufficiently tanned, or after the said feast next do not currie such leather, as he doth, or shall currie, substantially & well, according to the meaning & purport of this act: or if any shomaker, Cordwainer, or cobler, within the citie of Lōdon, or iij. miles compasse of the same, after the saide feast of S. Michael tharchangell nert, put any tanned leather in any shoes, bootes, buskins, startups, slippers, pātofles, or other things made of tāned leather, which shall not be well & perfectly tanned, according to the purport & true meaning of this act, or after the said feast doe put any curried leather in any bootes, buskins, startups, shoes, slippers, pātofles, or other things made of leather, which shall not be well and sufficiently tanned & curried, and also sealed, as is aforesaid, or do make bootes, buskins, shoes, startups, slippers, pantofles, or other things made of English tanned leather, in other maner then is aboue specified and ordayned: Or if any Shomaker, Sadler, or other artificer vsing cutting or working of leather, doe make any wares of any tanned leather insufficiently tanned, & of tanned or curried leather being not sufficiently tanned & curried, as is aforesaid, or doe not make their wares belonging to their seueral occupations sufficiently and substantially, that then the Wardens of euery of the said cōpanies of sadlers, curriers, shomakers, and other artificers, vsing and exercising cutting of tanned leather, for the time being, shall forfait, & lose for euery such default and offence to be cōmitted or done by any person or persons vnder their order, survey and search v. li. London London Wardens Foyl.

Prouided alway, and be it enacted, that no maner of person or persons shall after the said feast of S. Michael, vtter or sel, or cause to be vttered or sold within the said Citie of London, or within the said three miles compasse of the same, any māner of wares appertaining to the craft or Mistery of any artificer, vsing cutting of leather,

Open shop Faire Market

ther, but onely in opē shop, common faire or market, wherby the said Wardēs may haue the true search of the same in anoyding the penalties vpon them by this acte set, vpon payne of forfaiture of all such wares so sold, and x.s for euery time. Forf.

Artificer

Prouided alway and be it enacted, that al and euery artificer dwelling or inhabiting, or which hereafter shall dwell or inhabite within the citie of London or three London miles cōpasse of the same, vsing or exercising any manuel occupation of cutting or working of leather into made wares, shal contribute, pay, and be vnder the survey and search of the Wardēs of such companies of the said citie of London, as the artificers commonly vsing the like occupation being free men of the same Citie of London, and of the same company be, touching and concerning onely their wares and stuffe made of or with leather, in like manner and fourme as other frē men of the same companie doth to the Wardens of their company within the said citie. All which paines, penalties and forfaitures aforesaid, of summes of money aforesayd (except such paynes, penalties and forfaitures as are before, or hereafter by this act shall otherwise be disposed) shal be deuided into three equall partes, one part whereof shal be to our Soueraigne Lady the Quēne her heires & successours, & an other parte to him or them that shall first sue for the same in any of the courts of record of the Quēnes Maiestie, her heires & successors, by action of debt, bill, plaint, information, or otherwise, in which suite no wager of law or essoin shalbe admitted or allowed: and the iij. part thereof shal be to the Citie, Borough, towne, or Lord or lords of liberties, where the offence shal be cōmitted or done. And all such leather, shoes, bootes, buskins, startups, slippers, pātofles, warcs, stuffe, and other thinges whatsoeuer, made of tanned leather, or curried leather, which shall be sealed by vertue of this act, or shal be found insufficiētly wrought, tāned or curried, & declared by this act, to be forfaited, and shall be sealed by the said searchers, or any other person finding the fault therof: shal be distributed, as hereafter insueth. That is to say, such leather or stuffe so seised within the citie of Londō or within iij. miles cōpasse of the same, to be brought to ỹ Guild hall in Lōdon there to be prayised by indifferent persons, & the value thereof to bee deuided into three parts, whereof one part to be to the first seiser & seisers, of the said vnlawfull stuffe, and an other part to the vse of the Chamber of London, and the other part to be distributed to the poore folks as wel being within the new Hospitall of S. Bartholmewes in Londō, as to such poore housholders as shall be inhabiting within the citie of London, or the circuites aforesaid, at the discretions of such persons as the Maior of the same citie, & foure Aldermen of the same for the time being, shal appoint for the same. And that all such leather bootes, shoes, saddels, wares, stuffe and things made of or with leather as is aforesaid, which shal be found within any other citie, borough, towne or place, within this Realme out of the said citie of London and three miles compasse, vnsufficiently wrought, tāned or curried, as is forfaited, and shall be seised and taken as aforesaid, shall be brought to the common Hall of euery such citie, borough and towne, or to some conuenient and open place to be appointed by the Lord of the libertie or his deputie, where no common hall is, there to be prayised as is aforesaid: one part of the saide value thereof, to be disposed vnto the poore, & in other deeds of charitie in those partes after the discretion of the Maior, Bailifes, hedboroughs and Lords of liberties: An other part to be deliuered to the Maiors, Bailifes & other head officers of any citie, Borough, or Towne corporate to the vse of the Cōmunaltie of such Citie, borough or towne corporate: And where no such officers be, then to the Lord or Lordes, of the libertie where any such forfaiture shall be cōmitted or seisure had: and the third parte to the first seiser or seisers of such leather, stuffe or wares insufficiently tanned, curried or wrought, as is aforesaid for his and their paines.

Tij. Partes

Forf.

Distributiō of leather Forf.

Maior

Poore people

Cōmunaltie

Lord of liberties

Prouided alwaies, that no person to whom any such vnlawful leather or stuffe shall be giuen by this act, shall giue or sell any such leather or stuffe to any person or persons that shal sell the same, vpō paine that the buyer shal forfaite for euery parcell of such vnlawfull leather or stuffe to be sold contrary to the true meaning of this last clause, iij.s. iiij.d. Forf.

Prouided alway, that this acte nor any thing therein contayned, shall not in any wise be preiudicial or hurtfull to the Chācelors, Vicechācelors, proctors, tarors or schollers, their officers, ministers, assigns or fermors of the Universities of Oxford or

Chancelors Vicechancelors Proctors Oxford

Cambridge

or Cambridge, or any of them, of, for, or concerning the authoritie of search of tanned leather, or any of ỳ forfaitures of the same, which they lawfully had or might haue had before the making of this preſẽt act, ſo as they do in all things obſerue ſuch order in, and about, or for ſearching, ſeaſing & regiſtring of Leather, as by this act is preſcribed & appointed, vpon the paines herein conteined: any thing herein conteined to the contrarie hereof notwithſtanding. And it is &c. that the hides and ſkinnes of oxe, ſteere, bull, cow, calfe, deere redd & fallow, goates & ſheepe, being tanned or towed, & euery ſalt hide, is, ſhalbe, & euer hath bin reputed & taken for leather. And be it &c. that all Iuſtices of Aſſiſe, Iuſtices of gaole deliuerie, Iuſtices of peace, & ſtewards of franchiſes, leetes and lawdayes, within their ſeuerall precincts, iuriſdictions and liberties, and the Maior of Londõ for the time being within the ſaid Citie, and within iii. miles compaſſe of the ſame Citie, & all other Maiors, Bailifes, & other head officers of Cities, Boroughs & townes, within their ſeuerall iuriſdictions, liberties, precincts, offices and authorities, ſhal enquire of all the premiſſes in their ſeſſions, leete or lawday, and heare & determine the ſame, and alſo by their diſcretions examine all perſons ſuſpected to offend this acte, or any parcell thereof. And be it &c. that where any manor, libertie, or franchiſe, immediatly apperteineth or ſhal appertain to ỳ Queens Maieſtie, her heires or ſucceſſors, the ſteward for the time being of euery ſuch manor, libertie and franchiſe, ſhall haue the like authorities, powers, iuriſdictiõs and aduantages, and alſo ſhall beare and pay all the like paines, penalties & forfaitures as are giuen, appointed, limitted, or layed by this eſtatute, to or vpon the Lordes of Liberties and franchiſes, as in this ſtatute is expreſſed. And be it &c. that all currying and dreſſing of Leather commõly called drie currying and freeſing, ſhall be conſtrued to bee dreſſing and currying after the manner of Spaniſh Leather, of what colours ſoeuer it be, and that to all artificers other then ſhoomakers yeerely betweene the laſt of September, and the xx. of Aprill, it ſhall bee lawfull to vſe all kinde of leather dreſſed and curried in the maner of drye currying and freeſing, as they lawfully might before the making of this acte, ſo that the ſame leather ſo to bee vſed bee well and ſufficiently tanned according to the forme preſcribed in this acte, and alſo well and ſubſtantially dreſſed, curryed and freeſed, in the kinde of drie currying, and freeſing aboueſaide. And bee it &c. that this act and euery part thereof ſhalbee conſtrued and adiudged to extende to Wales, as amply as it doth in this Realme of Englande to all intents, conſtructions and purpoſes. Bee it &c. that if any Leather wrought, cutt, or vnwrought, to the intent to bee ſolde or bartred, ſhall hereafter vnlawfully be tranſported or purpoſed to bee tranſported into the parts beyond the Sea, from and out of any Porte, hauen, or Creeke of this Realme or Wales, euery comptroller, Cuſtomer, Surueyour, Collector of tonnage and pondage, and ſearcher and deputie of any of them, or any other perſõ bearing or knowing by any wayes of anye leather ment to be tranſported, from any place within his office, and do not his beſt endeuour to ſeiſe the ſame, or being tranſported doe not diſcloſe, or cauſe to bee diſcloſed that the ſame within xl. dayes next after ſuch knowledge or hearing ỳ ſame, in ſome Court of Record, ſo as the offendour may bee puniſhed according to the lawes in that caſe prouided: ſhall for euery the firſt offence cõmitted againſt this article, forfaite C. li. and for the ſeconde offence, ſhall forfait his office. And be it &c. that euery cuſtomer, officer or officers deputie, that ſhall make any falſe certificate of the arriuall of any Leather in any port, creeke or place of this Realme, ſhal alſo forfait for euery ſuch offence an hundred pounds.

Prouided alway that neither this acte, or any article, expoſition, or thing therein conteined, ſhall extende to any Scottiſh hides to bee brought into the Towne of Barwike, out of the realme of Scotland, being regiſtred in a booke therefore to be kept, by ſuch perſon and perſons as the Maior of the ſaid Towne for the time being, ſhall thereunto name and appoint, with the name & ſurname of the buyer & ſeller, to the intẽt the Engliſh hides may bee knowen from the Scottiſh, but that the inhabitants of the ſaide Towne of Barwike may ſend, carrie and tranſport ſuch Scottiſh hides, as they lawfully might tranſport before the making of this act. Be it &c. that the Statutes hereafter mentioned, that is to ſaye: one Statute made in 25. E. 3. cap. 4. And one other ſtatute made in An. 13. R. 2. cap. 12. And one

What ſkins be called Leather

Iuſt. of aſſ. Iuſt. of G. Iuſt. of P. Steward of L. Maior of London

Baſtikes Officers

Inquire Determine

Examine Diſcretions

Drie currying

Tranſported

Comptroller Cuſtomer

Forf.

Forf.

Scottiſh hydes Barwike

other act or statute made in 4.H.4.ca.35. And one other act made 2.H.6.cap.7. And another acte made An.4.E.4. entituled, Corduwayners & Cobiers. And one other act made primo Henrici 7. entituled, an acte against Tanners and Corduwainers. And one other acte made in the 19. yére of the reigne of the said king Henrie 7. entituled for Curriers and Corduwainers. And one other acte made in the third yére of the reigne of our late soueraigne Lorde king Henrie the eight, entituled an acte for Curriers to haue search of Leather. One other act made in 5.H.8. entituled an act for strangers for buying of Leather in open market. One other acte made in the 14.or 15. yéres of our saide late Soueraigne Lorde, entituled an acte concerning the liberties of Corduwainers and Shoomakers. And one other acte made in the 22.H.8. entituled an act concerning Tanners and Butchers. And one other act made in 24.H.8. entituled, an act concerning true tanning & currying of Leather. And one other act made in the 2. & 3. yeres of ỳ reigne of our late Soueraigne Lord king Edw.6. the 9. Chapter, & reuiued in the first yére of our soueraigne Lady the Quéenes Maiestie, entituled an act for true currying of Leather. One other acte made in the thirde & fourth yére of our said Soueraigne Lord king Edw. the 6. entituled, an acte for buying of rough hides and calues skinnes. And as much of an act made in the 5. and 6. yére of our said late Soueraigne Lord king E. 6. entituled, an acte against regrating of tanned Leather (before 17.) as doth prouide or giue libertie to any person or persons to carrie ouer any shooes, boots, buskins, startups, slippers and other made wares to the Towne of Calice. And one other act mave in the first yere of our soueraigne Ladye the Quéenes Maiestie, entituled, An acte touching Shomakers and Curriers. And one other act made in the saide first yére, intituled, an Acte touching selling of Tanned Leather, shal from and after the said feast of Saint Michael next comming be vtterly repealed Anno.5. Eliz.cap.8. See the next Statute here following.

22 ¶ Be it enacted by our Quéene our Soueraigne Lady, and by authoritie of this present Parliament, that the saide act against transporting of Leather (before 18.) and made in the said first yére, & continued in the first Session of this present Parliament, shalbe repealed, & that so much of the said acte concerning Tanners &c. (before 21.) made in the said fifth yere, & the Prouisoes therein contained, as do or doeth concerne the transporting of leather or hides, shalbe continued, and duely put in execution. And be it further enacted, that it shal not be lawful for any person or persons, to lade, ship or carrie in any vessell or ship, or otherwise, any Leather, Tallow or raw hides, of intent to transport or carrie ỳ same into any place or places of the parties beyonde the Sea, or into the realme of Scotland, by land or by seas, other then Scottish hides, according to the said prouiso in ỳ said acte made in the said fifth yere, vpon the paines and forfaitures hereafter ensuing: that is to say, vpon the paine of the forfaiture of the said Leather, Tallow or raw hides, so laden or transported, and treble the value thereof, to bee forfaited by the owner or owners, & also ỳ owners of the saide ships or vessels, knowing of such offence, to forfait the said ships or vessels, with al their apparell & furniture to them & euery of them belonging: and the Maisters & Mariners knowing of such offence, to forfait all their goods & cattels, and to haue imprisonment by the space of one yere, without baile or mainprise, the one moitie of all which forfaitures, to be to ỳ Quéenes Maiestie, her heires and successours, the other moitie to him or them that will sue for the same, by action of debt, or information, in any Court of Recorde: in which suite, no protection nor wager of law shal be admitted.

Transport
Scotland
Scottish hides
Forf.
tri. damages
Owner
Forf.
Maisters
Mariners
Forf.
Goods
Imprif.
Moitie

Prouided alwayes, that if any owner of any such ship or vessell, or any Maister or Mariner knowing anie such transportation of Leather, Tallow or raw hides, shall within three moneths next after his knowledge thereof, or after his returne into this Realme, giue good information bona fide, before anie of the Barons of the Quéenes Maiesties Court of the Eschequer, or before the Lorde President or counsell in the North, or in the Marches of Wales, or before the head Officers of any Port where he shall first arriue, vpon his or their othe, of the number and quantitie of Leather, Tallow, and raw hides, so carried, conueyed, and transported, and by whom, where, and in what ship or vessel, and afterwardes shal bee ready vpon reasonable warning by processe, to iustifie and prooue the same for the Quéenes

Owner
Information
Barons
Eschequer
L. President
Othe
Proces

Maiesty,

Maieſtie, that then ſuch owner or owners, Maſter, Mariner or Mariners ſhall not forfait his or their ſhip, veſſel or veſſels, nor incurre ẏ forfaitures aforeſaid: any thing herein contained to the contrarie notwithſtanding. And be it further enacted by the authoritie aforeſaide, that euery perſon or perſons whatſoeuer, that ſhal ſhip or carrie any leather, tallow or rawe hides, otherwiſe then by the force of the ſaid prouiſo made in the ſaide firſt yeere into the partes of beyond the Seas, from henceforth ſhal paye to the Quéenes Maieſtie, her heires & ſucceſſours, for euery hide ſo to be carried, by the name of ſubſidie, the ſumme of x.s. & for euery dozen of calues ſkins .iii.s.iiii.d. & for euery hundred pound weight of tallowe vi.s. viii.d. And further, that all cuſtomers, controllers, farmours & ſuperuiſors of cuſtomes & ſubſidies, ſhalbe accountãt to ẏ Quéens Maieſtie, her heires & ſucceſſours, to paye the ſaid cuſtome and ſubſidie, for all ſuch goods entred & laden, vpon the paines and penalties contained in the ſtatute made for falſe concealments of cuſtomes & ſubſidie, in the thirde yeere of the reigne of King H.6. Anno 18. El.cap.9.

Pay
Subſidie
Cuſtomer Controller
Goods

23 ¶Bee it therefore enacted &c. that from & after the feaſt of Pentecoſt, commonly called Whitſunday next enſuing, it ſhal not be lawful to or for any Currier or Curriers, or any other perſon or perſons whatſoeuer within this Realme of England by any waies, meanes, ſhiftes, practice or deuice whatſoeuer, to bargain, ſell, exchange or put away any tanned leather vnwrought, & not cut & conuerted into ſome kinde of made wares nowe vſed, or which hereafter ſhalbe vſed within this realme, vpon paine of forfeiture of double the value of the ſaid leather: Any former law, ſtatute, or other thing to the contrary hereof in any wiſe notwithſtanding: The one moitie of which forfeiture ſhalbe to our ſoueraigne Lady ẏ Quéens Maieſtie, her heires and ſucceſſors: the other moitie to him or them that will ſue for the ſame, by bill, plaint or informatiõ, In which no eſſoine, wager of law, nor protection ſhalbe allowed.

Currier
Tanned leather
Fine.

Prouided alwayes that it ſhall & may be lawfull to and for all and euery perſon or perſons whatſoeuer, vſing, occupying or exerciſing the trade of tanning of leather, or to the executors or adminiſtrators of euery or any ſuch perſons, to bargaine, ſell, and put away ſuch leather, as ſhalbe by them or any of them tanned in ſuch ſort, maner & forme, as they might haue done before the making of this acte, Any thing herein contained to the contrary notwithſtanding.

Tanners

Prouided alſo & be it enacted by the authoritie aforeſaid, that it ſhalbe lawful to al & euery perſon & perſons, to whome any leather by force of any former lawe or ſtatute ſhalbe forfaited, & to al other perſon & perſons to whoſe hand any tanned leather ſhal come, as executor or adminiſtrator to any artificer vſing to worke leather into wrought wares, or by bequeſt from ſuch artificer, to bargaine, ſell & put away ſuch tanned leather as ſhall come vnto them or any of them by any the meanes aforeſaid, to any artificer vſing to conuert tanned leather into wrought wares: And likewiſe to al artificers vſing to conuert tanned leather into wrought wares, which ſhall buy any tanned leather to the intent to worke the ſame into wares, to ſell & put away the wombes, ſhreds & necks which they cannot occupy about their workes: This act or any other act or ſtatute to the contrary in any wiſe notwithſtanding. This act to continue for the ſpace of fiue yeres next after this preſent ſeſſion of Parliament, and from thence to the end of the Parliament then next following. Anno 27. El.cap.16.

Executors

¶Corne and Graine.

IT is accorded that the paſſage of corne ſhall bee forbidden in all the Ports of England, ſo that none haue licence nor warrant to paſſe with ſuch Corne in any wiſe, vnleſſe it bee to Calice or Gaſcoigne, or to other ſpeciall places, which it behoueth that the King doe to bee furniſhed of the Corne of England, and that by his owne ordinance and licence. An. 34 E.3.cap.20.

Corne
Calice

2 ¶The Malt which ſhalbee made in the Counties of Huntington, Cambrige, Northhampton and Bedford, which ſhall be ſolde and brought to the Citie of London, to vitaile the Kings houſholde, and other Lords houſholde and gentles there dwelling and repairing, And alſo for ſuſtenance of all the people of the ſaid citie, ſhall be well and conuenably ſifted, cleanſed & purified, before the ſale of the ſame, from duſt and all other filth, ſo that the buyers may haue eight buſhels of cleane malt for ẏ quarter. And that the Maiors, Bailifes

Cleanſed
Quarter

Baſtites & Wardens of townes & places where ſuch malt ſhalbe ſolde, ſhall haue full power at euery mans ſute that will complaine, to ſée and ſearch the ſaid malt, & if default be found, thereof to make due redreſſe. An. 17. R. 2. cap. 4.

Ship corne

3 ¶ The King at the requeſt of ẏ commons to him made in this preſent parliament, hath granted licence to al his liege people of his realme of England to ſhip & carrie corne out of the realme, to what parties that pleaſeth them except to his enemies, paying the ſubſidies and deuoyers thereof due, notwithſtanding any ordinance, Proclamation or any defence made before this time to the contrary:

Paſſage

Neuertheleſſe he will, that his counſell may reſtraine the ſaid paſſage when they ſhall thinke beſt for the profite of the realme. An. 17. R. 2. cap. 7. Quere if this ſtatute expired by the death of R. 2.

4 ¶ The ſaid ſtatute (that is to ſaye, An. 17. R. 2. cap. 7. before 3.) be holden and kept in all pointes, ſo that his counſell may reſtraine the ſaide paſſage when to them ſhal ſéeme neceſſarie for the profite of the realme. An. 4. H. 6. cap. 5.

Quere if this Statute expired by the death of H. the 6.

Tranſport corne Prices

5 ¶ An. 15. H. 6. cap. 2. It was enacted to endure to the nert Parliament, that Corne might be carried out of England, when it was at certeine prices expreſſed in the ſtatute. And after An. 20. H. 6. ca. 6. this act was continued for ten yeeres. And after An. 23. H. 6. ca. 6. it is made perpetual. See theſe three ſtatutes at large.

6 ¶ No perſon from the feaſt of S. John the Baptiſt nert comming, ſhall bring or conuey into any place or port of this realme, by way of Marchandiſe, nor otherwiſe, any Wheat, Rie, or Barley, which is not of the growing of this land, or of any Ile perteining to the ſame, or of the growing of the Countrey of Ireland or Wales, at any time that ẏ quarter of wheat doeth not exceede the price of vi. s. viii. d. the quarter of Rie doeth not exceede the price of iiii. s. And the quarter of Barley iii. s. of lawfull money of Englande, within the place or port where ſuch wheat, Rie or Barley ſhall happen to be brought: vpon paine of forfaiture of the ſaid Wheat, Rie, and Barley. The one halfe to the vſe of our Soueraigne Lord the King, and the other halfe to him, which ſhall happen to ſeiſe ſuch wheat, rie, or barley. Prouided alwaies that this acte extend not to any wheat, Rie or barley, taken by any of the Kings liege people vpon the Sea without fraud or couin. Anno 3. E. 4. cap. 2.

Marchandiſe

Bring in

Price

Forf. Woitle

7 ¶ For the ſuppreſſing of the number of Ingroners of cattell and badgers, laders, kidders & carriers of corne & graine, that hath béene allowed thereunto by the Iuſtices of peace, ſince the making of the ſtatute againſt regratours, foreſtallers & ingroſſers, Anno 5. E. 6. cap. 14. (after in Foreſtallers 4.) Bee it enacted that no Ingroner of Cattell, badger, lader, kidder, carrier, buyer, or tranſporter of corne or graine, butter and cheſe, be from and after the feaſt of Eaſter nert after the firſt day of this preſent Parliament, licenced, admitted, aſſigned or allowed to thoſe offices or doings, or to any of them, but only in the generall and open quarter Seſſion of the peace, to be holden in the ſhire where ſuch perſon or perſons ſo to bee admitted, aſſigned or allowed, doeth or ſhall dwell, and hath or ſhall haue dwelled there by the ſpace of three yeeres nert before the Teſte of the ſaide licence. And that no perſon or perſons after the firſte day of May nert comming, bee admitted to the ſaide offices or doings, or to any of them, but ſuch onely as be or haue bene married men, & ſhall bee married, at the time of ſuch licence to bee graunted, houſholders, and not houſholde ſeruants, nor retainers to any perſon or perſons, & of the age of thirty yeres at the leaſt. And that all licences being made and granted as is aboueſaide, ſhall haue continuance & bee good onely for one yeare nert after the date thereof, and for no more nor longer time, which ſaide licences euery of them, ſhall beare date the day & place where the ſaide ſeſſions ſhall be holden, and ſhall bee ſigned & ſealed with the proper handes & ſeales of three of the ſaide Iuſtices of the peace being preſent at the ſame Seſſions at the leaſt, whereof one to be of the Quorum, vpon paine that euery perſon or perſons that ſhal take any licence cõtrary to this ordinance, to loſe, and forfeit to our ſouereigne Lady the Quéene, her heires, and ſucceſſours, fiue pounds ſterling. And that al licences made & graunted, or hereafter to be made and graunted, otherwiſe then is afore expreſſed, ſhall from & after the ſaide firſt day of May nert comming, be void and of none effect.

Ingroner of Cattell Badger

Butter Cheſe

Licence

Quarter Seſſions

Maried men

Houſholders

But one yere

3. Iuſt. of p.

One of the Quorum

Forf.

And further be it enacted by ẏ authority afore ſaid, that ẏ Iuſtices of the Peace, in

Iuſt. of P.

in the saide generall & open sessions, shall or may by their discretions, take bond & suretie from time to time, by Recognisãces, of such as shalbe admitted or allowed hereafter a common drouer of cattel, badger, lader, kidder, carrier or buyer of corne, graine, butter or cheese, that they, nor any of them, shall by colour of his or their licence, forestal or ingrosse, or otherwise practise or doe any acte or thing contrarie to the tenour & true meaning, or in defrauding the said former statute, or of any matter or thing therein conteined. Al which licences & euery of them, & the said recognisances, shalbe made & written by the Clerke of the peace in euery Countie where such licence shalbe graunted, or by his lawfull deputie, & by none other perso or persons. And euery person that shall haue any such licence shal pay to ỳ Clerk of the peace, or his deputie for making thereof xii.d. at the most, & for euery recognisance in forme aboue said to be made & knowledged viii. d. at the most, and for registring of the same licence and recognisance iiii.d. at the most. For which saide fee, the saide Clerke or his deputie, shall haue & kepe one register booke, & therein shal register and writ all the names, surnames, & dwelling places of such as shall be licenced as is aforesaid, with a briefe declaration or entrie of the saide licence, and of the day, time & place, where such a licence or licences shalbe granted. Which booke or Register, the saide clerke of the peace, or his deputie, shall haue & bring to euery Sessions, to the intent that it may appeare what number of licences bee and shall bee, from time to time graunted, whereby the better consideration may be had thereof.

Discretion
Recognisance
Drouer
Badger
Carrier
Butter
Cheese
Forestall
Ingrosse
Clerke of the peace
Registring
Register booke
Sessions

Prouided alwaies, and be it further enacted by thauthoritie aforesaide, that no person or persons, shall or may by authoritie of any such licence aboue mentioned buy any corne or graine, out of open faire or market to sell againe, vnlesse such person & persons shalbe thereunto licenced, & shall haue speciall & expresse wordes conteined in such licence & licences, that he or they may so do, vpon paine to forfait for euery such time that any such person or persons shal do to the contrarie v.li. The one moitie of all which forfaitures afore rehearsed, shalbe to the Quéene our Soueraigne Ladie, her heires & successors, & the other moitie to him or them that will sue for the same, in any of the Quéenes courts of Record, by bill, plaint, action of debt, or information, in the which bill, plaint, action or information, no wager of law, essoine or protection, shalbee admitted. Be it also enacted by the authoritie aforesaid, ỳ the Justices of the peace in euery Countie within this realm of Wales, at the quarter Sessions, shal haue ful power & authoritie by vertue of this acte, to inquire, heare & determine, al & euery the defaults & offences perpetrated, cõmitted or done contrarie to this acte, within the Countie where any such Sessions shalbee kept, by inquisition, presentmẽt, bill or information, before them exhibited, & by examination of two lawful witnesses, or by any of the same wayes or meanes by the discretion of the saide Justices, & to make proces thereupon, as though they were indicted before them by inquisition, or by verdict of xii. men or mo. And vpon the cõuiction of the offendor, by information or suite of any other then ỳ Quéene, to make extracts of the moitie of the forfeitures to be leuied to the Quéenes vse, as they vse to doe of other fines & of amerciamentes, growen in the Sessions of peace, and to award execution of the other moitie for the complaināt or informer against the offẽdor, by Fieri facias or Capias, as ỳ Quéens Justices at Westminster may do & vse to do. And if any such conuiction or attainder shall hereafter happen to bee at the Quéenes suite onely, that then the whole forfaitures to be extracted & leuied to the Quéenes vse onely.

Corne
Open market
Buy to sell againe
Forf.
Moitie
Iust. of P. Wales
Diet & ter.
Examine
Proces
Extreates
Execution
Fieri facias Capias

Prouided alwayes that this act or any thing therein conteined, shall not in any wise extend to the preiudice of the liberty of any Citie or towne corporate, but that they and euery of them shall & may lawfully assigne and licence Purueyors for the prouision of the same Citie or towne corporat, in such maner and forme as they might lawfully haue done before the making of this act.

Citie
Purueyors

Prouided further, that this act nor anie thing therein contained, shall bee in anie wise hurtfull or preiudiciall vnto any the inhabitãts within the counties of Westmerland, Cumberland, Lancaster, Chester and Yorke, or any of them, but that they may do as hereafter they haue lawfully vsed to doe: any thing in this present act to the contrary notwithstanding. An. 5. Eliz. cap. 12.

Learne if the two last Prouisoes of this Statute doe nowe remaine in force, by rea-

ſon of a Prouiſo in the Statute of 13. Eliz. cap. 25. (which ſee after in Foreſtallers 4.) foraſmuch as the Statute of 5. E. 6. ca. 14. of Foreſtallers (which ſee there alſo) was diſcontinued from An. 8. vntil 13. Eliz.

8 ¶ For the better increaſe of Tillage and of the Nauie and Mariners of this Realme: Be it enacted, that from and after the feaſt of the Natiuitie of S. John Baptiſt next comming, it ſhalbe lawfull to all and euery perſon and perſons, being ſubiects of the Quenes Maieſtie, her heires and ſucceſſors, & inhabiting within her highneſſe Realmes and dominions, (onely out of ſuch Ports and Creeks where are or ſhalbe reſident a Cuſtomer or Collector of ſubſidie of tonnage & pondage, or one of their deputies, & not elſewhere) to load, carrie or tranſport any Wheat, Rye, Barley, malt, peaſe or beanes, into any partes beyond the ſeas, being in amitie with this Realme, & not prohibited by any reſtraint or proclamation, only to ſell as a marchãdiſe in ſhips, crayers, or other veſſels bearing croſſe ſailes, whereof any Engliſh borne ſubiect, inhabiting within her highneſſe Realmes and dominions, then ſhall bee the onely owners, at al ſuch times as the ſeuerall prices thereof ſhalbe ſo reaſonable and moderate in the ſeuerall Counties, where ſuch tranſportation ſhalbe intended, as that no prohibition ſhall bee made, either by the Quenes Maieſtie, her heires or ſucceſſors, by proclamation to bee made in the ſhire towne or in any port towns of the Countie, or els by ſome order of the Lord Preſident or Counſel in the North or the Lord Preſident & Counſell in Wales, within their ſeueral iuriſdictions, or the Juſtices of aſſiſes at their Seſſions in other ſhires out of the iuriſdiction of the ſaid ii. Preſidents and Counſels, or by the more part of the Juſtices of the peace of the countie, at their quarter Seſſions, in this maner following: that is, The ſaid Lord Preſidents and Counſels for ỳ ſhires within their iuriſdictiõs, the Juſtices of aſſiſe at their ſeueral Seſſions in other ſhires out of the ſaide iuriſdictions, belonging to the ſaid counſels in the North and in Wales yerely, ſhal vpõ the conference had with the inhabitants of the Countrey, of ỳ cheapneſſe & dearth of any of the ſaide kindes of graine, within the Counties within the iuriſdictions of the ſaid counſels, or in other the counties within the limits of the ſaid Juſtices of aſſiſe, by their diſcretiõ, determin whether it ſhalbe mete at any time to permit any graine to be caried out of the realme, by any Port within their ſeuerall iuriſdiction or limits, & ſo ſhall in writing vnder their hands & ſeales, cauſe & make a determination either for permiſſion or prohibition, and the ſame cauſe to bee by the ſhirife of the Counties publiſhed & affixed in as many accuſtomed market townes & Ports within the ſaid ſhire, as they ſhall thinke conuenient, & in ſuch maner, as ỳ Quenes Maieſties Proclamations are vſually publiſhed & affixed: Which determination of the ſaide Preſident & Counſels in their iuriſdictions, and of the Juſtices of Aſſiſe in their limits, ſhall continue in force for the time, place & maner therein expreſſed, vntil the ſaid Preſidents and Counſels ſhall otherwiſe order, or vntill the Juſtices of Aſſiſes, at their being in their ſaid circuites, in euery of the ſaide Counties, ſhal alter, or otherwiſe order ỳ ſame, except the ſame ſhalbe otherwiſe in the meane time altered or countermaunded by the Quenes Maieſtie, her heires or ſucceſſors, or by ſome order of the Juſtices of Peace in the Counties, ſituat out of the iuriſdictions of the ſaide ii. counſels in their quarter Seſſions to be holden in the meane time, or the greater part of them, ſhall finde the ſame determination of the Juſtices of Aſſiſes to bee hurtfull to the Countie by meanes of dearth, or to bee a great hinderance to Tillage by meanes of too much cheapneſſe, and ſhall by their writing vnder their handes and ſeales, make any determinations to the contrarie, either for permiſſion or prohibition of carriage of any kinde of graine out of the Realme, and the ſame determination ſhal cauſe to be in like manner publiſhed and affixed, as aboue is ſaide: which determination ſhall alſo continue in force, except the ſame ſhalbee altered by the Quenes Maieſtie, her heires and ſucceſſors, or vntill the Juſtices of Aſſiſe, at their being in their ſaide circuites, in euery of the ſaide Counties afore to them limitted, ſhall alter or otherwiſe ordeine the ſame, who ſhall and may vpon new conference had, by their diſcretions from time to time alter and change the ſaide determinations in the whole, or in part, as to their diſcretions ſhall ſeeme mete, and the ſame ſhall alſo cauſe to bee publiſhed, as is before preſcribed. Prouided neuertheleſſe that neither any of the ſaide

Preſidents

Tranſport

Marchandiſe

Prices

L. Preſident Wales

Juſt. of aſſ. Juſt. of p.

Juſt. of aſſ.

Conferre

Determine

Permit: Prohibit Publiſh

Alter

Juſt. of P.

Quarter Seſſions

Dearth Tillage

Alter

Presidents & Counsels, nor the said Justices of assise, nor the said Justices of peace aboue mentioned, shall publish any their determinations aboue mentioned, vntill the same shalbee first by writing notified to the Quænes Maiestie, or to her priuie Counsell. & by her Maiestie or her priuie counsell, shalbe liked & allowed. Prouided also, that the Quænes Maiestie, her heirs & successors, shal haue & receiue by the customers & officers of her Portes, for the custome or pondage of euery quarter of wheat to bee transported by force of this statute xii. d. & of euery quarter of any other graine viii. d. and of euery quarter of wheat that shalbe by any speciall licence hereafter to be graunted, transported out of the Realme, & not by force of this statute ii. s. & euery quarter of other graine vi. d. notwithstanding any manner of words that shalbee cõteined or inserted in any licences to the contrary, which saide seueral summes so to be had or taken, as custome or pondage, to be in full satisfaction of all manner of custome or pondage for the said corne or graine, by any constitution, order, statute, law or custom, heretofore made, vsed or taken for transporting of any such maner corne and graine. Prouided also & be it enacted by the authoritie of this present Parliament, that the Quænes Maiestie, her heires and successors, may at all times by her writ of proclamation to bee published generally in ỳ whole Realme, or in the Counties of the Realme where any port townes are, cõmaund that no person shall by vertue of this act, transport or carrie out any maner of graine to any parts out of her dominions either generally out of any port in ỳ Realme, or particularly out of any special Ports to be in the same Proclamatiõ named, & that it shall not be lawfull for any person to cary out any such graine contrary to the tenour of the same Proclamation, vpon such paines, as by the lawes of this Realme are and hath beene prouided, (viz. by 1. & 2. P. & M. cap. 5. and after in Vitail 15.) Anno 13. El. cap. 13.

Counsell
Allowed
Custome
Licence
Proclaime

¶ Coroners.

FOrasmuch as mean persons & vndiscrete, nowe of late are commonly chosen to ỳ office of Cozoners, where it is requisite that persõs wise, lawfull & discrete, should occupie such offices: It is prouided that throughout all Shires, sufficient men shall be chosen to be Cozoners, of the most wise & discrete knights, which know, will & may best attend vpon such offices, and which lawfully shall attache & present pleas of the Crowne. And the Shirifes shall haue counterpaines with the Cozoners, aswell of their appeales, as of inquests of attachments and of other things, which to that office do belong. And that no Cozoner demaund any thing, nor take any thing of any man to doe his office, vpon paine of great forfaiture to the king. West. 1. cap. 10. Anno 3. E. 1. See this somewhat altered after in Murder 2.

Knights
Shirifes
Appeales
Fozf.

2 ¶ A Cozoner ought to enquire these things, if he be certified by the kings bailifes, or other honest men of the country. First, he shal goe to the places where any man is slaine or suddenly dead, or wounded, or where houses are broke, or where treasure is said to be found, & shall forthwith commaund iiii. of the next Townes or v. or vi. to appeare before him in such a place, and when they are come thither, the Cozoner vpõ ỳ othe of them shall enquire in this maner: ỳ is to wit, If they know where the persõ was first slaine, whether it were in any house, field, bed, taueme or in company, & who were there: Likewise it is to bee enquired who were culpable, either of the acte, or of the force, and who present, either men or women, & of what age soeuer they bee (if they can speake, or haue any discretion) and how many bee found culpable by the inquest, in any of ỳ said maners, wherupon they shalbe take and deliuered to the Shirife, and shall be committed to the Gaile, and such as bee founden, and be not culpable, shalbee attached vntill the comming of the Justices, and their names shall bee written in rolles. If it fortune any man bee slaine suddenly, which is found in the fieldes, or in the woods, first it is to be seene, whether hee were slaine in the same place or not. And he were brought & layde there, they shall doe atmuch as they can to followe their steppes that brought him thither, whether he were brought vpon a horse or in a cart. It shalbe enquired also, if ỳ dead person were knowen, or else a stranger, and where he lay the night before. And if any be found culpable of the murder, the Cozoners shall immediatly goe vnto his house, & shall enquire what goods he hath, and what Corne he hath in his Grange, & if he be a freeman, they shall enquire how much land he hath, and what it is worth

Bailifes
Treasure
Othe
Inquire
Shirife
Attache
Culpable
Goods
Corne
Freeman

perely, and further what troppe hee hath vpon the ground. And when they haue thus enquired vpon euery thing, they shal cause all the land, corne, & goods to be valued, in like manner as if they should bee sold incontinently, & thereupon they shall be deliuered to the whole township, which shalbe answerable before the Justices for al. And likewise of his freehold, how much it is worth perely, ouer & aboue the seruice due to the Lords of the fee, & the lande shal remaine in the kings hands, vntill that ỹ Lords of the fee haue made fine for it. And immediatly vpon these thinges being enquired, the bodies of such persons being dead or slaine shalbe buried. In like maner it is to bee enquired of them that bee drowned, or suddenly slaine or strangled, by the signe of a corde tyed straite about their necks, or about any of their mẽbers, or vpon any other hurt found vpon their bodies, wherupon they shal proceed in the forme aboue said: and if he were not slain, then ought the Coroner to attach the finders, & al other in the company. A Coroner also ought to enquire of treasure that is founden, who were the finders, & likewise who is suspected thereof, & that may be wel perceiued, where one liueth notoutly haunting Tauernes, & hath don so of long time, herevpõ he may be attached for this suspition, by iiii or vi. or moe pledges, if he may be found. Further if any be appealed of Rape, he must bee attached, if the appeale be fresh, & they must see an apparant signe of trueth, by effusion of blud, or an open trie made, & such shalbe of iiii. or vi. pledges, if they may be found. If the appeale were without trie, or without a nip manifest signe or token, ii. pledges shal be sufficient. Vpon appeale of wounds, specially if the wounds be mortall, ỹ parties appealed shalbe taken immediatly, & kept vntill it bee knowen perfectly whether he that is hurt shall recouer or not, & if he dye, the defendant shalbe kept. And if he recouer health, they shalbe attached by iiii. or vi. pledges, after as the wound is great or small. If it be for a Maime, hee shal finde no lesse then iiii. pledges, if it be for a small wound, ii. pledges shall suffice. Also all wounds ought to bee viewed, the length, breedth and depenesse, and with what weapons, and in what part of the bodie the wound or hurt is, and how many bee culpable, and how many wounds there bee, and who gaue the wounde, all which things must bee inrolled in the Roll of the coroners. Moreouer, if any be appealed of an act done as principall, they that be appealed of the force, shal be attached also, & surely kept in ward, vntil the principal be attainted. Concerning horses, boates, carres, &c. whereby any are slaine, that properly are called Deodand, they shalbe valued and deliuered vnto the Townes, as before is said. Concerning wrecke of the sea, whersoeuer it be found, if any lay handes on it, he shalbe attached by sufficient pledges, and the price of the wrecke shalbe valued and deliuered to the Townes. If any bee suspected of the death of anie man beyng in daunger of life, he shalbe take and imprisoned, as before is said. In like maner Hue & cry shal be leued for all Murders, Burglaries, & for men slaine, or in perill to be slaine, as otherwhere is vsed in Englande, and all shall follow the hue and cry, as neere as can be. And he that doeth not, and is conuict thereupon, shalbe attached to be afore Justices of the gaole &c. Officium Coronatoris, An. 4. E. 1.

Claimed
Township
Justices
Freehold
Fine
Drowned
Strangled
Treasure
Rape
Appeale
Pledges
Impris.
Principall
Horses
Boates
Deodand,
Wrecke
Impris.
Hue & cry
Burglary

3 ¶ It is prouided and ordeined, that the Enquirors shall commaund the Shirife of the place, that hee cause to appeare at a certaine day, and at a certaine place (which to him shalbe assigned by the forsaide Enquirors) all the Baylifes of the Wapentakes, Hundreds, and Frãchises, which be, or haue bene beadels if they be liuing, in the time that P. of C. was Coroner to our Lord the King in those counties, & he shall giue knowledge thereof to all the bailifs & beadles which are or haue bin within the precinct of his bayliwike, & appertaining to the same Coroner and to others also if need be. And that he also cause to come before them the Coroner, of whom they shall take the enquests, with all the rols of his time, while he was Coroner to our lord the king, & the enquirors shal put their seales to the rols of the said Coroner, & being so sealed, shall redeliuer them to the Coroner, so that he may haue them in a readines when the Justices in Eire shall come to sit in the coũtie, or that the King shall ordeyne otherwise for the same. And if the Coroner bee dead, the same order shalbe vsed with his heire for the time of his father, so that neither the Coroner nor his heire, nor their Clerkes may not forge their rols, before the comming of the Justices, nor otherwise to doe any thing against the Crowne in preiudice of the king, in damage of his people,

Shirifes
Baylifes
Enquest
Rolles
Iust. in eire
Heire

and

and to the hinderance of right, as before this time hath bin vsed. And then the said Enquirors shall cause the bailiffes aforesaide to sweare, that well and truely they shal do those things wherewith they shal be charged by the king and his Counsell, and they shall not conceal any thing, and after that they are al sworn, eche Bailife of wapentake, hundred & franchise, shall be particularly charged, that he vsing before the said enquirors, at a day and place certaine (which to him shall bee assigned) the names of al the townes, villages and hamlets, within his wapētake, hundred, or franchise, written in rolls, and at the day at the same place, shall deliuer them to the foresaide enquirors, and then shall the said enquirors giue charge to the said bailifs, that they shal cause to come before them at a certaine daye & certaine place, which they shall appoynt, out of euerie towne viij. men, out of euery village vj. & out of euery hamlet iiij. men of the wisest & honestest there inhabiting (except the Lords of the saide townes, villages & hamlets aforesaide) out of which number the aforesaide Enquirors shall chuse the graund Enquest, xij. out of euery wapentake, hundred & franchise, and townes shal answere by xij. if there be so many within the precinct. And eche of the aforesaid viij. vj. and iiij. men shall haue a Seale, and if default be found in the aforesaid townes, villages, or hamlets, for that they haue not so many free men, then they shall bee chosen of the most honestest & wisest bondmen, and eche of them shall haue a seale, & then shal the enquirors chuse out of euerie viij. vj. of the best, & out of vj. foure, & out of iiij. two of the honestest as nere as they may: then they shal charge the with this othe the following for ỹ king. This heare you A. and B. Enquirors assigned for the king, that I shall say the troth, & nothing shal conceal, nor suffer to be concealed before you for promise, nor for gift, for terror nor for doubt, nor for affinity, alsance nor for loue, for hatred, nor for abbetting, nor for procuremēt: nether shal any thing els binde me from saying the troth, & true presentment to make of that which you shal giue me in charge in this enquest for the king: So God me help & his Saints. And this Othe shall euery towne, village and hamlet make seuerally. And likewise with this othe the Enquirors shal charge the aforenamed xij. & then shal deliuer to the Iuries of eche town, village & hamlet, and to eche wapentake, hundred, & franchises, within the precinct aforesaide, or without (if nede bee) these articles vnder written and commaund them in the behalfe of the king, that the fremen vpon paine of their inheritance, & the bondmen vpon paine of perpetuall imprisonment, shall not any thing conceale &c. Statutum de Exonia de Inquisitione facienda super Coronatores.

Othe

Graund Enquest

Townes

Othe

Articles

Freemen Bondmen

The Articles made vpon the foresayde Statute beare date at Excester, vpon the xviij. day of Sept. in the 14. yeere of King Edward. See the booke at large.

4 ¶ That no Coroner bee chosen, vnlesse hee haue lande in fee sufficient in the same Countie, whereof hee may answere to all manner people. Anno 14. Edward. 3. cap. 7.

Freeholde

5 ¶ All Coroners of the counties shall be chosen in the full counties, by the commons of the same Counties, of the most conuenient and most lawfull people that shal be found in the said counties to do the office: Saued alwaies to the king & other Lords, which owe to make such Coroners their seigniories and franchises. An. 28. E. 3. cap. 6.

Chosen

Franchises

6 ¶ See Murder 2. what a Coroner shal doe when one is slaine, and what his fee is. An. 3. H. 7. cap. 1.

7 ¶ Forasmuch as since the making of the Statute of 3. H. 7 ca. 1. (which see after in Murder. 2.) Coroners haue refused to enquire vpon the view of the bodies slaine by misaduenture, and not by mans hande, except they haue for their labors xiij. s iiij. d. which is contrary to the law, and to the great annoyance of the people. Bee it &c. that vpon a requeste made to a Coroner to come and enquire vpon the view of any person slaine, drowned, or otherwise dead by misaduenture, the saide Coroner shal diligently do his office vpon the view of the body of euery such person and persons, without any thing therfore, vpon pain to euery Coroner that wil not endeuor himselfe to do his office (as afore is said) or that he taketh any thing for doing of his office vpon euery person dead by misaduenture, for euery time fourtie shillings. And that the Iustices of Assises, Iustices of Peace within the Countie where any such default of the Coroners be, haue authoritie & power to Enquire thereof and determine the same, aswel by examination, as by presentment. Anno 1. Hen. 8. cap. 7.

Misaduenture

without fee

Paine Iust. of ass. Iust. of P.

¶ Corpora.

¶Corporations.

ANno 15. H 6. capit. 6. An Acte was made to endure at the Kings pleasure against Corporations, for making of ordinances.

Wardens

Guildes Fraternities Ordinances

2 ¶No Maister, Wardens, and fellowships of craftes or Misteries, nor any of them, nor any Rulers of guilds or fraternities, take vpon them to make any actes or ordinances, ne to execute any actes or ordinances by them heretofore made in disheritance or diminution of the Prerogative of the King, nor of other, nor against the common profit of the people, but if the same acts or ordinances be examined and approued by the Chauncelor, Treasurer of England, or chiefe Justices of eyther benches, or iij. of them, or before both the Justices of assises in their circuit or progresse in the shire where such actes or ordinances be made, vpon paine of forfeiture of xl.li. for euery time that they do the contrary. And ouer that it is enacted, that none of the same bodies corporate take vpon them to make any acts or ordinances to restraine any person or persons to sue to the K. highnesse, or to any of his Courts for due remedy to be had in their causes. Ne put ne execute any penalty or punishmẽt vpon any of them for any such sute to be made, vpon pain of forfeiture of xl. pound for euery time that they doe the contrary, An. 19. H. 7. cap. 7.

Prerogatiue

Chancelor Justices of both beches Just. of assi.

Forf.

Ordinance

Forf.

3 ¶No Maister, Wardens, or fellowships, of crafts or Misteries, or any of the, nor any Rulers of fraternities, take from henceforth of any apprentice, or of any other person or persons for the entry of anie prentice into the said fellowship, aboue the sum of ij.s. vj.d. Nor for his entrie when his yeres and terme is expired & ended, aboue iij.s. iiij.d. vpon payne of forfeiture of xl.li. for euery time that they doe & contrary: The one halfe to the king our soueraigne Lorde, the other halfe to the partie that therefore shall sue by action of debt, information, or otherwise, and that in the action aforesaid, no protection nor essoyne shalbe allowed. An. 22. H. 8. cap. 4.

Wardens Crafts

Apprentice

Forf.

Moitie

4 ¶No Maister, Wardens of fellowships of craftes, nor any of them, nor any Rulers of fraternities, guilds, or brotherheads, from henceforth compell, or cause any prentice or Journeman, by Othe or bond heretofore made, or hereafter to be made, or otherwise, that hee, after his apprentishipp, or terme expired, shall not set vp, nor kepe any shop, house, or seller, nor occupie as a Freeman without licence of the Maister, Wardẽs, or fellowship of his or their occupation, for & concerning the same, nor by any meane exact, or take of any such prentice or Journeyman, nor any other occupying for themselues, nor of any other persons for them, after his or their saide yeres expired, anie sum of money or other thinges, for or concerning his or their freedome or occupation, otherwise, or in any other maner then before is recited, limitted, and appoynted in the said former act, made in the said xxij. yere of the reigne of K. Henry the 8. vpon the paine to forfeit for euery time that they, or any of them shall offend cõtrary to this act xx.li. The one halfe therof to the king &c. and the other halfe to the party that will sue &c. in which &c. no protection nor essoine &c. An. 24. H. 8. cap. 5.

Licence

Prentice

Forf.

Moitie

5 ¶All and euery peculiar acte, order, rule, and estatute heeretofore made, or hereafter to bee made by any founder or foũders, of any Hospital, College, Deanrie, or other Corporation, at or vpon the foundation of any such Hospitall, College, Deanrie, or Corporation, whereby the graunt, lease, gift, or election of the Gouernour or Ruler of such Hospitall, Colledge, Deanry or other Corporation, with the assent of the more part of such of the same Hospitall, Colledge, Deanry, or Corporation, as haue or shall haue voice of assent to the same, at the time of such graunt, lease, gift, or election hereafter to be made, should be in any wise hindered or let by any one or moe, being the lesser number of such Corporation, contrary to the forme, order, and course of the Common law of this Realme of England, shal bee from henceforth vtterly, vtterly, void, and of none effect. And that all othes heretofore taken by any person or persons of such Hospitall, Colledge, Deanry and other Corporation shall bee for, and concerning the obseruance of any such order, statute, or rule, deemed voide and of none effect. And that from henceforth no manner person or persons of any such Hospital, Colledge, or Deanry, or other Corporation, shall bee in any wise compelled to take any Othe for the obseruing of anie such order, estatute or rule, vpon paine of euery person giuing such Othe, to forfait for euery time so offending x.li. The one moitie therof to the King &c. and the other moitie therof to any &c. wherein &c. Anno 33. H. 8. cap. 17.

Founder College Hospitall Corporatiõ Lease

Othe

Order

Forf. Moitie

Corpus

¶ Corpus cum cauſa, and Habeas corpus.

Certiorare Writ

IF any ſuch writ of Certiorare, or Corpus cum cauſa bee graunted or ſhall bee graunted at any time hereafter, and vpon the ſaid writ that the priſoner which is ſo holden in priſon, be condemned by iudgement giuen againſt him, that incontinent he ſhal bee remaunded, where he ſhall remaine continually in priſon after the law & cuſtome of the lande, without being let to go by baile or mainprize, againſt ỳ will of the ſaid plaintifes, vntill grée be made to them of the ſummes ſo adiudged. An. 2. H. 5. cap. 2. Stat. prim.

Priſoner

Mainprize

¶ Coſinage, Aile and Beſaile.

Mortdaunceſter

Heire

VVHereas the Juſtices in a plée of Mortdaunceſter, haue vſed to admit the aunſwere of the tenant, that the plaintife is not nert heire of the ſame anceſter, by whoſe death he demaundeth the land, and is ready to enquire the ſame by Aſſiſe: It is agréed, that in writs of Coſinage, Aile, and Beſaile, which bee of the ſame nature, his anſwer ſhal be admitted and inquired, & according to the ſame inquiſition, they ſhal proceed to iudgement. Weſt. 2. cap. 20.

Iudgement

¶ Cottages.

AFter the end of this Seſſion of Parliament, no perſon ſhall within this realme of England, make, build, or erect, or cauſe to be made, builded, or erected, any manner of Cottage for habitation or dwelling, nor conuert or ordeine any building or houſing, made, or hereafter to bee made, to be vſed as a Cottage for habitation or dwelling, vnleſſe the ſame perſon do aſſigne and lay to the ſame Cottage or building iiij. acres of ground at the leaſt, to bee accompted according to the ſtatute or ordinance De terris Menſurandis, béing his or her owne freéholde and inheritance, lying néere to the ſaide Cottage, to be continually occupied & manured therewith, ſo long as the ſame Cottage ſhalbe inhabited, vpon paine that euery ſuch offendor ſhall forfait to our ſouereign Lady the Quænes Maeſty, her heires & ſucceſſors x.li. of lawfully money of Englande, for euery ſuch offence.

iiij. Acres

Freehold

Forf.

And be it further enacted &c. that euery perſon which after the ende of this Seſſion of Parlyament, ſhall willingly vpholde, maintayne, and continue any ſuch Cottage hereafter to bee erected, conuerted, or ordeined for habitation or dwelling, wherunto iiij. acres of ground, as is aforeſaid, ſhall not bee aſſigned and layed to bee vſed and occupied with the ſame, ſhal forfait to our ſaid Soueraigne Lady the Quænes Maieſtie, her heires and ſucceſſors xl. s. for euery Moneth that any ſuch Cottage ſhal bee by him or them vpholden, maintained and continued.

Habitation

Forf.

Prouided alſo & be it enacted, that from and after the feaſt of al Saints nert comming, there ſhall not bee any Inmate, or more families or houſholdes then one, dwelling or inhabiting in ame one Cottage, made, or to bee made or erected, vpon paine that euery owner or occupier of any ſuch Cottage, placing or willingly ſuffering any ſuch Inmate, or other family then one, ſhall forfaite and loſe to the Lord of the Léete, within which ſuch Cottage ſhalbee, the ſumme of x. s. of lawfull money of Englande, for euery Moneth that any ſuch inmate, or other family then one, ſhal dwel or inhabite in any one Cottage, as aforeſaid. And that all and euery Lord and Lords of Léete and Léetes, and their Stewards within the precinct of his and their léete and léetes, ſhall haue full power and authoritie within their ſeuerall Léetes, to enquire and to take preſentment by the Othe of Iurors of al and euery offence and offéces in this behalfe, and vpon ſuch preſentment had or made, to leuie by diſtres to the vſe of the Lorde of the Léete, all ſuch ſummes of money as ſo ſhalbe forfaited. And moreouer, that it ſhal be lawful for the Lorde of euery ſuch Léete where ſuch preſentment ſhall bee made, to recouer to his owne vſe any ſuch forfaiture, by action of debt in any of the Quénes courtes of Recorde, wherein no eſſoine, protection, or wager of law ſhall be allowed.

Inmate

Forf.

Lord of Leetes

Leete

Enquire

Othe

Diſtreſſes

And be it further enacted by the authoritie aforeſaid, that all Juſtices of Aſſiſes, and Juſtices of peace in their open Seſſions, & euery Lorde within the precinct of his Léete, and none others, ſhall haue full power & authority within their ſeuerall limittes and iuriſdictions, to enquire of, heare, & determine all offences contrarie to this preſent acte, aſwell by indictment, as otherwiſe by preſentment, or information, and to award execution for the leuying of the ſeueral forfaitures aforeſaid, by Fieri facias, Elegit, Capias, or otherwiſe as the cauſe ſhall require.

Iuſt. of aſſ.

Iuſt. of P.

Indictment

Pꝛouided alwaies, that this ſtatute, oꝛ any thing therein contayned, ſhal not in any wiſe bee extended to any Cottage, which ſhalbe oꝛdeined oꝛ erected, to, oꝛ foꝛ habitation oꝛ dwelling in any citie, towne coꝛpoꝛate, oꝛ auncient Boꝛough, oꝛ Market towne within this Realme, noꝛ to any cottages oꝛ buildings, which ſhall bee erected, oꝛdeined, oꝛ conuerted to, and foꝛ the neceſſary and conuenient habitation oꝛ dwelling of any woꝛkemen, oꝛ labourers in any Minerall woꝛkes, Coale Mines, Quarries, oꝛ Delues of ſtone, oꝛ ſlate, oꝛ in oꝛ about the making of bꝛicke, Tile, lime oꝛ coles within this Realme: So as the ſame Cottages oꝛ buildings, bee not aboue one mile diſtant from the place of ẏ ſame Mineral oꝛ other woꝛks, and ſhal be vſed onely foꝛ the habitation & dwelling of the ſaide woꝛkmen, noꝛ ſhall in any ſoꝛt pꝛeiudice, charge, oꝛ impeach any perſon oꝛ perſons, foꝛ the erecting, mainteyning, oꝛ continuing of any ſuch Cottages, as are befoꝛe in this Pꝛouiſo mentioned and ſpecified.

Minerall woꝛkes

Pꝛouided alwaies, that this act ſhal not extend to any Cottage to be made within a mile of the Sea, oꝛ vpon the ſide of ſuch part of any nauigable riuer where ẏ Admiral ought to haue iuriſdiciõ, ſo long as no other perſon ſhall therein inhabite, but a Sailer, oꝛ man of Mannel occupatiõ, to oꝛ foꝛ making, furniſhing, oꝛ victualing any ſhip oꝛ veſſel, vſed to ſerue on the ſea, noꝛ to any Cottage to be made in any foreſt, chaſe, warren oꝛ parke, ſo long as no other perſon ſhal therein inhabite, but an vnderkeꝑer oꝛ warrener, foꝛ the good keꝑing of the Deere, oꝛ other game oꝛ warren, noꝛ to any Cottage heretofoꝛe made, ſo long as no other perſon ſhal therin inhabite, but a common heardman oꝛ ſheꝑheard, foꝛ keeping the cattell oꝛ ſheꝑe of the towne, oꝛ a poꝛe lame, ſicke, aged, oꝛ impotent perſon, noꝛ to any cottage to be made, which foꝛ any iuſt reſpect vpõ complaint to the Juſtices of aſſiſe at the Aſſiſes, oꝛ to the Juſtices of Peace at ẏ quarter Seſſions, ſhal by their oꝛder entred in open aſſiſes oꝛ quarter ſeſſions, be decreed to continue foꝛ habitation, foꝛ and during ſo long time onely, as by ſuch decree ſhall be tolerated and limited. An. 31. El. cap. 7. See more here of London 6.

Sea Admirall

Sailer

Foreſt

Warrener

Heardman

Poore perſon

Quarter Seſſions

¶ Counterfaiting of letters or priuy tokẽs.

FOꝛaſmuch as many light and euil diſpoſed perſons, not minding to get their liuings by trueth, accoꝛding to the laiwes of this Realme, but compaſſing and deuiſing dayly how they may vnlawfully obtaine and get into their handes and poſſeſſions goods, cattels, and ieiwels of other perſons, foꝛ the maintenance of their vnthꝛiftie liuing: And alſo knoiwing that if they come to any of the ſame goods, chattels, and ieiwels by ſtealth: that then they being thereof laiwfully conuicted, accoꝛding to the laiwes of this realme ſhall die therefoꝛe, haue now of late falſly and deceitfully contriued, deuiſed, and imagined pꝛiuie tokens, and counterfait letters in other mens names, vnto diuers perſons their eſpeciall friendes and acquaintances, foꝛ the obtaining of money, goods, cattels and ieiwels, of the ſame perſons their friends & acquaintances, by colour whereof, the ſaide light and euill diſpoſed perſons, haue deceitfully and vnlawfully obteined & gotten great ſubſtance of money, goods, cattels, and ieiwels, into their handes and poſſeſſions, contrary to right and conſcience. Foꝛ reſoꝛmation wheroꝛ, be it oꝛdeined and enacted by authoꝛity of this pꝛeſent Parliament, that if any perſon oꝛ perſons, of what eſtate oꝛ degree ſoeuer he oꝛ they bee, at any time after the firſt day of Apꝛil next cõming, falſely and deceitfully obtaine oꝛ get into his oꝛ their hands oꝛ poſſeſſion, any money, goods, cattels, ieiwels, oꝛ other things of any other perſon oꝛ perſons, by colour and meanes of any ſuch falſe token, oꝛ counterfait letter, made in any other mans name, as is aforeſaid: that then euery ſuch perſon and perſons ſo offending, and being thereof laiwfully conuict by witnes taken beforꝛe the Chauncelloꝛ of England foꝛ the time being, oꝛ by examinatiõ of witneſſes, oꝛ confeſſion taken in the Starre chamber at Weſtminſter, beforꝛe the Kings moſt honourable Counſell, oꝛ beforꝛe the Juſtices of Aſſiſe in their circuites foꝛ the time being, oꝛ beforꝛe the Juſtices of Peace within any part of the Kinges Dominions in their General Seſſions, oꝛ by action in any of the Kings Courtes of Recoꝛd, ſhall haue and ſuffer ſuch coꝛrection and puniſhment by impꝛiſonment of his body, ſetting vpon the Pilloꝛy, oꝛ otherwiſe by any coꝛpoꝛal paine (except paines of death) as ſhall bee vnto him oꝛ them limited, adiudged, oꝛ appoynted by the perſon oꝛ perſons beforꝛe whome he ſhalbe ſo conuict of the ſaide offences, oꝛ of any of them. And bee it &c. that alwell the Juſti-

Money Goods Cattels Jewels Conuict

Chauncelor

Examinatiõ of witneſſes

Starre chamber

Juſt. of aſſ.

Juſt. of P.

Action

Impriſon

Pilloꝛy

Just. of all. Just. of P. Just. of Q.

ces of assise for the time being, as also two Justices of Peace in euery Countie, wherof one to be of the Quorum, shal haue ful power and authoritie to cal or conuēt by processe or otherwise, to the saide Assises or general sessions, any person or persons, being suspected of any the offences aforesaide, and to commit him or them to ward, or let him or them to baile, till the nert assises or generall Sessions, there to be examined, and further to be ordered by their discretions, as is aboue said.

Processe

Sessions

Baile

Examined

Prouided alwayes, & bee it &c. that Justices of peace wtin euery citie, borough, towne, & franchise within this realme, or other the kings dominions, shal haue like iurisdiction, power, & authority, at their general sessions & otherwise, to doe & execute all and euery thing and things in all points, as other Justices of assises in their circuites, or Justices of the peace in the Counties by vertue of this act be limited and appointed to do & execute, for the punishment and correction of like offēders, as by this aforesaide acte is specified and declared: Sauing to the partie grieued by such deceit, such remedy by way of action or otherwise, of and for the same money, goods, cattels, iewels, or other things so obteined, as he might haue had, if this act had neuer ben had ne made: any thing in the same contened to the contrary in any wise notwithstanding.

Just. of P.

Authoritie

Prouided alwaies and be it &c. that the Kings highnesse Counsell of his towne of Calice, or three of them for the time being, shall haue such and like authoritie for the examination, bailement, and punishment of such offender or offenders, and for such offences hereafter to be committed and done within the towne and Marches of Calice and Countie of Guisnes, as ý aforesaid Justices of Assise or Justices of peace haue by force of this act within their iurisdictions and authorities. An. 33. H. 8. cap. 1.

Sauing

Action

Calice Guisnes

Just. of p.

¶ Countie and Turne.

NO Countie from henceforth shall be holden, but from moneth to moneth, and where greater time hath bin vsed, it shal be kept so stil, nor no shirife nor his bailifs, shall make their Turnes thorow the hundred, but twise in a yere. And no where but in due place & accustomed, that is to say, once after Easter & againe after Michaelmas. And the view of frankpledge shal be then made at the Turne of Michaelmasse, without occasion, So nertheles euery man may haue his liberties, which hee had or vsed to haue, in the time of king H. our grādfather, or which he hath purchased since. And the view of frankpledge shalbe made thus: That our peace may be kept, and that the Leete bee kept whole, as it hath ben accustomed. And that the Shirifke seeke no occasions, & that he bee content with so much as the Shirife was wont to haue for his view making, in the time of King Henry our grandfather. Magna charta cap. 35.

Shirifes Bailifes Hundred

Frank-pledge

2 ¶ For the Turnes of Shirifs. It is prouided, that Archbishops, Bishops, Abbats, Priors, Earles, barons, nor any religious men or women, shall not nede to come thither, except their apparance bee specially required thereat for some other cause, but the Turne shall bee kept as it hath ben vsed in the times of the Kinges noble progenitors. And they that haue tenements in diuers Hundreds, shal not be bound to appeare at any Turnes, but in the Bailiwikes where they bee dwelling. And the Turnes shall be kept after the forme of the great Charter, and as they were vsed to bee kept in the times of K. Richard & King John. Marleborough cap. 10. An. 52. H. 3.

Shirifes Archbishops Bishops Abbats Earles

Hundreds

3 ¶ No shirife shal suffer any Barretors, or mainteiners of quarrels in their Countie courtes, neither Stewardes of great Lordes, nor other (vnlesse he be Atturney for his Lord to make sute) to giue the iudgements in the cōties, nor to pronounce the iudgemēts, if he be not specially required and prayed by all the sutors, & atturneys of the sutors, which shalbe at the Court. And if any do, the king shal punish grieuously both the Shirife and him that so doth. West. 1. cap. 32. An. 3. E. 1.

Shirifes Barretors Maintenors Stewards

Judgements

Punish

3 ¶ Euery Shirife from henceforth shall make his Turne yerelie one time within the Moneth after Easter, and an other time within the Moneth after the feast of Saint Michaell, and if they holde them in other maner, that then they shall lose their turne for the time. An. 31. E. 3. cap. 4. Stat. 1.

Shirifes

5 ¶ See Iurour 12. of Iurours in Turnes, and what Indictmentes in Turnes bee voide.

Iurors Indictments

6 ¶ See Shirifes 31. of plaints, sutes, and amerciaments in Countie courts.

7 ¶ The Shire court of the shire (s. of Sussex) shall be holden and kept one time

at

Chichester Lewes

at Chichester aforesaide, and next time at the borough of Lewes, which borough is in the middest of the Shire, and so to bee kept alternis vicibus for euer. And euery shire Court holden to the contrary hereof, and all things therein done to be void. An. 19. H. 7. cap. 24.

Void

8 ¶ See Chester 4. 5. cõcerning the keeping of the Countie dayes in the shire of the Countie Palantine of Chester.

9 ¶ No county Court or Courts hereafter to be kept within this Realme, shal be longer deferred but one Moneth from court to court, & so the saide Courts from henceforth shall be kept euery Moneth, & none otherwise: anie vsage, custome, statute or law, heretofore had or made to the contrary in any wise notwithstanding.

Shirife Northumberland

And bee it &c. that the shirife of Northumberland from henceforth shal kéepe the county Court of the shire in the town or Castle of Alnwike, and in none other place: any later vse late begun & brought in to the contrary notwithstanding. An. 2. E. 6. cap. 25.

Alnwike

¶ Cowpers.

Beere-brewer Alebrewer

TO redresse the abuses of Ale & Béere Brewers, in making of Barrels, kilderkins, and firkins in their owne houses of lesse quantity then they ought to bee. Bee it &c. that no Béere brewer, nor Ale brewer, that shall brew to sale, Béere or Ale, shal from henceforth occupie by himselfe, nor by any other to his vse, in his house, nor elswhere, the Mysterie or craft of Cowpers, nor make any Barrels, kilderkins, firkins, or other vessels by himselfe, nor by his or their owne seruants, whereby they shall put their béere or ale to sale, but that all such barrels, kilderkins, & other vessels of wood wherewith they shal put their béere or ale to sale, shal from henceforth be made and marked according as hereafter shal be expressed by the common Artificers of Cowpers, exercised and practised in the saide occupation, vpon payne to forfeit and pay for euery such barrell, kilderkin, firkin, or other vessels hereafter to bee made, contrary to the tenour of this act iij s. iiij. d. And be it also anacted, that euery Artificer of the craft or Mysterie of Cowpers, that will exercise or practise to make any of the said vessels for bere or ale to bee put to sale, shall make the same vessels and euery of them, of good and seasonable wood, & put his proper marke vpon euery of them. And that euery barrell for béere shall conteine xxxvi. gallons, euery kilderkin for béere xviij. gallons, and euery firkin for béere ix. gallons of the kings Standerd gallon. And that euery barrel for Ale shal conteine xxxii. gallons, euery kilderkin for Ale xvi. gallons, and euery firkin for Ale viij. gallons of the Kinges Standerd gallon. So that they shal be of good & iust measures, or els aboue and not vnder. And that no Cowper shal make any other vessell for béere or ale to be solde within this realme, of any greater or lesse number of gallons then is aboueside, vnlesse he shall cause to be marked vpõ euery such vessell that hee shall so make of greater or lesser number of gallons: the true and certeine number of as many gallons as euerie such other vessell shall conteine, to the intent that euery person may know the content thereof. And that no such artificer of cowpers, shall inhaunce the prices of anie such barrels, kilderkins, firkins, or other vessels, in the sale of them to any Ale brewer, or béere brewer, or other persõs, but kéepe the rates of such prices as hereafter ensueth, and not aboue, vpon payne to forfeit for euery barrel, kilderkin, & firkin defective, or enhaunced in price, in any poynt cõtrary to this act iij. s. iiij. d That is to say, for euery béere barrell ix. d. for euery béere kilderkin v. d. and for euerie béere firkin iij. d. And the Ale barrell xvi. pence, the ale kilderkin ix. d. the ale firkin v. d. And be it further enacted by the sayde authoritie, that no Béere brewer nor ale brewer at any time after ỳ feast of Lammas now next comming, shall put their Béere or Ale to sale to any person or persons to be spent and occupied within this realme, in any other barrels, kilderkins, firkins, or other vessels of wood, other then shalbe made and marked by an artificer of Cowpers aboueside, whereof euerie barrell for béere shall conteine and holde xxxvi. gallons, euery halfe barrel or kilderkin xviii. gallons, and euery firkin ix. gallons. And euery barrell for Ale shal conteine xxxii. gallons, euery kilderkin xvi gallons, and euery firkin viii. gallõs, of full and iust measure or aboue, and not vnder the measure. And that euery béere brewer and Ale brewer shall not take ouer and aboue for euery such barrell, kilderkin, or firkin of ale and bere, but after such prices and rates, as shall be thought conuenient and sufficient, by the discreti-

Barrels Kilderkins Firkins

Marks

Foyl.

Seasonable wood

Marks

Barrell 36 Kilderkin 18 Firkin 9.

Barrell 32. Kilderkin 16. Firkin 8. Standerd

Price

Foyl.

Price

Prices

ons

Just. of P. Discretions ons of the Justices of peace, within euery Shire where such Bére brewer and Ale brewer shal dwel, without any City, Borough, or towne corporate, where no head Officers or Maiors, Bailifes, shirifs, and other head Officers haue none authority nor rule. And in euerie City, Borough, & towne where there be Maiors, Shirifes, or other head Officers, the same rates & prices to be named and sessed by them and euery of them by their discretions. And that the said Ale brewers or Bére brewers at any time hereafter, shall not sell their Bére nor Ale at any higher rates or prices, then they shalbe to them assigned after the forme aboue rehearsed, vpon paine to lose & forfait for euery barrel so put to sale contrary to this estatute vi s. for euery halfe barrell or kilderkin iij. s. iiij.d. and for euery firkin ij.s. & for euerie vessell conteyning greater number of gallons x. s. & for euery other vessell conteyning lesse number of gallõs xii.d: The one halfe of all which penalties and forfaitures to be to the king our soueraigne Lord, and the other halfe to him that will sue for the same, by action of debt, bill, plaint, or information, in any of the kings Courts, in which action & suit, the defendant shall not wage his lawe, nor any essoine, protection, or priuiledge to bee admitted. Bee it also &c. that all manner of Sope makers within this realm of England, which shall put to sale any Sope by barrel, halfe barrel, firkin, or other vessel, shall from Lammas now nert comming, make or cause to bee made their barrels, half barrels, firkins, & other vessels accoding to ỳ rates, cõtents, weights, & assises of old time vsed & accustomed, ỳ is to say, euery emptie barrel to hold & cõteine xxij. gallons or aboue, & to bee in weight xxvi. pound & not aboue, of sul & iust measure, & euery halfe barrel empty to be in weight xiij. pound & not aboue, & to hold and conteyne xvj. gallõs or aboue, & euery firkin emptie to wey vi. pound and a halfe, and not aboue, & to hold & conteyne viij. gallõs or aboue, vpon paine of forfaiture for euery such barrell or halfe barrel, firkin, or other vessell hereafter to be made, had, or vsed, cõtrary to this act vi. s. iiij. d. And also be it &c. that the Wardens of the occupation or Mysterie of Cowpers within the Citie of London, from henceforth at all times hereafter, when they shal think conuenient and expedient, taking with them an Officer of the Maiors, shall haue ful power and authority by vertue of this act, to search, view, and gauge al manner of such barrels, kilderkins, firkins, and other vessels to bee made or occupied, for Ale, bére, or Sope, to be put to sale within the Citie of London, and Suburbes of the same, and within two miles compasse without the same suburbes, to view and see that the same barrels, kilderkins, firkins, and other vessels, aswell within liberties as without, be made & marked wel & sufficiently, & beare & cõteine their true contents, rates, and measures, according to the effect of this estatute. And also to marke euery such barrell, kilderkin, firkin, and other vessell by them so viewed & gauged, bearing and cõteyning their true contents, with the signe & token of saint Anthonies crosse, the same Wardens to haue for ỳ search & gauging of euery such barrel, kilderkin, firkin, & other vessell by them so searched, viewed, gauged, & marked, one farthing, & not aboue, of the owners or makers of the saide vessels. And shall & may haue authority by vertue of this act, to retain euery such vessel as they shall so gauge, search, & marke, vnto such time as they shall be satisfied thereof. And in case they shal find any of the saide vessels defective not bearing their contents: that then by authoritie of this acte, they may seise, take, & retaine euery such vessel, & cause the same to bee marked or amended, according to the true contents, or els cause the same to bee burned. And also the partie owner of such vessels, to lose & forfait for euery such vessell not being of the full contents after the rate aboue expressed, xij.d. to be recouered and employed as is aboue said. And be it &c. that in all other cities, boroughs and townes, wherein no such Wardens of Cowpers bee, that the Maiors, shirifs, bailifes, Constables, or other head officers, in such cities, boroughs and townes corporate, shal haue authoritie to search, viewe, & gauge all such barrels, kilderkins, firkins, & other vessels to be made hereafter in any such Citie, Borough or towne, and to haue and take all such aduantages thereby, and in like maner and forme as the Wardens of Cowpers within the Citie of London, or other persons by this acte should or may haue or take on euery behalfe.

Maiors Shirifes

Beere Ale

Foyl.

Moitie

Sope makers Sops

Content and weight of sope vessels

Foyl.

Wardens London

Authoritie Search Gauge

Marke

Gauge

Farthing

Seise

Amend

Foyl.

Maiors Shirifes Bailifes

Prouided alwayes, that euery Bére brewer may kéep in his house, one or two seruants of the mysterie or craft of Cowpers, to hoope and amend his barrels, kilderkins

Brewer

derkins, firkins or other vessels, wherein they shal put their beere to sale from time to time, this act or any thing therein conteyned to the contrary in any wise notwithstãding. And be it &c. that if any person at any time after ẏ saide feast of Lammas nert comming, do minish or cause to be minished any maner of barrel, kilderkin or firkin, to the deceit of any the kings subiects, by reason of taking out of the head of any such vessel, or taking out of any staffe out from anie such vessell, that then euery such vessell to bee burnt, & the offendour to forfait for euery such offence iii.s.iiii.d. the one moitie thereof to bee to the king our Soueraigne Lorde, and the other moitie thereof to him or them of the kings subiects that will sue for the same, to be recouered in maner and forme aboue rehearsed. And the partie so offending to be further punished by the discretiõ of the head officer or officers, before whom such default shall bee presented. It is &c. that notwithstanding any thing conteined in this act of Brewers & Cowpers, whereto this Cedule is annexed, it shal bee lawfull to euery Ale Brewer mentioned in the same Acte, to haue and retayne in his seruice one person of the misterie or craft of Cowpers, to exercise in his seruice the craft of a Cowper, onely in binding, hooping and pinning his Makers Ale vessels, recited by the said acte, and in none otherwise to vse or exercise any making of vessels concerning the craft or mystery of a Cowper, whiles that he is in the seruice of any Ale Brewer. Also it is enacted that euery Cowper, which hereafter shall make any Ale vessell specified in the saide act, shall from the feast of Pentecost next comming, make euery such vessell according to the assise specified in the treatise called, Compositio Mensurarum (which see after in weights 4.) that is to say, euery barrell for Ale shall conteyne xxxii. gallõs of the said assise or aboue, of the which viii. gallons make the common bushell to be vsed in this Realme of England, euery kilderkin for Ale xvi. gallons of the saide assise or aboue, and euery firkin viii. gallons of assise or aboue, vpon paine of forfaiture of iii s. iiii.d. for euery of the same vessels by him vntruely made contrary to this acte: the one halfe of the same forfaiture to be to the king, and the other to him that will sue for the same by action of debt, bill, plaint, writ, or otherwise: In which action no essoine, protection or wager of law shall be allowed. And be it also enacted that euery Cowper marke his vessell with his owne marke, vpon paine of iii.s.iiii.d. to be leuied & recouered after like maner and forme as is aboue said. And that no maner of person in the search making for the true gauging of any such vessels, shal put out the ale of any such vessel whereby the same Ale shall be the worse. And that it shal bee lawfull to euery Ale brewer to bring, cary and cause to bee brought & carried, their Ale to the housholds of our soueraigne lord, the king, the Quéene, the Princesse, & to euery Archbishops, Bishops, Dukes, Marquesses, Earles, barons, or other honorable mens houses, in tunnes, buts, pipes, hogsheds or other vessels of greater & larger quantity then is expressed in this present act, as before time hath bẽn vsed in ẏ behalfe. And also it shall be lawful to ẏ saide Ale brewers, to bring, carry or cause to be brought, cõueied or carried their ale to euery mans house in barrels, kilderkins & firkins, bearing & holding their true cõtents, according to the purport & effect of this present act: any thing conteyned in the same acte to the contrary hereof notwithstanding. Anno 23. H.8. cap. 4. Parte of this statute concerning the price of vessels, is repealed and altered by 8. El. cap. 9. as followeth.

Winish. Foyt. Moitie Punish Ale brewer Content Foyt. Moitie Marke Foyt. Tunnes Buttes Pypes Hogsheds

2 ¶ Forasmuch as the price of cloueborde is greatly risen since the making of the Statute 23. H.8. cap. 4. (before 1.) bee it enacted &c. that almuch of euery article, clause and sentence comprised in the said statute, made in the said xxiij. yeere of the raigne of the said late king, as doth touch or concerne the prices of barrels, kilderkins, firkins, and other vessels, & al and euery pain and forfaiture expressed & declared in the said acte, for selling of anie of the said kind of vessels, aboue the prices before specified, from the time of new prices to be set, in forme hereafter expressed, for such places only as the same new prices shall be set, shall be clerely repealed, frustrate and made void. And that from henceforth the prices of al barrels, kilderkins, firkins, and other vessels to be sold, for ale, beere, or sope, to be vttered therein, shalbe rated and tared by Maiors, baililes, and other head officer or officers of euerie Citie and Town corporate, where any such vessels shall bee made or offered to be solde. And where such vessels shall bee made or solde out of any Citie, Borough or towne corporate, ẏ prices there-

Prices Foyt. Ale Beere Sope Maiors Bailifes

of

Iust. of P. of shall be rated & tared by the Iustices of the peace, or the more part of them, being present in the general or quarter sessions, yerely next after Easter at such reasonable prices, as they shal thinke reasonable by their discretiõs: The said statute made in the saide xxiij. yeere of the raigne of the said late king H. the 8. or any other law, custome or vsage to the contrary thereof, in any wise notwithstanding. And be it further enacted, that if the said Cowpers or any of them, shall not make sale according to such prices as shall be rated, as is aforesaid, after proclamatiõ therof made, that then euery person & persons so offending, shal for the same, incurre the paines and forfaitures mentioned in the said statute, made ỹ said xxiij. yeere of the raigne of the said late king: That is to wit, for euery barrell, kilderkin and firkin, which shal be sold at greater price thẽ shal be rated & tared as is aforesaide, the summe of iij.s.iiij.d. of lawfull money of England, whereof the one mottie to be to ỹ Quéens highnes, her heires and successours, & the other mottie to such person or persons as will sue for the same, by action of debt, in any court of record, wherein no protection, essoine or wager of law shalbe allowed or admitted. An. 8. Eliz. cap. 9.

Quarter Sessions Easter

Prices Proclamation

Fors.

Mottie

Courtes.

ANno 7. H. 8. cap. 8. a long Acte was made conterning a certaine maner & forme for the reuenues and accompts of diuers of the kings landes, authorizing certaine persons to bee surueyours of the same lãds, reuenues and accompts, with diuers articles concerning those matters, to indure to the dissolution of the next Parliament. And An. 14. H. 8. the said act of 7. H. 8. expired. And then in 14. H. 8. there was an other act made of much like effect as the former acte that was made Anno 7. H. 8. capitulo 8. which acte made Anno 14. H. 8. was made to indure to the ende of the next Parliament. And after Anno 27. H. 8. capit. 27. a great acte was made for the erection and authoritie of the Court of Augmentations, and that the Abbey landes should be in the suruey of the Court. And Anno 27. H. 8. cap. 28. the saide acte made Anno 14. H. 8. was made perpetuall with some other clauses adioyned. And after Anno 32. H. 8. capit. 46. the court of the first fruites and tenths was erected, and by that acte, the officers appoynted, and the composition for the first fruites should be made by the officers of the Court, and that the obligations taken therefore, shall bee of like force as Statutes Staple and like execution thereupon: and there bee diuers articles for these matters and for the accompts of these debtes. And after Anno 33. H. 8. cap. 39. the said actes made Anno 14. H. 8. and Anno 27. H. 8. cap. 28. were made voide and repealed. And by the act of 33. H. 8. cap. 39. is made an erection of the court of generall surueyors of diuers of the kings landes, with authoritie to them, to make leases for xxj. yeres, and to take recognisance, and to make woodsale, and there bee many articles concerning that Court, and for the leuying and true paymẽt of the reuenues of the lands appointed to the Court, and diuers officers made and appoynted for the Court, and after in Anno 7. E. 6. cap. 2. it appeareth that Henrie the eight by his letters Patents had dissolued aswell the saide Court of the Augmentations erected by Parliament Anno 27. H. 8. cap. 27. as the said Court of generall surueiours of the kings lands, erected by parliament 33. H. 8. cap. 39. & that after H. 8. by letters patents erected a Court called the Court of Augmẽtations & reuenues of his crowne. And after An. 7. E. 6. cap. 2. the said letters patents were confirmed, and authoritie giuen to king E. 6. during his life, to alter, vnite or dissolue by his letters patẽts the said last erected court, & also the court of the first fruits and tenths: the court of the kings wardes, & the Court of the duchy of Lancaster, with diuers articles cõcerning those matters: But E. 6. died before any such alteration, vniting or dissoluing. And after, Quéene Marie dissolued the said Courtes of the Augmentations and first fruites and Tenthes, as appeareth in this Title ſ. 3.

Accompts

Augmentations

First fruites

Obligatiõs

Sta. staple.

Surueiors

Leases Recognisance Woodsale

Letters P.

Wardes

Note that in the said acte of 33. H. 8. cap. 39. bee diuers matters enacted which yet remaine in force, as here nexte followeth.

¶ 2 ¶ All Obligations and specialties, which after the first day of May nexte cõming, shall be made for any cause or causes touching or in any wise cõcerning the kings most royal Maiestie, or his heires, or to his or their vse, cõmoditie or behoofe, shal be made to his highnes & to his heirs kings, in his or their name or names by these wordes, Domino Regi, and to none

Obligatiõs

other person or persons to his vse, & to be paied to his highnes by these words, Soluendū eidem domino Regi, hæredibus, vel executoribus suis, with other wordes vsed & accustomed in common obligatiōs. And that al such obligations and specialties so to bee made, shall bee good and effectuall in the Law, to all purposes & intents, and shalbe of the same nature, kinde, qualitie, force & effect to all intents & purposes, as the writings obligatory, take and knowledged according to ỳ statute of the Staple at Westm. hath at any time before the making of this present act, bin taken, vsed, exercised & executed against any lay person or persons: Any law, vsage or custome to the contrarie thereof notwithstāding.

Sta. staple

Obligatiōs

And that all such Obligations & specialties, the debt whereof being not paied nor cōtented in the life of the king, shal come, remaine, and be to the heires or executors of the king, at the free liberty, disposition, allignement and appointmēt of the same king, to whom such obligations or specialties shall be made as is aforesaid. And if any person or persons in his or their owne proper person or persōs, after the first day of May, make or take any obligation or obligations, to the vse of the Kings Maiestie or of his heires Kinges, otherwise then is before expressed, that thē such person or persons onely that shal so offend cōtrarie to this present acte, for his or their so doing, shall haue and suffer such imprisonment, as shal be assessed and adiudged by the king or his most honorable Counsell, daily attendant vpō his highnes most royall person. And that all suites to bee made after the first day of Aprill next cōming for the recouerie of, or for anie the kings debts in any the kings courts mentioned in this act (S. Eschequer, Duchie of Lancaster, Augmentations, Surueiours generall) of, or vpon any obligation or specialty dated, or deliuered before the making of this present acte, or which shalbe dated & deliuered to the king or to his vse, afore the secōd day of May next comming, shal be taken, sued and pursued in the name of the king, & in the name of none other person or persons, to whatsoeuer person or persons the said Obligatiōs or specialties, or any of them be, haue bene, or shall be made to the kings vse. And that al suites, proces, iudgements, decrees, and executions hereafter to be taken, pursued or giuen for the king in any the kings courts, mentioned in this acte, of, for, or vpon any of the same Obligations last afore mentioned, shal be of the same or like strigth, force, effect, and intent in the lawe, to all purposes onely against all and all maner such person and persons as bene bounden in such Obligations or specialties, aswell spirituall as temporall, as against their heires, successors, executors and administrators, and euery of them, and against none other, as writings Obligatories taken and knowledged according to the Statute of the staple of Winchester, at any time before the making of this present act, haue bene vsed to be taken, exercised & executed, against any lay person or persons. And that the king in all suites hereafter to bee taken, or vpon any Obligation or specialties made, or hereafter to be made to the king, or any to his vse, shal haue and recouer the iust costes and damages as other cōmon persons vse to doe in suites & pursuites for their debts. And that all such suites as now bee depending in the name of any common person to his graces vse, whereof no verdict is, or before the feast of Easter next cōming shall be giuen or passed, or no exigent awarded, shal abate, be void, and of none effect. And neuerthelesse the king by the authoritie aforesaid, shall haue his suite and remedie for the said debt so beyng in action and proceese, in forme as is aforesaide, in any of the Courts in this acte mentioned: any thing in this act to the cōtrary thereof notwithstanding. And it is ec. that all and euery suite and suites which hereafter shall be had, made or taken, of, for, or vpon any debt or duties which heretofore hath growen or be due, or that hereafter shal grow or be due to the king, in the seuerall offices & courts of his Eschequer, duchy of Lancaster, Augmentations of the reuenues of his Crowne, Surueiors generall of his manours, lands and tenements, Master of the Wardes and liueries, and court of the first fruits & tenths, or in anie of them, or by reason or authoritie of any of them, shall be seuerally sued in such one of the saide Courtes and offices, in the which Courte and office, or by anie reason of the which court and office, the same debt or dutie did first growe or become to be due, or hereafter shall grow or become due, or in the which office or Court, the Recognisance, Obligation or specialties, is or shalbe, or remaine. And euery such seuerall suite and suites shall bee made in euerie of the saide seuerall

Imprisonment.

Counsell

Suites

Yeires Executors

Suites Proces Iudgements

Yeires Successors Executors Administrators

Sta. staple

Suites

Costes Damages

Verdict

Exigent Void

Debt

Kings Eschequer

Recognisance Obligation

Offices

Offices and Courtes vnder their seuerall seales of the said seueral courts, by Capias, Extendi facias, Sub pœna, Attachmēt, & proclamatiō of allegeance if nēd shal require, or any of thē, or otherwise, as vnto the said seuerall Courts shall be thought by their discretiōs expediēt, for the spēdie recouerie of the kings debts. And that the said court of Eschequer, & al and euery of ỳ said courts, shal haue whole & full authoritie, & power to heare and determine all and euery such suite & suites as hereafter shalbe takē, commenced & pursued for the intent aboue specified: & thereupon to awarde, make & do execution, by and vpon the body, lands and goods, of the partie or parties that so shall be condemned accordingly. And also shal haue full power and authoritie, to heare and determine, all and all maner of debtes, detinues, trespasses, accompts, reconings, wastes, deceiptes, negligences, defaults, contemptes, complaints, riots, quarels, suites, strifes, controuersies, forfaitures, offēces, and other thinges whatsoeuer they shall be, which hereafter shall growe, be moued, stirred, procured or arise, in, for, or vpon any matter, cause or other thing alligned, cōmitted or appointed, or hereafter to be alligned, committed or appointed to the seuerall directions, orders and gouernāces of the same Courts, or any of them or for, or vpō any maner of thing or things, which may or shall touch, or in any wise cōcerne the same, wherein the king shall be onely partie. And also all maner of states for terme of yeres betwæne partie and party concerning the premisses, and to correct and punish by their discretiōs, al and euerie person and persons, which before thē shal be conuicted of any the premisses, according to the nature, qualitie and quātitie of his or their offence or offences, cause or causes, matter or matters (all and all maner of treasons, murders, felonies, estates, rights, titles and interests, aswell of inheritaunce as of freehold, other then ioyntures for terme of life, onely excepted and alwaies reserued.) And be it &c. that if any person or persons shal make or pretend any claime, right, title, interest or possessiō, in or to any manors, lands, tenements, or hereditaments, bargained, sold or exchanged, or hereafter to be bargayned, sold or exchanged, by the king our soueraigne Lord to any person or persons in fee simple, or fee taile, by his highnesse letters patēts, made or to be made thereof vnder his great seale of England, vpon which letters patentes there is or shalbe reserued any annual rents or farmes payable to the kings highnesse, his heires or successors, in his said court of Augmentation, or demaund or aske any rentes, annuities, offices, fees, or other profits, in, out, or of any such manors, landes, tenements or hereditaments, contained or to be comprised in any such letters patents, made or hereafter to be made as is aforesaid: Or if our said Soueraigne Lord, his heires or successors, shall make or pretend any claime, right, title, interest or possessiō, in or to any manors, lāds, tenements or hereditamentes, bargained, sold or exchāged, or to be bargained, sold or exchanged, by the king, his heires or successors, to any person or persōs in fee simple, or fee taile, by his or their Letters P. thereof made or hereafter to be made, vnder his or their great seale of Englād, vpō which letters patents is or shal be reserued any annuall rents or farme palable, or which shall be palable to the king, his heires or successors in his said Court of Augmētations: Or if the king, his heires or successors, demand or aske any rēts, annuities, or other profits or hereditaments, of any estate of inheritance, in, of, or out of any mannors, lands, tenementes or hereditaments, conteined or comprised, or to bee conteined or comprised, appointed or to be appointed or alligned, to the said Court of Augmentations, in any letters patents made or hereafter to be made, as is aforesaid: That then the Chancelor of the said Court of Augmentations by the assent of the Cousaile of the said court, or the more parte of them, shall haue power and authoritie, by authoritie of this acte, to examine all such demandes, rights, titles, interests and possessions, rents, annuities, offices, fees, and other profits and hereditamēts whatsoeuer they shal be, and euery of them so to be demanded, presented, claimed or asked as is aforesaid, and by witnesses, prowes, and other waies and meanes, by their discretiōs, to heare and determine the same: And in case the patentees in any such letters Patents as is aforesaide, or ante of them, their heires, successours, or assignes, shall bee compelled by the authoritie of the saide Court of Augmentations, by decree or iudgement of the same Court to render and yeld to any person or persons in fee simple, or fee taile, the lands, tenements,

Mesne

Eschequer

Execution Body Lands Goods

Debts Trespasses

Riots

King

Punish

Treasons Murders Felonies

Letters patents

Claime

Great seale

Rents

Chancelor

Examine

Patentees

Decree Judgement

L.ij. or

or hereditamẽts comprised or specified in any such letters patents or any parcell of thẽ, or to suffer any person or persons to haue and enioy any offices, rents, annuities or other profits or hereditaments, in fée simple, or in fée taile, out of the same. or out of any parcell thereof. And that it shal appeare in the saide letters patents, ẏ the king, his heires, or successors, is or shal be bounden, or of right and equitie ought to recompence and satisfie the said patẽtées, their heires or successors, executors or assignes, or any of them, of and for such manors, lands, tenements or hereditamẽts, annuities, rents, offices fées or other profites recouered in fée simple, or fée taile by decrée or iudgement of the said court as is afore saide, or els to discharge and acquite the said patentées, their heires, successors, executors & assignes, of, or for any rẽts, annuities, offices, fées, or other profites afore saide, recouered by decrée or iudgement in fée simple or fée taile, as is aboue saide. And if it shall appeare vnto the said court of Augmentations, or vnto the more part of thẽ, that the king, his heires or successors, of right and equitie ought to haue, recouer or inioy in fée simple, or fée taile, any manors, landes, tenements, or hereditaments, in any such letters patẽts comprised, or any rẽts, annuities, offices, fées, or other profites, in, out, or of the same: That then in al and euery such case and cases the said Chancelour of Augmẽtations for the time being with the assent of three or more such persons as hereafter shall be named by the king, his heires or successors, shall haue full power and authoritie without any Bill or Warrant to be signed or sued from the king, his heires or successors for the same, aswell to recõpence & satisfie the partie or parties grieued, so much in money of the kings treasure remaining in the said Court of Augmentations, as the said manors, landes, tenements, rentes, annuities, offices, fées or other profites or hereditamentes, lost or recouered by decrée or iudgemẽt of the said court of Augmentations, as is afore said, shall be worth to be solde: or otherwise discharge and acquite such person or persons thereof, according to his or their letters patents, as also to make and take order, direction, decrée and iudgement for the king, his heires and successors, for the recouerie, attaining and hauing of all and singuler such manors, landes, tenements, rentes, annuities, offices, fées, profites and hereditaments, and all and euerie other thing or thinges which the king, his heires and successours by and vpon such examination and examinatiõs, ought, should and shall be iustly intituled to haue, recouer, possesse or inioy, in fée simple, or in fee taile. And the same decree, direction, order and iudgement to be good and effectuall in the law, to binde all parties and privies to the same, to all intents and purposes. And where any decrée or iudgement which shall be giuen in the same court of Augmentations for any the premisses, extende to the losse of the kings patentee or patẽtees, their heires, successors, executors or administrators, but for terme of life or liues of the demaundant or demaundants, plaintife or plaintifes, or for terme of yeeres, the losse whereof the king is bounden & ought to recompence, discharge or acquite by his letters patents: then the said Chãcellor of the Augmentations, shal haue full power and authoritie to recompẽce or discharge the same in money as is afore said, or els to recompence the same of the lãds, tenements, hereditamẽts, & possessions, limitted to the surney and gouernance of the said court of Augmentations, to be granted vnder the seale of the same Court by the discretion of the said Chãcelor, as shal seeme to him best for the kings profite, without any bill or warrant to be sued or signed, by or from the king for the same. And that euerie such recompence, satisfactiõ and discharge to be made by authoritie of this acte to any person or persons by the said Chancelor as is afore said, shal be good and effectual against the king, his heires and successors: any lawe, vsage or custome to the contrary thereof notwithstanding. And it is &c. that euery of the said Courts shall haue full power and authoritie by force of this acte, to set such fines, penalties and amerciaments, vpon parties, shirifes, officers and other persons for his and their defaults, cõtempts, negligences or misdemeanours, as vnto the said Courts or vnto any of them, shall be reasonably considered and thought expedient. And that all and euery triall and trials of all and all maner of suites, bils, plaints, informations, declarations, complaintes, answeres, replications, allegations, causes, matters and issues, or any of them. to bee pursued, made or tried in the saide seuerall Courtes or any of them, shall bee made and tried by due examination

Offices

Fee simple
Fee taile

Augmentations

Rents
Annuities
Offices

Chancelor

Warrant

Recõpence

Discharge

Examination

Decree
Judgement

Demaund
Plaintife

Seale

Without
Warrant

King

Fines
Penalties
Amerciaments
Shirifes
Officers

Triall

Examination

mination of witnesse, writtings, prowes, or by such other waies or meanes, as by the said seuerall courts, or by any of them shal be thought expedient. And that all & euerie such iudgement and iudgements, decree or decrees, examinatiõ and examinations, shalbe good, perfect & in ful strẽgth, force and effect in the law, to all intents, constructions & purposes. And where diuers and sundry persons stand bounden to the kings highnesse in diuers great & notable summes of money, by recognisance or other bonde, in the said seuerall Courts for debts due to the kings highnes aswell for the purchase of lands & goods, and performance of conditions, as also for diuers and sundrie other causes. And albeit the same persons haue well and truely satisfied, contented and paied the same debts, or performed the conditions of the same recognisances or other bondes, yet the same recognisances or other bondes cannot be made void without the kings especiall warrant, which should be much vnquietnes to the kings Maiestie, and also very chargeable to his graces subiects to sue to his highnesse from time to time for the same. In consideration whereof, and forasmuch as the saide persons being so bõden by recognisance, or in other bõds, may by diuers casualties lose their acquitances, whereby great danger and perill may growe to them, their heires, executors and successors: Be it &c. that vpon the sight of the acquitances, made or to be made for the payment of the said debt or debts, or summe or sums of money growen or to be growen, or due and sufficient prowfe made or hereafter to be made, before the said seuerall head officers for the time being of the said seuerall Courts, as the case shall be or growe, or if the condition of the same recognisance or bonde be performed or kept: That then euerie such seueral head Officer, for the recognisance taken or to be taken by him or any of his predecessors, or for any other bond for the time beyng within his charge and cure, shall haue ful power and authoritie to cancell and make voide the recognisance or other bond, calling to him such of the same Courte as to him or them shall seeme most conuenient for the cancellation of the same Recognisance or other bond. And be it &c. that the same cancellation so made, shall be a sure and sufficient discharge of the same recognisance or other bonde, to all and euery such person or persons, as do or shal stand bounden in the same recognisance or other bonde so cancelled, against the kings highnes, his heires, executors and successors for euer. And be it &c. that ỳ same seueral head officers for the time being, in euerie of their saide seuerall courts, shal haue ful power & authoritie to discharge, cancell or make void by his or their discretion, all and singular recognisance now made or hereafter to be made in the said Courte, for any apparance or other contempt. And that the same head officer or officers, and the parties so bounden and to be bounden, to be discharged against the king our Soueraigne Lord, his heires, executors, & successors for the cancellation of the same recognisance. And where the kings Maiestie sithence the making of the same statute in ỳ said 27. yere of his noble raigne (S. cap. 27. before 1.) of his owne mere motion, liberalitie, & benignitie, hath freely giuẽ and granted by his sundry letters patents vnder his great seale of Englãd, vnto diuers and sundry of the Nobles and Lordes, aswell spirituall as temporall of this his realme, and also vnto diuers and many other persons and bodies politike, to their heires and successours, and to the heires of their bodies, or for terme of life or lines, diuers and many sundry honors, castles, manors, landes, tenements, rectories, pencions, portions and other hereditaments which then were in the order, gouernance and surney of the same court of the Augmentations of the reuenues of his graces Crowne, or out of any other of the said seueral Courtes, reseruing vnto his Maiestie, his heires and successors by the same letters patentes, one yearely rent in the name of one tenth, or the tẽth part of the yearely value of the same premisses, or any other rent payable & to be paide in the same courts, or to the officers of the same courts, deputed & assigned for the same, at one certaine Feast or day in the same letters patents mentioned and declared, which said persons so aduaunced notwithstanding they haue sithen and after the making of the same letters Patents peaceably inioied the same manors, landes, tenemẽtes and hereditamẽts so giuen, and thereof haue quietly perceiued and taken the issues, reuenues and profites thereof: Yet neuertheleſſe diuers of the same persons haue not at the dates and feastes assigned and limitted vnto them in the same letters patents, nor yet

Recognisance Debts

Warrant

Acquitance

Condition performed

Cancell

Discharge

Letters P.

Honors Castels

Rent Tenth

Profites

in long time after the same daies & feasts of paiment thereof, contented & payed in the same Courtes, or to the officers of the same courts assigned and deputed for the same, the said yerely rent or rets so reserued to the kings highnes, cõtrary to their dueties against al reason and good conscience: In consideration whereof be it &c. that if any person, of what estate, degree or conditiõ soeuer he be, or body politike, to whom the kings Maiestie hath by his letters patents vnder his great seale of Englãd, or vnder the great Seale of the same court of Augmentations, giuen or graunted or hereafter shal giue or graũt, with like reseruatiõ of rent or rents, any manours, lands, tenements, rectories or other hereditaments whatsoeuer, which were or hereafter shal be in the order, gouernance & surney of the same courtes, or any of them, to bee had to them & to their heirs or successors, or for any other estate of inheritance, of, or for terme of life or lines, yelding and reseruing to the same our said Soueraigne Lord the king, his heires & successors one yerely rent, at one certaine day or feast in the same letters patents expressed, mentioned & declared, and to be paid in the same Courts, that if the same persons, bodies politike, their heires, successors or assignes, or any of the doe not truely content or pay, or cause to be contented or paied vnto the Treasorer of the said seuerall courts, or to the generall or particular receiuor of the same seuerall Courts, deputed & assigned for the same for the time being, to the vse of the kings highnes, at the day or feast limitted by the same letters patents, or within iij. Moneths next immediatly after the same day or feast of payment thereof, all such summes of money which vnto or hereafter shall be due, reserued to the Kings Maiestie, his heires and successors by the same letters patents, or by any of thẽ, or make sufficient tender thereof to the said Treasorer or generall or particular receiuor: That then euery of the same persons, bodies politike, their heires or successors or assignes, for lacke and default of paymẽt of the same rent, to forfait and lose to the kings Maiestie, his heires or successors, as much money as the fourth part of the same rent so reserued, or hereafter to be reserued for one yere, both or shall amount vnto, for and in the name of a paine, ouer & aboue the same rent reserued, or hereafter to be reserued. And if it happen that the same persons, bodies politike, their heires, successors or assignes, or any of them doe not within one halfe yere next after the day or feast expressed in the same letters patents, content or pay, or lawfully tender vnto the same Treasorer or generall or particular receiuor, to the vse of the kings Maiestie, his heires or successors, aswell the said yerely rent so reserued, or hereafter to be reserued, as also the saide summe of money forfaited for and in the name of a paine, that then the same persons, bodies politike, their heirs, successours or assignes so offending, shall forfaite and lose to the kings Maiestie, his heires and successors, so much money as the moitie or halfe deale of the same rent reserued or to bee reserued for one yere, both or shall amount vnto, ouer and aboue the said rent reserued or to be reserued; and so to forfaite and lose for euerie halfe yere after, so much money as the whole rent reserued or to be reserued for one whole yere both or shall amount vnto, vntill the same rent so reserued or to be reserued, and the arrerages of the same, & also the saide summes of money so forfaited and lost for a paine, bin vnto the same Treasorer, or generall or particular receiuor, truely satisfied, contented & paied, to the vse of the kings highnes, his heires and successors. And be it &c. that it shal be lawfull to the same Treasorer and generall or particular receiuer to distraine aswell for the same rent so reserued or to be reserued, & for the arrerages of the same, as also for the said summe of money so forfaited, or to be forfaited and lost, for and in the name of the paine aforesaid. And also the head officer and officers of eyther of the same Courtes for the time beyng, vpon certificate to him made or to bee made, of the same default and contempt, shall & may award such proces out of the same courts against the same offendor for not paying of the said rent so reserued or to be reserued, & also for the same summes of money forfaited and to be forfaited by this acte, as by his or their discretion shall seeme conuenient.

And be it &c. that if any person or persons hereafter make lawfull payment to any of the said Treasorers, or generall or particular receiuor, of ante of the same Courtes, deputed & assigned for the same, of any summe or summes of money, due to the kings highnes, his heires or successors, or any yerely rent or tenth, and vpõ

or

Rentes

Letters P.

Do not pay

Receiuor

iij. moneths after

Tender

Forf.

4. Part

Paine

Halfe yere

Forf.

Halfe the rent

Forf.

Alle

Distraine

Proces

or after such paiment, offer vnto the same Treasorer or general or particular receiuor, one lawfull and sufficient acquitãce readie made to bee alligned by the same Treasorer or general or particular receiuors, witnessing the receipt of the saide summe or summes of money so paied: that then the said Treasorer, general or particular receiuor, shall with his owne hand alligne the same acquitance, without taking any fee or reward for making of the same acquitance, vpon paine to forfaite & lose for euery time offending contrarie to this act xl.s. One moitie whereof to be to the Kings highnesse, and the other moitie to the partie that wil pursue for the same. And if the parties which hereafter shall happen to pay to ỹ same Treasorer, or generall or particular receiuor, anie such summe or summes of money, and doe not bring an acquitance with them to be signed, as is aforesaid: that then if the same Treasorer, or generall or particular receiuour, vpon request to him made, shall make & deliuer vnto the same partie one sufficient acquitance, testifying the same receipt, that then the same Treasorer or generall or particular receiuor, or any of his Clerkes, shall not receiue or take of the same partie for the making of the said acquitance, aboue foure pence, vpon paine to forfaite for euery such acquitãce twentie shillinges for which hee or they shall happen to take aboue the saide summe of thrée pẽce, to be recouered as is aforesaid, that is to say: The one Moitie thereof to the vse of the Kings highnesse, or his heires and successors, and the other moitie thereof to the partie that will pursue for the same. And be it also enacted, that the same acquitance shall bee a sufficient discharge, according to the tenor and effect of the same.

And be it &c. that if any of the same generall or particular receiuers, which now be or hereafter shall be within any of the said courts, happẽ to pay to any person or persons any annuitie, pension, or other rent, that then if the same person or persons vpon the receipt thereof, deliuer vnto ỹ same general or particular receiuer, one sufficient & lawfull acquitance, sealed & signed testifying the same receite, that thẽ the same generall or particular receiuor shal receiue the same acquitãce without taking or receiuing any fée or reward for the making of the same. And if ỹ same partie to whom the said generall or particular receiuer, hath so contented and paid any such annuitie, pension, or rent, do not bring with him one such sufficient acquitance signed and sealed, testifying the receite of the same money, by reason whereof the saine generall or particular receiuor by himself or his Clerke, maketh one acquitance for the receite of the same annuitie, pẽsion, or rent, that then the same receiuor or his Clerke shall not receiue or take for the making of any such acquitance, which he shall so happen to make, not aboue iiij.d. vpon paine to forfaite for euery such acquitance which he shall happen to refuse, being ready made & offered to be deliuered to him as is aboue said xx.s. And for euery acquitance which he shal hereafter happen to make for any of the paimẽts aforesaid, & to receiue for the making of the same acquitãce aboue the said summe of iiij.d. to forfaite xx.s. The one moitie to be to the king, & the other moitie to the party that wil sue for the same. And also that the same generall or particular receiuors, or their deputies, which hereafter shall happen to pay any such annuitie, pensiõ or rent, shal not retaine or take of the partie to whom he shall happen to pay the same, in the way of reward, or otherwise, not aboue the summe of iiij.d. of euery pound, which the same generall or particular receiuor shal so happen to pay, vpon paine to forfaite vj.s. viij.d. for euery penny which he or they shal happen to receiue aboue the said summe of iiij.d. for euery pound which he or they shal so happẽ to pay: The one moitie of the same forfaiture to be to the king, & the other moitie to the party that will sue for the same. And that al the said suites concerning the said forfaitures may be commenced and pursued by bill, information, or action, in which suite none essoine, protection, or wager of law to be admitted.

And be it &c. that if anie person or persons, hereafter happen to tender or offer vnto any of the Auditors of the said seuerall Courts for the time being, any of the kings letters Patents, decrées of any of the same seuerall Courts, graunts, indentures of leases, aswell for terme of yeres, as for terme of life or liues, to be inrolled before the same Auditor, according to his office: that then the same Auditour vpon the same tender or offer, shall inroll the same, or as much of the same letters Patents, decrées, graunts, or indentures, as shall appertaine to his said office. And

If any of the said Auditors, or any of their Clerks, or any other to their vse, or to the vse of any of them, receiue & take for the inrolment of any of the same letters Patents, decrees, graunts or indentures, or for the allowance of the same, aboue the summe of iij.s. iiij.d. that then the same Auditor or his clerke so offending, shal forfaite vj.s. viij.d. for euery peny, which the same Auditor or any of them shal happen any time hereafter to receiue, cõtrarie to the forme aforesaid: The one moitie of ỹ same forfaiture to be to ỹ kings highnes, & the other moitie to him ỹ will sue for the same, by such maner & forme, as is aforesaid. And be it &c. that euery Auditor of euery of the said seuerall Courtes, yerely in euery Countie within their seuerall limits, by the space of xx. daies or more, before their audite, shal proclaime & declare in iiij. seuerall Markets, or other places, the place & daies, where & when they will kepe their seuerall audites, in the same shire, vpõ paine to forfaite for euery time doing the contrarie x. li. The one moitie whereof to be to the kings highnesse, and the other moitie to the partie that wil sue for the same, in forme aforesaid. And that also euery of the Auditors of the said seuerall Courtes, being seuerally assigned to their seuerall limits, and euery of the particular Receiuor of the same seuerall Courts, being also seuerally assigned, and ioyned with the same seuerall Auditors, in their said seuerall limits, after and before Michaell the archangell and Christmas, shal prepare and awarde their seuerall warrants and precepts vnder their seales, to euery of ỹ Receiuors, Bailifes, Reeues, & other officers whatsoeuer, accomptable before the same Auditors, and by the same warrant or precept, to charge and cõmaund in the name of our saide Soueraigne Lord the king, euery of the said Receiuors, bailifs, Reeues, & other Officers to appeare before them at one certaine day & place, in the same warrant or precept to them prescribed, there to declare & make a iust and true accompt of all such receipts, whereof they be accõptable and owe to accompt. And after, if the same Auditors and particular receiuors, do repaire vnto the same place, and there kepe their audite, according to the same proclamations, precept and warrant: that then if any Receiuor, Bailife, Reeue, or other officer, being accomptable, of, or for any of the manors, lands, tenementes, or other whatsoeuer hereditaments, now remaining, or which hereafter shall be and remaine, in the order, gouernance or survey of any of the same seuerall Courts, be lawfully warned, aswell by the same proclamation, or by precept or warrant in writing, & sealed, & in the name of any of the Auditors of the said seuerall Courtes, personally to appeare by himselfe, or by his sufficient & lawfull deputie, before the same Auditor and Receiuor, at one certaine day & place in the same warrant or precept prescribed, there to make and declare a iust and a true accõpt of all the receipts of his said office. And if the same Receiuor, Reeue, Bailife, & other officer so beyng lawfully warned, doe not appeare before the same Auditor & Receiuor, at the same day and place in the said warrant expressed: Or if the same Receiuor, bailife, Reeue, or officer, do at the same day & place to them prescribed, appeare, & will not accompt before the same Auditor according to the tenor and effect of the same precept or warrãt, or if the same Receiuor, bailife, reeue, or other officer accomptable doe by himselfe, or by his sufficient and lawfull deputie, appeare before the said Auditor, or receiuor, and then and there enter into his or their accompt before the said Auditor, & after the same accompt finished & ended, if the same Receiuor, Bailife, Reeue, or other officer, doe not content and pay vnto the Threasorer of the same seueral courts, or to the generall or particular Receiuor of the same Countie for the time beyng, as the case shall require, within iij. weeks next and immediatly after the same accompt fully finished and ended, all such summes of money, which vpon the determination of his said accompt he shall happen to be found in arrerages, and the same default and contempt being duely proued before the head Officer or Officers of the said seuerall Courtes for the time beyng: that then euery such Receiuor, Bailife, Reeue, or officer so offending, to forfaite & lose his said office, and also his fee, which he or they had and perceiued for the exercising of the same office.

Fork. Moitie Auditor Proclaime Fork. Moitie Warrants Precepts Receiuors Accompt Marred Doe not appeare Will not accompt Pay iij. Weeks Arrerages Fork. Debt

And be it also further enacted by authoritie of this present Parliament, that if any of the said Receiuors, bailifs, Reeues, or other officers, vpon the declaration of their said accompts, do willingly cõceale & withdraw any rẽt, reuenue, fine, hariot or other casualty whatsoeuer it be, of that which

Receiuors Officers Conceale Fine Hariot Sale Goods Debts

which he ought to haue made accompt, & the same duelie approued before the saide head officer or officers for the time being: that thē euery such receiuer, bailife, rēue or other officer so offending, to forfait and lose his said office and fee, which he had for the exercising of the same, and also three times as much as he hath so cōcealed and withdrawn. And that the said head Officer or Officers of the same seuerall Court for the time being, immediatly vpon certificate to him made of the same default, contempt, or offence shal award proces in nature of attachment, against the same receiuer, bailife, rēue, or other officer, as well for the same arrerages remaining in the handes of the same receiuor, bailife, rēue, or officer, as also for the penaltie of their recognisance or bond, in which the same receiuor, bailife, rēue or officer standeth bounden to our said soueraigne Lord the king, as also for the contempt & paine limited and appointed by this act.

Foyl. Certificate Proces Arrerages Penaltie Contempt.

And be it further enacted by authoritie aforesaide, that in all actions and suites to be taken or pursued in any the Courts aforesaide, for the recouerie of any debt or debts which nowe bee, or that hereafter shall happen to appertaine, accrue, remaine or be to the king, by reason of any attainder, outlawrie, forfeiture, gifte of the partie, or by any other collaterall way or meanes, it shall bee sufficient in the lawe to shew and alleadge in the said suit generally, that the partie to whome the saide debt or debts were due or did belong, such peere and day did giue the same debt or debts vnto the King, or was attainted, outlawed, or other offence, forfaiture, deede, acte, or thing committed or done, by reason whereof the saide debt or debts did accrue and ought to remaine, come, and bee to the King. And that the same matter so to be shewed, alleaged, or declared in a generalitie without shewing & declaring the circumstance thereof, shalbe of as good force and effect in ỳ law to all intents, constructions & purposes, as if the whole matter thereof had bēn or were alleaged & declared at large in euery point, according to the due order of the common lawes of this realme.

King Attainder Outlawrie Foyl. Debt

And be it further enacted &c. that if any suit be commenced or taken, or any proces be hereafter awarded for the king, for the recouery of any the kings debts: that thē the same suit and proces shalbe preferred before the suit of any other person or persons. And that our said soueraigne Lorde, his heirs and successors, shal haue first execution against any defendant or defendants, of and for his said debts, before any other person or persons: so alwaies that ỳ kings said suit bee taken & commenced or proces awarded for the saide debt, at the suit of our said soueraigne Lord the king, his heires or successors, before iudgment giuen for the said other person or persons.

Suit Proces Debts First execution

And be it further enacted &c. that al manors, lands, tenements, possessions, & hereditaments, which nowe be, or that hereafter shall come or be, in, or to the hands, possession, occupation, or seisin of any person or persons, to whō the same manors, lands, tenements, or hereditamēts, haue heretofore or hereafter shal discēd, reuert or remaine, in fee simple, or in fee taile general or special, by, frō, or after ỳ death of anie of his or their ancestor or ancestors, as heire, or by gift of his ancestors whose heire bee is, which said ancestor or ancestors, was, is, or shalbe indebted to the K. or to any other person or persons to his vse, by iudgement, recognisance, obligation, or other specialtie, the debt whereof is or shal not be contented & paid: that thē in euerie such case the same manors, lands, tenements, possessions, and hereditamēts shall be, and stand by authority of this act from henceforth charged, and chargeable, to, and for the paiment of the same debt, and of euery parte thereof. And that our said soueraign Lord, his heires & successors, at any time hereafter shall not be barred, delaied, forecloſed, or excluded to demand, haue and retaine his or their iust, due, and lawful debts and duties, against anie of his subiects, as heire or heirs to any person or persons indebted to his highnesse, or to other persons to his vse, or which shal be indebted to his highnes, his heires or successors, albeit this worde (heire) be not, or shall not be comprised in such Recognisance, obligation or specialtie, or if any such person or persons shall say or alleage, that he or they haue not any manors, landes tenements, or hereditaments to them discended, but only such manors, landes, tenements, or hereditaments, as be or shalbe entailed, or giuen to them by any their ancestors, to whom they be heires: any law, vses, or custome before this time vsed or had to the contrary notwithstanding.

Fee simple Fee taile Judgement King Heire Recognis. Obligation

Prouided alwaies, that the kings Maiestie, his heires or successors, may at his

or

Debts Executors Administrators

or their libertie & pleasure demand, haue and recouer his or their said debt or debts, of and against any executor or executors, administrator or administrators, of any such person or persons, which is, hath bin, or shal bee indebted in manner and forme aboue saide, if the same executor or executors, administrator, or administrators, shall haue assets in his or their handes in deede or in law: any thing before mentioned to the contrary notwithstanding.

Assets

Prouided also, that if the said manors, lands, and hereditaments, or any of them, shall hereafter be recouered or euicted out of, or from the possession of any such person or persons, by any iust or former title, without fraude or couin, whose manors, lands, tenements, or hereditaments been, or shal bee charged or chargeable, as is aboue said: that then all & euery such manors, lands, and hereditaments, shall bee clerely acquited and discharged, of, and for the payment of the saide debtes, and of euery part thereof: any thing before mentioned to the contrary notwithstanding.

Manors Lands

Prouided also and bee it &c. that if any person or persons, of whom any such debt or dutie, is, or at any time hereafter shall be demanded or required, alleadge, plead, declare, or shew in anie of the said courts good, perfect, sufficient cause and matter, in law, reason, or good conscience, in barre or discharge of the saide debt or duetie, or why such person or persons ought not to be charged or chargeable, to or with the same, and the same cause or matter so alleadged, pleaded, declared or sheiwed, sufficiently proued in such one of the saide Courts, as he or they shall be impleaded, sued, vexed, or troubled for the same: that then the said Courts, and euery of them shall haue full power and authoritie to accept, iudge, and allowe the same prowfe, and wholly and clerely to acquite and discharge all and euery person & persons that shall be so pleaded, sued, vexed, or troubled for the same, any thing in this present acte before mentioned to the contrarie notwithstanding.

Discharge

Prouided also and be it &c. that if anie manors, landes, tenements or hereditaments, which be, or at any time hereafter shalbe charged, or chargeable, to or with the debt of our said Soueraigne Lord, his heirs or successors, and be, or at anie time hereafter shalbe in seisin & possession of diuers & sundrie persons, other then the obligor or obligors: that the al and singuler the said manors, lands, tenements, & hereditaments, and euery parcel of them, shal bee wholly and entirely, and in no wise seuerally liable, and chargeable, to & with the paiment or paiments of the saide debt and duties: any thing before rehearled to the contrarie notwithstanding.

Manors Landes Tenements

Possession

Obligor

Prouided also that this act, nor any thing therein contained, shal in any wise extend to minish, abrogate, or take away any realties, liberties, priuiledges, franchises, prehemineuces, iurisdictions, fines, issues or amerciaments, appertaining or belonging to the said Duchie of Lancaster and Countie Palantine of Lancaster, or anie of them, but that the same liberties, realties, priuiledges, franchises, prehemineuces, iurisdictions, fines, issues, and amerciaments, and euerie of them, shall stil continue, remaine, and be to the saide Duchie of Lancaster, and Countie Palantine, and to euerie of them, as fully, wholly, & plenally, as they were before the making of this present act: any thing in the same contained to the cõtrarie notwithstanding.

Realties Liberties Priuiledges

Lancaster

Prouided alway and bee it &c. that all maner of proces, processes, & executions for debts, onlie comming or growing in ỳ court of the Eschequer, shalbe made in the same court of ỳ Eschequer, by such officer & officers, Clerke, or minister of the same Court, as hath bin afore this time vsed to be made, after & with such kind of proces, processes, & executions, as by this acte is limited and declared: anie thing in this acte contained to the contrarie notwithstanding. An. 33. H. 8. cap. 39.

Proces

Eschequer

Proces Executions

3 ¶ The Queens highnes shal or may at any time hereafter during her natural life, by her Graces letters patents vnder her great Seale of England, at her most gratious will and pleasure, alter, change, vnite, transpose, dissolue, or determine all or any of the said Court or Courts, s. the Court of the Augmentations of the reuenues of the kings Crowne, the Court of the first fruits and tenths, the Courte of the kings Wards, the court of the generall surueiors of the kings lands, and the court of the Duchy of Lancaster. And to reduce the same courts, or any of them into one, two, or more court or courts, or to vnite and annere the said courts, or anie two, or mo of thẽ together, or to any other of her Maiesties Courts of record, or to erect of the same any other new Court or courts, as to her highnes shall be thought

Letters P.

Alter

Augmentation

Vnite.

most

most conuenient and best, for the better, surer, and more spedy answering of her yerely reuenues, casualties, or profites, now answerable in the said Courts, or in any of them. And that all & singuler such alterations, changings, vnitings, transpositings, dissoluings, or determinations of the said courts, or any of them so to be altered, changed, vnited, annexed, transposed, dissolued, or determined, or otherwise newly to be erected, as is aforesaid, & concerning al & euery order for the true payment of the reuenues, rents, issues, casualties and profits of our said Soueraigne Ladie the Quéen, now answerable in the said courts, or in any of them, as shall be set forth, and declared in any such letters Patents or writings vnder her highnesse great Seale of Englande, hereafter to be made, set forth, and declared, shal be of such like & of the same force and strength, to al intents, constructions, and purposes, as though the same were or should haue bin set forth or declared by the authoritie of Parliament, the said generall executions or any other thing heretofore had or made to the contrarie hereof in any wise notwithstanding.

Vnited

Queene

Letters patents

Prouided alway and be it &c. that any thing contained or to be contained, in the said letters patents, hereafter to be made by the Quéens highnes that now is, concerning any paines, penalties, rules, or orders, made or to be made for the leuying of the Quéens reuenues, rents, issues, casualties, or profits, shall not in any wise extend to charge any of the Quéens subiects in any other manner or forme, then they or any of them, ought lawfully to haue bin charged by the lawes of this realme, before the second day of this present Session of Parliament.

Penalties

Prouided also and be it &c. that any letters Patents hereafter to be made by the Quénes highnes, or any thing or matter contained in this acte, shall not in any wise extend to giue any power or authoritie to the Chauncelor & generall Surueiors, of the court of the augmentations and reuenues of the Quénes crowne, or to any other officer or officers of the same court, or of any other court or courtes, hereafter to bee erected by the Quénes Maiestie, as is aforesaide, or to any other officer or officers to be appoynted in any of the same courts hereafter to bee erected by the Quéens highnes, as is aforesaide, or to any officer or officers of anie court, whereunto any of the foresaide courts shall be by her highnesse vnited, to beare or determine any plea, matter or cause, but only where her highnes is only the mere & sole party, against any of her subiects, or, for, or concerning the spedie answering, leuying, or payment of her Maiesties rents, reuenues, issues, casualties, profites and debtes, being within any surney of any of the said Courts.

Chancelor Surueyors

Officers

Rents

Prouided alwaies, that if her highnesse hereafter shal annexe any of the said courts vnto her court of the Eschequer, that the all things within the surney of the said court so annexed, shalbe ordered in like manner to al intents, as the saide court of the Eschequer is or ought to be, by the common lawes & statutes of this realme: sauing to al & euery person & persons, bodies politike and corporate, and to euery of them, such Offices of Stewardships, offices of Forsterships of any game or games, keepers of Forestes, chases, parkes, houses, & castles, & the profits thereunto belonging, and all rents, annuities, & fées, as they or any of them haue or ought to haue if this act had neuer bin had nor made.

Annexe Eschequer

Stewardships Forests Parkes Chases Castles

Prouided alwaies and be it &c. that this act, nor any thing therin contained shal in any wise extende or be construed to take away, extinct or determine from any person or persons, their heires, successors, or assignes, or from anie of them, anie fées, annuities, pensions, stipendes, or annual payments of anie summes of money, which they or any of them, of right might or ought lawfully to haue, by any letters patents or other sufficiét writing, vnder the seale of the saide court of the Augmentations, made before the vij. day of Julie last past, but that all and euery person & persons, their heires, successors, executors and assignes, and euery of them, which of right haue or ought to haue, or hereafter shall haue any fée, annuitie, stipend, pension, or annual payment of any summe or summes of money, vnder the seale of the court of the augmétations, or being lawfully allowed and paid in the same Court shall & may according to the tenor of the same graunt, perceiue, take & receiue the same, and shal perely therof be paid of the Quéens treasure, her heires & successors, at the dates & times comprised in such letters Patentes, or other writings, in any such court or curts, whereunto the same court, or where the same annuities or perely summes of money was paid, shalbee so

Determine

Heires Successors Executors Assignes Annuitie Pension

Letters P.

vnited

vnited and annexed, or in such courte or courts, as shalbe by authoritie of this acte of parliament newly erected and made in the place of any of the said courts so being dissolued, as long as the same Court shall remaine and haue any being. and after in such Court or Courts, as shall please the Quéen newly to erect by the hands of the officers of the same court, and for default thereof, in any of the Queenes Courtes, wherin sufficient reuenues shalbe to answere the same of the Quénes treasure there, by the hands of the officers of the same court, in such like maner & forme, as the same person and persons, their heires, executors and assignes, or any of them should or might haue done or bin paide in any other place or court, if this act had neuer bin had or made: any thing in this act contained, or any other thing hereafter to be done by reason, colour, or authoritie of this act, to the contrarie thereof notwithstanding.

Fees Annuities Pensions

Prouided alwaies & bee it &c. that this Act, nor any thing therein contained, shal not in any wise extend to bee construed to take away, exting and determine frō any person or persons, their heires, successors or assignes, or from any of them, any fees, annuities, pensions, stipends, or annuall paiments of any summes of mony, which they or anie of them lawfully haue, or of right might or ought lawfully to haue by any letters Patents, or other sufficient writing, made before the 7. daie of July last past, but that al and euerie person and persons, their heirs, successors, executors and assignes, & every of them, which haue or hereafter shal haue any fee, annuity, stipend, pension, or annuall paiment of anie summe or sums of money, paiable yerely in any of the said courts, or by the handes of any officer or officers of any of the same courts, shal and may perceiue, take & receiue the same, and shall yerely thereof be paid of the Quénes treasure, at the daies & times comprised in such letters patents, or other writings, in any of ẏ said courts where nowe the same is, or ought to bee paiable, as long as ẏ saide court or courts shal remaine and haue any being, & after in such court or courts as shall please the Quæn newly to erect by the hands of the Officers of the same court or courts, and for default therof, in anie of the Quénes courts, wherein sufficient reuenue shalbe to answere the same of the Quæns treasure there, by the hands of the Officers of the same court or courts, in such like maner and forme, as the same person and persons, their heires, executors & assignes, or any of them should and might haue done, and bin paid in any other place or courte, if this act had neuer bin had or made: any thing in this acte contained, or any other thing hereafter to bee done by reason, colour, or authoritie of this acte, to the contrarie therof notwithstanding. An. 1. M. 1. Parliamento cap. 10.

After this Statute made Queene Marie dissolued the Courte of Augmentations; and first fruites and tenthes. Dissolued

¶ Crossebowes and Handguns.

ANno 19. H. 7. cap. 4. and An. 33. H. 8. cap. 23. were two seuerall actes made against shooting in Crossebowes. And An. 6. H. 8. capit. 13. an acte was made against shooting and keeping of Crossebowes and Handguns. And Anno 14. H. 8. cap. 7. an acte was made against shooting in Crossebowes and Handguns. And An. 25. H. 8. capit. 17. another acte was made against shooting and keeping of Crossebowes and handguns, and repealing the foure former statutes made in 19. H. 7. and 3. Hen. 8. and 6. H. 8. & 14. H. 8. After An. 33. H. 8. ca. 6. all these foure statutes were repealed as here following appeareth. Shooting

2 ¶ Forasmuch as notwithstanding the Statute of 25. H. 8. cap. 17. many hainous offences haue béene of late committed by ẏ cōmon vse, and carying of crossebowes and little Handgunnes: And also thereby the lawdable exercise of the long bowe is laid apart. Be it &c. that no person or persons, of what estate or degree he or they be, except he or they in their owne right, or in the right of his or their wiues, to his or their owne vses, or in any other, to the vse of anie such person or persons, haue lands, tenements, fees, annuities or offices, to the yerelie value of a C. pound, from or after the last daie of June nexte comming, shall shute in anie Crossebow, handgunne, hagbut, or demie haque, or vse, or keepe in his or their houses or elsewhere, any Crossebow, handgunne, hagbut, or demie haque, otherwise, or in anie other maner then is hereafter in this present act declared, vpon paine to forfait for euery time that he or they so offend, contrarie to this act 5. pound. C. li. reuennes Shoote Keepe Forf.

And be it further enacted &c. that no person or persons, of what estate or degree soeuer

euer he or they be, from and after the said last day of June, shal shote in, carie, kéep, vse, or haue in his house or elswhere, any handgun, other then such as shalbe in the stock and gun, of the length of one whole yard, or any hagbut, or demy haque, other then such as shalbe in the stocke and gun, of the length of three quarters of a yard, vpon paine to forfait for euery time that he or they shal shote in, carie, vse, or haue any such gunne, being not of the length of one whole yarde, or hagbut, or demie haque, being not of the length of 3. quarters of a yarde x.li. sterling. And that it shallbe lawful to euery person & persons, which haue landes, tenements, fees, annuities, or offices to the yeerely value of one C.li as is aboue saide, to take and seise euery such crossebow, & also euerie handgun being in stocke and gunne shorter in length then one whole yard, & euery hagbut, & demy haque, being shorter in légth then 3. quarters of a yard, or any of them frō the keeping or possession of euerie such offender contrarie to the forme of this act: and the same crossebow or crossebows to kéepe and retaine to his or their own vse. And also the same handgunnes, hagbuts, and demy haques, so seised & taken within xx. daies next after the same seisure or taking, to breake and destroy, vpon pain of xl.s. for euery gun so seised & not broken & destroied, and the same so broken and destroied, to kéepe and retaine to his or their owne vse. And be it &c. that no person or persons, other then such as haue lands, tenements, rents, fées, annuities, or offices, to the yerely value of one C.li as is afore saide, frō or after the said last day of June, shal carie, or haue in his or their iourney going or riding in the kings highwaies, or elswhere, any crossebow bent, or gun charged or furnished with powder, fire, or touch for the same, except it be in time and seruice of warre, vpon pain to forfait for euery such offence x.li. this present act, or any thing therin contained to the contrarie notwithstanding.

Handgun
One yarde long Hagbut 3. quarters of a yarde Forf.
Seise
Crossebows
Owne vse Gunne
Breake
C.li.
Bent Charged
Forf.

And be it &c. that no person or persons, from the said last day of June, shall in any wise shoot, in, or with any handgun, demy haque, or hagbut, at any thing at large within any citie, borough, or market town, nor within one quarter of a mile of anie citie, borough, or market towne, except it be at a But or banke of earth in place conuenient, for the defence of his person or house, vpon paine to forfait for euery such shote x. pound. This present acte, or anie thing therein contained to the contrarie notwithstanding.

Shoote
Citie Market towne
Butte
Forf.

And be it &c. that no person or persons, of what estate or degrée soeuer he or they be, shal from or after the saide last day of June, commaund any of his or their seruants to shoot in any crossebow, handgun, hagbut, or demy haque, of his or their said Masters, or of any other persons at anie déere, foule, or other thing, except it bee only at a But or banke of earth, or in the time of warr, as is aboue said, vpon pain to forfait for euery such offence x.li. The one moitie of al which forfaitures & penalties in this present acte aboue specified, shalbe to the king &c. and the other moitie therof to the party y' wil sue &c. In which suit &c.

Seruants
Déere Foule Warre Forf. Moitie

Prouided alway & be it &c. that it shall be lawfull from henceforth to all Gentlemen, yeomē, & seruing men of euery Lord or Lordes spirituall or temporall, and of all Knights, Esquires, and Gentlemen, and to all the inhabitants of Cities, Boroughs, and market townes of this realme of England, to shoote with any handgun, demie haque, or hagbut, at anie Butte or bancke of earth, only in place conuenient for the same, so that euery such handgun, demie haque, and hagbut be of the seuerall lengths aforesaid and not vnder. And that it shalbe lawfull to euery of the said Lord and Lords, Knights, Esquires, the Gentlemen and the inhabitants of euerie Citie, Borough, or market towne, to haue and kéep in euery of their houses any such handgunne or handguns of the length of one whole yarde, or any hagbut or demie haque of the length of three quarters of a yard, as is aforesaid, and not vnder, to the intent to vse & shoote in the same at a But or banke of earth onely as is aboue saide, whereby they & euery of them by the exercise thereof, in forme aboue said, may the better aide and assist to the defence of this realme when need shal require: this present act, or any thing therein contained to the contrarie notwithstanding.

Gentleman Yeoman Seruingman Lords Knights
Length
Keepe
Butte

And be it &c. that it shalbe lawfull to euery person or persons, which dwelleth & inhabiteth in any house standing & being set distant two furlongs from anie Citie, borough, or town, to kéepe and to haue in his said house, for the onely defence of the same, handgunnes, hagbuts, and demie haques, being of the seuerall légths aforesaid, and not vnder, and to vse and exercise to shoote in the same at any But or banke

Keepe
Vse

of

of earth neere to his house, and not otherwise: any thing contained in this acte to the contrary notwithstanding.

Letters P. Fraternities

And be it &c. that al letters patents, fraternities, & also all other placards, licences, and billes assigned, heretofore had, made, or assigned by his highnes, or by any other authorized by his Maiesties letters patēts, vnder his great seale, to giue licence and placard to shoote in Crossebowes and handguns, or any of them, shal be frō and after the saide last day of June, frustrate, voide, and of none effect. And also &c. that the said statute made in the said xxv. yere of the kings most gracious Raigne, and all other statutes heretofore made and prouided, for the auoiding and restraint of shooting in Crossebowes and handgunnes, or for anie of them, or for the vsing and kéeping of the same be from hencefoorth vtterly void and of none effect.

Placards Licences

Void

Proces Suit Informatiō

Prouided alwaies, that euery proces, suite, and information contained, commēced, and now depending, for any offence done contrarie to the forme of the said statute made in the said 25. yere of the kings most noble raigne, or of any other statute made or prouided, for and concerning the shooting in crossebowes & handguns not repealed, and for the kéeping of the same: shalbe as good and effectual to the parties that haue commenced the same, and shall stand and be in such forme, effect, degrée, and condition, as if this act had neuer bin made.

Prouided also that this act, or any thing therin contained be not in any wise hurtful or preiudicial to any person or persons now being, or that hereafter shallbe appointed by the kings highnes, to kéep, receiue, or take any Crossebowes or handguns that shalbe forfaited or taken within the precinct or libertie of the kings forrests, parkes, chases, or but y he or they may lawfully kéepe & retaine the same Crossebowes or handguns from time to time, vntil such time as the further pleasure of the kings highnes in y behalfe, be to euery such person shewed and declared.

Keepe

Forests Parkes Chases

Prouided also that this act extend not to the makers of crossebowes or handguns, but that they may lawfully keep Crossebowes & handguns, bagbuts, and demie haques in their houses, and shoote in the same onely for the prouing and allaying of them at a Butte or banke of earth in a place conuenient, & not otherwise, so that the said handgun, bagbut & demie haques be of the seuerall length in stocke and gun, as is aboue limited.

Maker of crossebowes

Butte

Length

Prouided also y this act, nor any thing therin contained, extend not to be preiudicial to any Merchants, which haue or shal haue any Crossebowes, handguns, bagbuts, and demy haques, or anie of thē to sell within this realme, and to none other vse, so that the same handguns, bagbuts, and demie haques, be of the seuerall length in gun and stocke, as is aboue limited and not vnder.

Merchant

Placard Licence.

Prouided also that no maner of person run in any danger, or take hurt by reason of any penaltie or forfaiture contained in this Act, vntil such time as proclamation be made of the same act, within the countie where the partie, that shall or may offend contrarie to this act, dwelleth, by the space of xx. daies next after the making of the said proclamation.

Beasts Fowles

Proclamation

Prouided also, that if any maner of person bring, or cause to be brought with him into his lodging or Inne, or to any other mans house, any crossebow or handgun: that then the penaltie and forfeiture (if any such be, or hereafter shalbe forfaited by reason of this act) to run and be only vpon the bringer of the said Crossebow & handgun, & not to the owner of the said lodging or house, if the said owner of the said lodging or house cause the bringer thereof to take and to carie away the said crossebow or handgun again with him at his departing: any thing in this acte made to the contrarie notwithstanding.

Void

Inne

Beasts Fowles

And be it &c. that if any person or persons, from and after the last day of June next comming, see or finde any person or persons, offending or doing contrarie to the forme and effect of this Act: that then it shall be lawfull to euery such person or persons, perceiuing, finding, or seeing any such person or persons so offending cōtrarie to the form of this act, to arrest and attach euery such offender or offenders, and to bring or conuey the same to the next Iustice of peace of the same county, where the said offender or offenders shall be found so offending. And that the same Iustice of peace, vpon due examination & proofe thereof before him had or made, by his discretion shal haue ful power and authoritie to send or commit the same offender or offenders to the next gaole, there to remaine till such time as the said penaltie or forfaiture shal be truely contented and paid

Arrest

Iust. of P.

Examination

Fine

paid by the saide offender: The one moitie of the said penaltie to be paid to the K. highnes, and the other moitie thereof to the first bringer or conueier of the saide offender, to the same Iustice of peace. And be it &c. that if any person or persons, doe at any time hereafter obtaine, get or purchase of the kings Maiestie, his heirs and successors, any placard, licēce, or bill assigned, to shoot in any Crossebow, handgun, hagbut, or demie haque, contrarie to the tenor, purport, & effect of this present act: that then there shalbe contained in euery such placard, licence, and bill assigned, at what beasts, foules, or other things the saide person or persons so obtaining anie such placard, licence, or bill assigned, shall shoote at, with any crossebowe, handgun, hagbut, or demie haque, or els that euerie such placard, licence, & bill assigned, hereafter to be obtained, gotten or purchased, shalbe cleerely voide, frustrate, & of none effect. And also that euerie such person or persons so obtaining any such placard, licence, or bil assigned, before he shoote in any crossebow, handgun, hagbut or demie haque, in any such maner or forme as shall be mentioned in any such placard, licence, or bill assigned, shalbe bound in the kings Courte of Chancerie by recognisance in the summe of xx. pound to the kings vse, with and vpon condition, that he so obtaining or hauing the saide licence, placard, or bil assigned, shal not shoot in any crossebow, handgun, hagbut, or demie haque, at any other beasts or foules, thē in any such placard, licence, or bill assigned, shall be contained and specified: or els all such placards, licences, and bils assigned, so hereafter to be made to any person or persons, not being so bounden by recognisance in the court of chancerie, as is aforesaide, to be vtterly void and of none effect. And be it &c. that it shalbe lawful al Iustices of the peace in their Sessions, and to all stewards & bailifes in their seueral Leets and Lawdaies, to inquire, heare & determine euery such offence after the said last day of June to bee committed and done, contrarie to the tenor of this present acte, so that alwaies no lesse fine thē x.li. be assessed vpon euerie such presentment & conuiction made, according to the due course of law: the same fine so by the same Iustices of peace vpon euery such presentment and conuiction made before them in their sessions, to be paid and leuied only to the kings vse, and that one moity of euery fine to be assessed by the stewards or bailifes of any leete or lawdaye, vpon euery presentment & conuiction before them to be made, to be paid and leuied to the vse of the king our soueraigne Lord: and of the other moitie, the one halfe to the owner of the said leete or lawday by distresse or action of debt, & the other halfe of the same second moitie of the same fine, to be to the partie that will pursue for the same in any of the kings courts, by bill, plaint, information or action of debt, in the which no essoin, protection or wager of law shall be allowed. And be it further enacted, that if any Iurie be sworne and charged to inquire for the king our soueraign Lord, before any Iustices of the peace or stewards of Leetes or Lawdaies, of any offences cōmitted or done contrarie to this present act, doe wilfully conceale any of the same offences, that then the said Iustices, steward or bailifes, before whom any concealment shalbe had and done, haue authority by vertue of this present act, from time to time to charge and sweare an other Iury of xij. or more good and substantial honest persons, to inquire of euery such concealement, & if any such concealment be found and presented by the said Iurie so charged to inquire of the same, that thē euery one of the said first Iurie, that so did conceale the same, shal lose & forfait for euery such concealement of euery such offence xx.s. all which forfaitures & penalties of xx.s. for euery such concealement of euery such offēce so found & presented before the same Iustices of peace, shall wholly be leuied & paid to the kings vse. And the moitie of al the same forfaitures and penaltie of twēntie shillings so found and presented before the Steward or Bailifes of any Leete or lawday, shall be leuied and paid to the vse of the owner of the saide leete or lawday, by distresse or action of debt, and the other moity therof to be to the partie or parties that will sue for the same, by action, information, bill or plaint in any of the kings courts: In the which actions, informations, billes, or plaints, no wager of lawe, essoine, nor protection shalbe allowed.

Prouided alwaies and be it &c. that if any person or persons hereafter in any part do offend, or do contrary to the puruiew & remedie of this acte, whereupon cause of action for the same offence shall be giuen to the king, his heires or successors, or to any other person or persons that will sue by vertue of this act for the punishment of the

Moitie
Bringer
Placard Licence.
Beasts Foules
Void
Recognisance
Beasts Foules
Chancerie Void
Iust. of P. Stewards Bailifes Leetes Lawday
Fine
Iust. of P.
Moitie
Action
Iurie
Iust. of P. Stewards
Conceale
Otho Iuris
Fork.
Iust. of P.
Moitie
Steward Bailife
Distresse
Action

the said offente or forfaitures, that if the King our Soueraigne Lord, his heires or
One yeere successors within one yeere next & immediatly after such offences, and forfaits had and made, do not pursue their actiō or actions, so giuen by this act, or cause examination vpon such defaults and offences to be had and made before their counsell, or other presentments thereof to be had according to the meaning of the same acte, and euery other person, which hereafter by vertue of this acte, may haue action or
Action actions, suit or information vpon this Sta-
Halfe a yere tute, within halfe a yere next, and immediatly after such offences or forfaits had
Suits and made, doe not commence their suites, informations, actions or presentments, of and vpon the said forfaits, by action or otherwise, as in this present acte is limited and declared: that then aswell the K. our Soueraigne Lorde, his heires and
Fork. successors, after one yeere next after such offences & forfaits had and made, if no suite in his or their name be taken by action or otherwise, as is before expressed before ỳ same yeere ended & determined, as euery other person after halfe a yeere next after like offences and forfaits had and done in the forme aforesaid, if no suit therupon be taken by none of them, in forme aboue declared: be vterly excluded and barred of
Action barred their said suites, actions, informations, & examinations, to them giuen by vertue of this said Act, and the parties and euery of them so offending shall be of all such offences and forfaites cleerely discharged
Discharged and quite, any thing in this Act comprised to the contrarie notwithstanding.

Prouided alwaies and be it &c. that this present Acte ne any thing therein contained, shall in any wise extende or be preiudicial vnto the kings subiects, resident or
Sea coasts inhabiting neere vnto the coastes of the sea in anie part of this realme, their houses being not aboue 5. miles distant from the same coastes: nor also to any of the kings said subiects inhabiting within fyue
Scotland miles of the borders of Scotland: nor to any the kings subiects, inhabitants of the
Calice Towne and marches of Calice: nor to a-
Gerney nie of the inhabitants of the Iles of Ger-
Guernesey sey, Gernsey, Angleseye, and the Iles of
Angleseye Wight and Man, but that it shalbe law-
Wight full for euerie of the saide inhabitantes at
Man all times hereafter to haue, exercise, and vse their handguns, hagbuts, and demie haques of the lengthes aboue saide within the limits, and Iles aboue said, so that it be at no maner of Deere, Heron, Shoue-
Deere Heron Shoueler Fesant Partridge Wild Swan Wilde fule lard, Fesant, Partridge, wilde Swan, or wild Fule, or any of thē: this present act, or any thing therin contained to the contrarie notwithstanding.

Prouided also, that this act, ne any thing therin contained, be in anie wise hurtfull or preiudiciall to any seruant or person, that hereafter from the saide last day of June, shall bend, beare, carie, charge, vse or allay any Crossebow, or any handgun,
Bend Carry demie haque, or hagbut, of the lengths aboue saide, by the commaundement of his Lord and master, so that the said seruant or person do not shoote at any foule, deere, or other game, of what kind or nature soeuer they be of: nor also to any such seruant, person or persons, that shall after the said last day of June, beare or conuey any crossebow, handgun, hagbut or demie haque, of the lengths aforesaide, to any place or places, by the commandement of his Lord or master that may shoote by authoritie of this act, to be amended, repaired, deliuered or assaied, so that the saide seruant or other person so bringing or conueying the said Crossebow, handgun, hagbut, or demie haque, haue ready to shew to euerie person requiring the sight
Licence thereof, one licence in writting sealed or subscribed by his saide Lord or master, to carry and conuey the same crossebow, handgun, hagbut, or demie haque, to the intent to be amended, repaired, assaied or deliuered, as is aforesaid.

Prouided alwaies, that this act or anie thing therein contained, shall not extend to any owner of anie ship, for hauing and
Owner of ship keeping of any handgun, hagbut, or demy haque, of the seuerall lengths in this acte expressed or vnder, only to be had & occupied within any their ship or other vessel, or for the cariage & recariage of them or any
Cariage of them on lande, or keeping of thē for the only exercise & occupying of them within their said ship or vessel: Any thing in this act to the contrarie in any wise notwithstanding. An. 33. H. 8. cap. 6.

See here next following some alteration of this Statute. And also see a prouiso in the statute 4. & 5. P. & M. cap. 2. (before in Armour 8.) where some more libertie is giuen to such persons and their seruants that be bound to keepe a haquebut.

¶ Forasmuch as ỳ libertie to shoote in handguns, haques and haquebuts giuen vnto some persons by the statute of 33. Hen. 8. cap. 6. (before 2.) is much abu-

sed

sed by shooting at dwelling houses, doue cots and churches, & by shooting of haile shot, which destroyed the certaintie of shooting, much requisite in warres: And also it is much vsed to the great destruction of foule and game.

L. of parliament

Be it &c. that no person vnder the degree of a Lord of the parliament, shall from henceforth shoote in any handgun, within any citie or towne at ame foule, or other marke, vpon any church, house or doue cote, neither that any person shall shoote in any place any haileshot, or any pellets then one at one time, vpon paine to forfait for euerie time that he or they shall so offend contrary to this act x. pounds, and imprisonment of his bodie during three monethes.

Foule

Doue cot

Haileshoote

Forf.

Imprisl.

Prouided alwaies, & be it &c. that this act or any thing therin contained, shal not extend or be preiudiciall to any person or persons, authorized by value of land to shoote in any handgun, or crossebowe, but that they may so do in such forme & order as they should doe & might haue done, before the making of this act (haileshot excepted as in deed that kind of shoote in the said act was not ment) & that al and euery other person & persons authorised to shoot or otherwise, if he inhabit in any Towne corporate, be presented to the Maior or other officer of the same (& inhabiting in the countrey) be presented within one moneth after the publishing of this acte to ye next Justice of peace adioining. In which cases the said Maior, Justice, or other officer, so taking their names as is aforesaid shal againe present & record the same, before a Justice of the peace at ye next quarter Sessions, to the intent the clerke of the peace of the countie, may keepe a certaine booke or rolle of the names of all such persons, by the which ye kings Maiestie may from time to time be ascertained, how many meet & able men exercised in that feat, be in euery countie, that the same may be imployed in his graces seruice, as nede & occasion shall require, vpon paine that euery person offending in this acte, presuming to shoote in any handgunne or hailse haque without the presenting of his name as is aforesaid, shal forfait for euery shot, the summe of xx. shillings, the one moitie whereof to be to our soueraigne Lord the king, and the other moitie to him or them that wil sue for the same, by bill, action, plaint, information, or otherwise. The officer that should take their names & present the same as is abouesaid, to incurre for the lacke of his duetie in this part for euery time so offending like paine. An. 2. E. 6. cap. 14.

Maior

Iust. of P.

Presume

Quarter Sessions

Clerk of P. Rolle

Paine *

Forf.

Moitie

¶ Crosses.

FOrasmuch as many tenants set vp crosses, or cause to be set vp in their tenemẽts, in preiudice of their lords to the intẽts that the tenants might defend thẽselues against the chiefe Lords of the fee, by the priuiledge of the tẽplers and hospitelers: it is ordeined, that such tenementes shall be forfait to the chiefe Lords or to the king, in the same maner as is prouided for lands alienes in mortmaine. W. 2. cap. 33. An. 13. E. 1.

Templers Hospitelers

Forf.

¶ Crowes, Rookes, and Coughs.

AN. 24. H. 8. cap. 10. An act was made, for the destruction of crowes, rookes and choughs. In which there was a branch concerning the maintenance of nettes and sharpes for ten yeeres following viz. That in euerie parish, towneship, hamlet, borough or village within this realme, wherein is at least ten housholds inhabited, the tenants and inhabitants thereof, should before the feast of S. Michael the archangell next, and so during ten yeeres next insuing the saide feast, at their owne proper costes, charges and expences, prouide, make or cause to bee made one net, commonly called a net to take Choughs, Crowes, and Rookes with all thinges requisite or belonging to the same. And ỳ same net so made or caused to be made, shall keepe, preserue and renue as often as shall need: and with and after a sharpe made with chaffe, or other thing meete for the purpose, shall lay, or cause to bee laied at such time or times in the yere, as is conuenient for destruction of such Choughes, Rookes and Crowes, and in such place and places, as shall be thought expedient to take the saide Choughes, Crowes and Rookes, vpõ paine to forfait x. s. The one moitie thereof to be to our soueraigne Lord the king, and the other moitie to the Lord or Lordes of the court barons, leetes, lawdaies or rapes, where anie such net shall be lacking & not made and put in execution according to this act, to be leuied of the said tenants and inhabitants of the saide parish, towneship, hamlet, borough or village, where anie such

Parish

Nette

Renue

Sharpe

Forf.

Moitie

Court

such net shall be lacking, & not put in vse and execution, by distres of the goods and cattels of the offendors, as other amerciaments in leetes haue bin accustomed. And that euery such net, with all things requisite thereunto, shall one time in the yere at ỳ least, be presented in the Court baron, leete, rape or lawday, before the Steward of the same court, leete, rape or lawday, whereunto the said tenants, and inhabitants shall be bounden to sue and appeare, to be viewed, whether the same be sufficiently repaired or not, for the foresaid purpose: so that by the aduise of the Steward, tenãts, and inhabitants of the said Court baron, leete, rape, or lawday, where any such net shall be necessarie to be vsed, a sure way and ordinance may be deuised, for the reparation, continuance & putting in execution of the said net, at times and places conuenient, as is aforesaid. This brãch being thought very good and beneficial, is reuiued by An. 8. Eliz ca. 15. and all the rest of the statute repealed as followeth here.

Distresse

Presented

Repaire

2 ¶ Because the branch in the statute of 24. H. ca. 10. (before 1.) concerning the prouision, putting in vse, & maintenance of nets and sharpes, is long since expired, being neuertheless very good and beneficial. Be it therefore ordeined and enacted &c. that onely the said branch of the same statute concerning the prouision, vse & maintenance of nets and sharpes, for the destruction of crowes, rookes, & choughes and all and euery article for forfaiture, & penaltie contained in the said branch, for and concerning the prouisiõ and putting in vse of the same nets, and for the maintenance thereof according to the forme therein limitted, shal from henceforth be retained and put in due execution, & that all and euery other branch, and article contained in the same statute, shall be from henceforth vtterly repealed & made voide to all intents and purposes.

Nettes Sharpes

Received

And further be it enacted by the authoritie aforesaid, that in euery parish, the Churchwardens for the time being, with others the parishioners to the number of six persons, to be required by the Churchwardens, shall after the feast of S. Michael the archangel next comming, yerely in one of the festiual daies in the Easter weeke, and at euery other time when & as often as it is and shall be needful, take and assesse euery proprietor, fermor and other person hauing the possession of any land or tithes within their seuerall Parishes, to pay such summes of money, as they shall thinke meete, according to the quantitie & portion of such lands or tithes as the same persons so assessed, do or shall haue or holde. And if the said summes of money, or any of them, so taxed and assessed, be or any shall be denied to be paied, or be not payed within viij. dayes, next after request thereof made by the layde Churchwardes, or one of them, then euery person so denying, or making such default of paiment, shall forfaite for euery time v.s. and the same together with the said summe or summes assessed & taxed as is aforesaid, shall be leuied by distresse, of the goods, & cattels of such person and persons so assessed, and refusing to pay such summe, to be take by ỳ Churchwardens, or one of them, which distresse shal be ordered & died, in such maner and forme, as distresses taken for amerciaments, in any leete, & the same summes so taxed & assessed, and the said penalties, if any be so by thẽ leuied, as is aforesaid shal be yerely by the said Churchwardens for the time being, or one of them, of euery such parish deliuered, by bill or bils indented, to two honest and substantiall persons of euery such parish, which shall be elected and appointed by the said Churchwardens for ỳ time being, to haue the yerely distribution thereof, and shal be named the Distributors of the prouision for the destruction of ninyeone Foules and vermin. And the said Distributors so appointed, as is aforesaid, shall giue & paie of the same money so to them deliuered, to euery person that shall bring to them any heades of old Crowes, Choughs, Pies or Rookes take within the seuerall parishes, for the heads of euery thyrte of them a penie. And for the heades of euery sixe yõg crowes, choughes, Pies, or Rookes taken, as is aforesaid, a penie; and for euery vi. egges of anie of them vnbroken a penie. And likewise for euery twelue Stares heades a penie. All which said heads and egges, the saide Distributors in some conuenient place shall kepe, and shall euery monethly at the least bring forth the same before the said Churchwardens and Maiors, or three of them, and then & there to them shall make a true accompt in writing, what money they haue laied forth, and paies for such heads and egges, and for the heads of such other rauenous birdes and vermine, as ary hereafter in this acte mentioned:

Tithes

Deny

Fort.

Distresse

Wils indented

Distributors

Paie

Pies

Reward

Egges

Stares

Accompt

Rauenous birdes

that

Merlon Hawkes Furlekite Woldkite Bussarde Schagge Carmerant Ringtaile Iron Ospray Moorehall Pye Iay Rauen Kite Ringsfisher Bullfinch Fore Oraye

that is to saie, for euerie head of Merlon hawkes, Furlekite, Woldekite, Bussard, Schag, Carmerant, or Ringtaile ij.d. And for euerie two egges of them one penie. And for euerie Iron or Ospraies head foure pence. For the head of euerie Mawdwall, Pye, Iay, Rauen or Kite a penie. For the head of euerie bird which is called the Kings fisher i.d. For the head of euerie Bullfinch, or other birde that deuoureth the blowth of fruite i.d. For the heades of euerie Fore or Graie xij.d. and for the head of euerie Fichew, Polcat, Weasell, Stote, Fare, Badge or Wildecat i.d. For the heads of euery Otter or Hedgehog, ij.d. For the heads of euerie three Rats or twelue mice i.d. For the heads of euerie Woldwarpe or Want an halfe penie. For the heads of euerie which Birds and vermin last mentioned, the last Distributors shall likewise paie and giue to the bringer of them, for euery head kild and taken within their seuerall parish, as before is limitted, and shal keepe the same to bee shewed forth vpon their accompt, in maner and forme as is aforesaide. All which saide heades and egges, shalbe forthwith, after such accompt made in the presence of the saide Churchwardens, and Tarors, or of three of them, burned, consumed or cut in sunder. And if vpon anie accompt to be made in the ende and determination of the office of anie such distributors, it shall appeare that anie summe of money is remaining in the handes of the said distributors, or any of them, then the same shal be by bill indented, as is aforesaide, deliuered ouer to such persons as be or shall be elected to the same office, for the yeare next following, by them to be distributed, as is aforesaid.

Rattes Wilde Woldwarpe

Pay

Accompt Churchwardens Tarors

Money remaining

Bil indented

And for the better execution of this act be it also enacted by the authoritie aforesaid, that it may and shalbe lawfull, to and for euerie person and persons, which hereafter will trauell for the taking of Crowes, Rookes, Choughes, and other the vermin abouesaid, to enter for the same purpose and intent, into anie place therefore meete and conuenient, with the consent of the owner or occupier of the same, and there to vse such nettes, engines, and other reasonable deuises, as are meet and conuenient for the taking and destruction of such vermin (Handgunnes and Crossebowes excepted) and shall take and haue all such Crowes, Choughes, Rookes, and other vermine, to his and their owne vses. And if the said Churchwardens, and fiue persons of anie parish or parishes, so required by the Churchwardens, as is aforesaide, or the persons elected for the distributours, or anie of them, shall refuse or make defaulte in the execution of this act, or anie parte thereof, contrary to the forme aforesaide, then euery such person shall forfait for euery such default fiue pounds, the one moitie therof to be to our soueraigne Lady the Quéene, her heires and successors, and the other moitie therof to him or them vsing tillage yéerelie within the same shire, that shall sue for the same in anie Court of recorde of our soueraigne Ladie the Quéene, her heires and successours, by action of debt, or bill of information, wherein the defendant or defendants shall haue no protection, essoine, or wager of lawe allowed or admitted.

Churchwardens

Refuse

Forfeit.

Moitie

Prouided alwaies, and be it further enacted by authoritie aforesaide, that this acte, or anie braunch therein contained, shall not in anie wise extend to giue anie libertie or authoritie to anie person or persons, to vse or exercise any meanes or engine, for the destruction of Crowes or Rookes, Choughes, or other the vermine aforesaide, in anie place or places, to the disturbance, let, or destruction of the building or breeding of any kind of Haukes, Herons, Egrits, Paupers, Swannes, or Shouelers, or to the hurte and destruction of anie Doues, Douehouses, Deere or warren of Conies: anie thing in this acte to the contrarie contayned notwithstanding. And be it further prouided, that this acte, or any thing therein contained, shal not extend to giue or appoint any summe or summes of money to be giuen, paide, or distributed to anie person or persons, for the head or heads of anie Busard, Ringtaile, Herne, Polcat, Fichewe, or Stote, taken in anie parke, Warren, or grounde, imployed to the maintenance of any game of Conies, or to anie Stares taken in Douehouses, nor to the killing or bringing the head of any Kite or Rauen, killed in anie Citie or Towne corporate, or within two miles of the same: This acte to continue to the ende of the next Parliament. Anno 8. Eliz. cap. 15. and likewise continued 13. Eliz. cap. 25. and after 14. Eliz. cap. 11. vntill the end of the next parliament.

Disturbāce

Hawkes Herons Egrittes Paupers Swannes Shouelers Doues Deere Conies

Heads

Parke Warren

Douehouses

Citie

¶ Crowne.

England — SEe An. 14. E. 3. Statutum per ſe. that the Realme of England ſhall not be ſubiect to the Realme of France.

Inheritace Crowne Fraunce — 2 ¶ An. 7. H. 4. cap. 2. the inheritance of the Crowne of England and of France, were entailed to the king and the heires of his bodie, and Prince Henrie his eldeſt ſonne made heire apparant, with remainder ouer to the other ſonnes of the ſame king.

Remainder

Intaile — 3 ¶ An. 35. H. 8. cap. 1. the Crowne of England is intayled to the Kings daughter the Ladie Mary, and to the heires of her body, and for lacke of ſuch iſſue, to the kings daughter the Ladie Elizabeth, in ſuch fourme as is there declared, and for lacke of ſuch iſſue, to ſuch, as the King by his letters, or his laſt will in writing ſhould limit.

4 ¶ Whereas diuerſe good lawes were made in the time of the late King Henrie the eight for the extinguiſhing of all forreine power, and for the reſtoring vnto the crowne of this Realme, the ancient rights and iuriſdictions of the ſame: which were repealed by 1. & 2. P. & M. cap. 8. For the reuiuing of the ſame: Be it et. That the ſaide acte made in the ſaide firſt and ſecond yeares of the raignes of the ſaide late king Philip and Quéene Marie and all and euerie branche, clauſes, and articles therein contained (other then ſuch braunches, clauſes, and ſentences, as hereafter ſhalbe excepted) may from the laſt daye of this Seſſion of Parliament, by authoritie of this preſent Parliament bée repealed, and ſhall from thenceforth be vtterly voide and of none effect. And that alſo for the reuiuing of diuers of the ſaid good lawes and ſtatutes made in the time of your ſaide déere Father, it may alſo pleaſe your Highneſſe, that one acte and ſtatute made in the 23. yéere of the ſaid late king Hédy the eight, intituled, An act that no perſon ſhalbe cited out of the Dioceſſe where he or ſhée dwelleth, except in certaine caſes. And one other act made in the 24. yéere of the raigne of the ſaide late King, intituled, An act that appeales in ſuch caſes as hath bin vſed to be purſued to ỳ Sea of Rome, ſhall not be from henceforth had ne vſed but within this Realme. And one other acte made in the 25. yéere of the ſaide late King, concerning reſtraint of payment of Annates & firſt fruites of Archbiſhoprickes, and Biſhoprickes to the Sea of Rome. And one other acte in the ſaid 25. yéere, intituled, An act cõcerning the ſubmiſſion of the Clergie to the kings Maieſtie. And alſo one acte made in the ſaid 25. yéere, intituled, An act reſtrayning the payment of Annates or firſt fruits to the Biſhop of Rome, and of the electing and conſecrating of Archbiſhops & Biſhops within this Realme. And one other acte made in the ſaide 25. yéere, intituled, An acte concerning the Exoneration of the kings ſubiects from exactions and impoſitions heretofore paide to the Sea of Rome, and for hauing licences and diſpenſations within this realme, without ſuing further for the ſame. And one other act made in the 26. yéere of the ſaide late king intituled, An act for nomination & conſecration of Suffragans within this Realme. And alſo one other act made in the eight and twentie yéere of the raigne of the ſaid late King, intituled, An act for the releaſe of ſuch as haue obtained pretenſed licences and diſpenſations from the Sea of Rome, & all & euery branches, wordes, and ſentences in the ſaid ſeuerall actes and ſtatutes contained, by authoritie of this preſent Parliament, from and to all times after the laſt day of this Seſſion of Parliament, ſhall be reuiued, and ſhal ſtand and be in full force & ſtrength, to all intents, conſtructions, and purpoſes. And that the branches, ſentences, and wordes of the ſaid ſeuerall actes, and euery of them from thenceforth, ſhall and may bée iudged, deemed, and taken to extende to your Highneſſe, your heires and ſucceſſours, as fully and largelie, as euery the ſame actes, or ante of them did extend to the ſaide late king Henrie the eight your highneſſe father. And that it may alſo pleaſe your highnes, that it may be enacted by the authoritie of this preſent Parliament, that ſo much of one acte or ſtatute made in the xxvij. yeere of the raigne of your ſaid déere Father king Hénrie the eight, entituled, An act cõcerning precontracts of marriages, and touching degrées of conſanguinitie, as in the time of the late King Edward the ſixte, your highnes moſt déere brother, by one other acte or ſtatute was not repealed. And alſo one acte made in the xxxvij. yeare of the raigne of the ſaid late king Henrie the eight, intituled, An acte that Doctors of the Ciuill lawe being maried, may exerciſe eccleſiaſticall iuriſdiction, and all and euery

Repealed

Rome

Annates

Submiſſion

Annates

Conſecrating Archbiſhops

Exoneration

Licences

Suffragis

Reuiuing

Precõtract

Ciuilians

euerie braunches & articles in the said two actes last mentioned, and not repealed in the time of the said late king Edward the first, may from henceforth likewise stand, and be reuiued, and remaine in their full force and strength, to all intents and purposes, Any thing contained in the said act of Repeale before mentioned, or anie other matter, or cause to the contrarie notwithstanding. And that it may please your highnesse, that it may be further enacted by the authoritie aforesaid, that al other lawes and statutes, & the braunches & clauses of anie act or statute repealed and made voide by the saide act of Repeale, made in ỳ time of the said late king Philip and Quéene Marie, & not in this present act especially mẽtioned, reuiued, shal stand, remaine, and be repealed & voide, in such like maner & forme as they were before the making of this act: anie thing therein contained to ỳ contrarie notwithstãding. And that it may also please your highnes, that it may be enacted by the authoritie aforesaid, that one act and statute made in the first yeare of the raigne of the late king Edward the first, your Maiesties most deare brother (after in seruice entituled, An act against such persons as shall vnreuerently speake against the Sacrament of the bodie & blood of Christ, commonly called the Sacrament of the Aultar, & for the receiuing therof vnder both kindes, and all and euerie braunches, clauses and sentences therein contained, shall and may likewise from the last day of this session of Parliament, be reuiued, and from thencefoorth shal and may stand and remaine and be in ful force, strength, and effect, to al intents, constructions and purposes, in such like manner and forme, as the same was at anie time in the first yeare of the raigne of the saide late king Edward the first: anie law, statute, or other matter to the contrary in anie wise notwithstanding. And that also it may please your highnes, that it may be further established and enacted by the authoritie aforesaid, that one acte and statute made in the first and second yeares of the said late king Philip and Quéene Mary, intituled, An act for the reuiuing of three statutes made for punishment of Heresies, and also the said three statutes mentioned in the said act, and by the same act reuiued, and all and euery braunches, articles, clauses, and sentences contained in the said seuerall acts or statutes, and euery of them, shall be from the last day of this Session of parliament, deemed & remaine vtterly repealed, voide, and of none effect, to all intents and purposes: any thing in the said seuerall actes, or anie of them contained, or any other matter or cause to the contrary notwithstanding.

Repealed

And to the intent that all vsurped and forreine power, authoritie spirituall and temporall, may for euer be cleerely extinguished, and neuer to be vsed or obeyed within this Realme, or anie other your Maiesties dominions or Countries: May it please your highnes, that it may be further enacted by the authoritie aforesaid, that no forreine Prince, Person, Prelate, State or Potentate, spirituall or temporal, shall at anie time after the last day of this Session of Parliament, vse, inioy or exercise, anie maner of power, iurisdiciõ, superioritie, authoritie, preheminence or priuiledge, Spirituall or Ecclesiasticall within this Realme, or within any other your Maiesties dominions or countries, that now be, or hereafter shall be: but frõ thencefoorth the same shalbe cleerely abolished out of this Realme, & al other your highnes dominions for euer: any statute, ordinance, custome, constitutions, or anie other matter or cause whatsoeuer to the contrarie in any wise notwithstanding. And that also it may likewise please your highnes, that it may be established & enacted by the authoritie aforesaid, that such iurisdictions, priuiledges, superioorities, & preheminence, spiritual or ecclesiasticall, as by any spiritual or ecclesiastical power or authoritie hath heretofore ben, or may lawfully be exercised or vsed, for the visitation of the ecclesiastical state & persons, & for reformation, order and correction of the same, and of al maner of errors, heresies, schismes, abuses, offences, contẽpts & enormities: shall for euer by authoritie of this present Parliament, be vnited & annexed to the imperiall Crowne of this Realme. And that your highnesse, your heires & successors, Kings & Queenes of this Realme, shal haue ful power and authoritie by vertue of this Act, by letters patentes vnder the great Seale of England, to assigne, name, & authorise, when, & as often as your highnesse, your heires & successors shal thinke meete and conuenient, and for such & so long time, as shall please your highnes, your heirs or successors, such persons being naturall borne subiects to your highnesse, your heires or

Forreine Prince Potentate

Reformation

Letters P.

ſucceſſors, as your Maieſtie, your heires or ſucceſſors ſhal thinke meete to exercise, vſe, occupie and execute vnder your highnes, your heires and ſucceſſors, al maner of iuriſdictions, priuiledges and preheminences in anie wiſe touching or concerning anie ſpiritual or eccleſiaſticall iuriſdiction, within theſe your realmes of England & Ireland, or anie other your highnes dominions or countries, & to viſite, reforme, redreſſe, order, correct & amend all ſuch errors, hereſies, ſchismes, abuſes, offences, contempts & enormities whatſoeuer, which by anie maner ſpirituall or eccleſiaſticall power, authoritie or iuriſdiction, cā or may lawfully be reformed, ordered, redreſſed, corrected, reſtrained or amended, to ý pleaſure of Almightie God, the increaſe of vertue, & conſeruation of ý peace, & vnitie of this realme. And that ſuch perſon or perſons ſo to be named, aſſigned, authoriſed and appointed by your highnes, your heires or ſucceſſors, after ý ſaid letters patents to him or them made & deliuered as is aforeſaid, ſhall haue full power & authoritie by vertue of this act, & the ſaid letters patents vnder your highnes, your heires or ſucceſſors, to exercise, vſe & execute all the premiſſes, according to the tenor & effect of the ſaid letters patents: anie matter or cauſe to the cōtrarie in anie wiſe notwithſtanding. And for the better obſeruation & maintenance of this act: May it pleaſe your highneſſe, that it may be further enacted by the authoritie aforeſaid, that all & euery Archbiſhop, Biſhop & al and euery eccleſiaſticall perſon, and other eccleſiaſtical officer & miniſter, of what eſtate, dignitie, preheminence or degree ſoeuer he or they be or ſhall be, and al & euery tēporal Iudge, Iuſtice, Maior, & other lay or tēporall officer and miniſter, and euery other perſon, hauing your highnes fee or wages within this realm, or anie your highneſſe dominions, ſhall make, take & receiue a tēporall oth vpon the Euangeliſt, before ſuch perſon or perſons, as ſhall pleaſe your highneſſe, your heires or ſucceſſors, vnder the great ſeale of England, to aſſigne & name, to accept and take the ſame, according to the tenor and effect hereafter following: that is to ſay, I A.B. doe vtterlie teſtifie & declare in my conſcience, that the Quēnes highnes is the onely ſupreame gouernor of this realme, and of all other her highnes dominions and countries, aſwel in al ſpirituall or eccleſiaſticall things or cauſes, as tēporall, & that no forreine Prince, Perſon, Prelate, ſtate, or potentate, hath or ought to haue anie iuriſdiction, power, ſuperioritie, preheminence, or authoritie Eccleſiaſticall or Spirituall within this realme, & therefore I do vtterly renounce & forſake al forreine iuriſdictiōs, powers, ſuperioꝛities, & authoꝛities, and doe promiſe that from henceforth I ſhall beare Faith & true allegeance to the Quēnes highnes, her heires & lawfull ſucceſſors, and to my power ſhal aſſiſt and defend all Iuriſdictions, priuiledges, preheminences and authoꝛities, graunted or belonging to the Quēnes highnes, her heires & ſucceſſors, or vnited and annexed to the Imperial Crowne of the Realme: ſo help me God, and by the contēts of this booke. And that it may be alſo enacted, that if anie ſuch Archbiſhop, Biſhop, or any other eccleſiaſticall Officer or Miniſter, or any of the ſaide tēporall Iudges, Iuſticiaries, or other laie officer or miniſter, ſhall peremptorily or obſtinatelie refuſe to take or receiue the ſaid Othe: That then he ſo refuſing, ſhall forfait and loſe onely during his life, all and euerie Eccleſiaſticall and ſpiritual promotion, benefice and office, and euery tēporall and lay promotion and office, which he hath ſolely at the time of ſuch refuſall made: and that the whole title, intereſt, and incumbencie in euerie ſuch promotion, benefice, and other Office, as againſt ſuch perſon only ſo refuſing, during his life, ſhall clearely ceaſe and be void, as though the partie ſo refuſing were dead. And that alſo al and euery ſuch perſon or perſons, ſo refuſing to take the ſaid Oth, ſhall immediatly after ſuch refuſall, be from thenceforth during his life, diſabled to retaine or exerciſe anie office or other promotion, which he at the time of ſuch refuſal hath ioyntly or in common with any other perſon or perſons. And that all and euerie perſon and perſons, that at anie time hereafter ſhall be preferred, promoted, or collated to any Archbiſhoprieke, Biſhoprieke, or to anie ſpiritual or eccleſiaſtical benefice, promotion, dignitie, office, or Miniſtery, or that ſhall be by your highneſſe, your heires or ſucceſſors, preferred or promoted to anie tēporal or lay office, miniſtery, or ſeruice, within this realme, or in any other your highnes dominiōs, before he or they ſhall take vpon him or them to receiue, vſe, exerciſe, ſupply, or occupy any ſuch Archbiſhoprieke, Biſhoprike, promotion, dignitie,

Eccleſiaſticall iuriſdiction.

Reforme Hereſies

Execute

Archbiſhop Biſhop

Officer

Iudge Iuſtice, Maior

Othe

Faith

Archbiſhop Biſhop

Refuſe

Forf.

Loſe

Diſable

Promote

tie,

tie, office, ministerie or seruice, shal likewise make, take, & receiue the said corporall Oth before mentioned, vpon the Euangelist, before such persons as haue or shall haue authoritie to admit any such person to any such office, ministery, or seruice, or else before such person or persons, as by your highnesse, your heires or successors, by commission vnder the great seale of England, shal be named, assigned, or appointed to minister the said oth. And that it may likewise bee further enacted by the authority aforesaid, that if any such person or persons, as at any time hereafter shalbe promoted, preferred, or collated to any such promotion spiritual or ecclesiastical, benefice, office, or ministerie, or by your highnes, your heirs or successors, shalbe promoted or preferred to any temporall or lay office, ministerie or seruice, shal & do peremptorily & obstinatly refuse to take the same othe, so to him to be offered: that then he or they so refusing, shall presently be iudged & disabled in the law, to receiue, take, or haue the same promotion spiritual or ecclesiastical, or the same temporal office, ministerie or seruice within this realme, or any other your highnes dominions, to al intents, constructions & purposes. And that it may bee further enacted by the authoritie aforesaid, that all & euery person or persons temporall, suing Liuery or Ouster le maine, out of ỳ hands of your highnes, your heirs or successors, before his or their Liuery or Ouster le maine sued forth & allowed, & euery temporall person or persons, doing any homage to your highnes, your heires or successors, or that shall bee receiued into seruice with your highnesse, your heires or successors, shall make, take, & receiue the said corporal oth before mentioned, before ỳ L. Chancelor of England, or the L. Keeper of the great seale for the time being, or before such person or persons, as by your highnes, your heires or successors, shall be named & appointed, to accept or receiue the same. And that also al & euery person & persons taking orders, & al & euery other person & persons, which shall bee promoted or preferred to any degree of learning in any Vniuersitie, within this your realme or dominions, before he shall receiue or take any such orders, to be preferred to any such degree of learning, shall make, take, & receiue the said oth, by this act set forth & declared, as is aforesaid, before his or their Ordinary, Commissarie, Chancelor, or Vicechancelor, or their sufficient deputies in the said Vniuersitie.

Oth — Liuerie — Homage — Chancelor — Orders — Ordinarie Commissarie — Refuse Disabled — Chancelor Vicechancelor.

Prouided alwaies, that it may bee further enacted by the authority aforesaid ỳ if any person hauing any estate of inheritance, in any temporall office or offices, shall hereafter obstinatly & peremptorily refuse to accept & take the said oth, as is aforesaid, and after at any time during his life, shall willingly require to take & receiue the said oth, & so do take & accept the same othe, before any person or persons that shal haue lawful authoritie to minister the same: That then euery such person immediately after he hath so receiued the same oth, shal be vested, indged, & deemed in like estate & possession of the saide office, as he was before the said refusall, & shal and may vse & exercise the said office, in such maner and forme as hee should or might haue done before such refusal: any thing in this act contained to the contrarie, in any wise notwithstanding.

Inheritance — Refuse — Require

And for the more sure obseruation of this act, & the vtter extinguishment of all forraine & vsurped power and authoritie: May it please your highnesse, that it may be further enacted by the authority aforesaid, ỳ if anie person or persons, dwelling or inhabiting within this your realme, or in any other your highnes realmes or dominions, of what estate, dignitie, or degree soeuer hee or they be, after the end of 30. daies next after the determination of this Session of this present Parliament, shal by writing, printing, preaching, teaching, expresse words, deed, or act, aduisedly, maliciously, and directly affirme, hold, stand with, set forth, maintaine or defend thauthority, prehemінence, power or iurisdiction spiritual or ecclesiastical, of any forreine Prince, prelate, person, state, or potestate whatsoeuer, heretofore claimed, vsed or vsurped within this realme, or any dominion or countrey, being within or vnder the power, dominion, or obeisance of your highnes, or shall aduisedly, maliciously, & directly put in vre, or execute any thing for ỳ ertolling, aduancemẽt, setting forth, maintenance or defence of any such pretẽded or vsurped iurisdictiõ, power, prehemінce or authority, or any part therof: That then euery such person or persons, so doing & offending, their abettors, aidors, procurers & counsellers, being therof lawfully conuicted & attainted according to the due order & course of the common lawe of this Realme, for his or their

Forreine power — Writing Printing Preaching — Forreine Prince Prelate — Pretended iurisdiction — Abbettors

1. Offence

their firſt offence, ſhall forfait & loſe vnto your highnes, your heires & ſucceſſors, al his and their goodes & cattels, aſwel reall as perſonal. And if any ſuch perſon ſo conuicted or attainted ſhall not haue or be worth of his proper goods & cattels to the value of xx. li. at the time of ſuch his conuiction & attainder: that then euery ſuch perſon ſo conuicted & attainted, ouer and beſides the forfaiture of al his ſaide goods & cattels, ſhall haue and ſuffer impriſonment by the ſpace of one whole yeare, without baile or mainpriſe. And that alſo al & euery the benefices, prebends, & other eccleſiaſticall promotions and dignities whatſoeuer, of euery ſpirituall perſon ſo offending & being attainted, ſhal immediatly after ſuch attainder be vtterly voide to al intēts & purpoſes, as though the Incumbent thereof were dead. And that the Patron & Donor of euery ſuch benefice, prebend, ſpiritual promotiō, and dignitie, ſhall and may lawfully preſent vnto the ſame, or giue the ſame, in ſuch maner and forme, as if the ſaid Incūbent were dead. And if any ſuch offender or offenders, after ſuch conuiction or attainder, doe eftſoones commit or do the ſaid offences, or anie of thē, in maner & forme aforeſaid, & be therof duely conuicted & attainted, as is aforeſaid: That then euery ſuch offender & offenders, ſhall for the ſame ſecond offence incurre into the dangers, penalties, & forfaitures, ordained & prouided by the Statute of Prouiſion & Premunire, made in the xvj. yeare of the raigne of king R. the ſecōd (which ſee after in Prouiſion 14) And if anie ſuch offender or offenders, at anie time after the ſaid ſecond conuiction & attainder, do the iij. time cōmit & do the ſaid offences or anie of thē, in maner & forme aforeſaid, & be thereof duly conuicted & attainted, as is aforeſaid: that then euerie ſuch offence or offences, ſhall be deēmed & adiudged high Treaſon, & that the offender & offenders therein, being therof lawfully conuicted & attainted, according to the lawes of this Realme, ſhall ſuffer paines of death, and other penalties, forfaitures, and loſſes, as in caſes of high Treaſon by the lawes of this Realme.

2. Offence

Premunire

3. Offence

Treaſon

Death

And alſo that it may likewiſe pleaſe your highneſſe, that it may be enacted by authority aforeſaid, that no maner of perſon or perſons ſhalbe moleſted or impeached for any the offences aforeſaid, cōmitted or perpetrated, onely by preaching, teaching or wordes, vnleſſe he or they be therof lawfully indicted within the ſpace of one half yere, next after his or their offences ſo committed. And in caſe anie perſon or perſons ſhall fortune to be impriſoned for anie of the ſaid offences cōmitted by preaching, teaching, or wordes onely, & be not therof indicted, within the ſpace of one halfe yeare, next after his or their ſuch offence ſo cōmitted and done: That then the ſaid perſon ſo impriſoned ſhalbe ſet at libertie, and be no longer detained in priſon for anie ſuch cauſe or offence.

Preaching

Wordes

Halfe yere

Impriſon

Indicted

Libertie

*

Prouided alwaies, and be it enacted by the authoritie aforeſaid, that this act, or anie thing therin cōtained, ſhal not in anie wiſe extend to repeale anie clauſe, matter or ſentence, contained or ſpecified in the ſaid firſt & ſecond yeares of the raignes of the ſaide late king Philip & Quéene Marie, as doth in any wiſe touch or concerne anie matter or cauſe of Premunire, or that doth make or ordaine anie matter or cauſe to be within the caſe of Premunire, but that the ſame for ſo much onely as toucheth or concerneth anie caſe or matter of Premunire, ſhal ſtand and remaine in ſuch force and effect, as the ſame was before the making of this act: anie thing in this acte contained to the contrarie in anie wiſe notwithſtanding.

Premunire

Prouided alſo, & be it enacted by the authoritie aforeſaid, y this act, or anie thing therein contained, ſhall not in anie wiſe extend or be preiudiciall to anie perſon or perſons, for anie offence or offences committed or done, or hereafter to be cōmitted or done, contrarie to the tenor and effect of anie act or ſtatute, now reuiued by this act, before the end of xxx. daies, next after the ende of the Seſſion of this preſent Parliament: anie thing in this acte contained, or anie other matter or cauſe to the contrary notwithſtanding.

And if it happen that anie Peere of this Realme ſhall fortune to be indicted, of & for anie offence, that is reuiued or made Prꝛmunire or Treaſon by this acte: that then be ſo being indicted, ſhall haue his triall by his Peeres, in ſuch like manner and forme, as in other caſes of Treaſon hath bin vſed.

Peere

Peeres

Prouided alwaies, & be it enacted, as is aforeſaid, that no maner of order, acte, or determination, for anie matter of religion, or cauſe Eccleſiaſtical, had or made, by authoritie of this Parliament, ſhal be accepted, deēmed, interpreted, or adiudged at anie time hereafter, to be anie

errour,

Heresie errour, heresie, schisme, or schismatical opinion: any order, decree, sentence, constitution, or law whatsoeuer the same be, to the contrarie notwithstanding.

Prouided alwaies, and be it enacted by the authoritie aforesaid, that such person or persons to whom your highnes, your heires or successors shal hereafter by letters Patents, vnder the great Seale of England, giue authority to haue or execute any iurisdiction, power, or authority spiritual, or to visit, reforme, order or correct any errors, heresies, schismes, abuses or enormities, by vertue of this act, shall not in any wise haue authoritie or power to order, determine, or adiudge any matter or cause to be heresie, but only such as heretofore haue bẽn determined, ordred, or adiudged to be heresie, by the authority of ỹ canonical scripture, or by ỹ first foure generall Counsels, or any of them, or by any other generall counsel, wherin ỹ same was declared heresie, by the expresse and plain words of ỹ said canonical scriptures, or such as hereafter shal be ordred, iudged, or determined to bee heresie, by the high Court of Parliament of this Realme, with the assent of ỹ Clergie in their Conuocation: any thing in this act contained to the contrarie notwithstanding.

Letters Patents

Determine

General Counsels

Parliament

And be it further enacted by the authoritie aforesaid, that no person or persons shal be hereafter indicted or arraigned for any the offences made, ordained, reuiued, or adiudged by this act, vnles ther be two sufficient witnesses, or more, to testifie & declare the said offence wherof he shall be indicted or arraigned. And that the sayd witnesses, or so many of them as shall be liuing & within this realm, at the time of the arraignmẽt of such person so indicted, shall bee brought forth in person, face to face, before the partie so arraigned, and there shall testifie and declare what they can say against the partie so arraigned, if he require the same.

☞

Indict

2. Witnesses

Arraigne

Prouided also and be it further enacted by the authority aforesaid, that if any person or persons shall hereafter happen to giue any relefe, aid, or comfort, or in any wise be aiding, helping, or comforting to the person or persons, or any that shall hereafter happen to be an offender in any matter or cause of Præmunire or treason reuiued or made by this acte: that then such relefe, aide, and comfort giuen, shall not be iudged or taken to be any offence, vnlesse there be two sufficient witnesses at the least, that can and wil openly testifie and declare, that the person or persons that so gaue such relefe, aid, or comfort, had notice and knowledge of such offence committed and done by the said offender, at the time of such relefe, aid, or comfort, so to him giuen or ministred: any thing in this acte contained, or anie other matter or cause to the contrarie in any wise notwithstanding.

Relefe Ayde

No offence 2. witnesses

And where one pretensed sentence hath heretofore bẽne giuen in the Consistorie in Poules, before certeine iudges Delegate by ỹ authoritie Legantine of the late Cardinal Poole, by reason of a forraine vsurped power and authority against Richard Chetewood Esquire, & Agnes his wife, by the name of Agnes Woodhul, at the suit of Charles Tyrel gentleman, in a cause of matrimonie solẽnized betwẽne the said Richard & Agnes, as by the same pretensed sentence more plainely doth appeare: From the which sentence the said Richard and Agnes haue appealed to the court of Rome, which appeale doth there remaine, and yet is not determined: May it therefore please your highnes, that it may be enacted by the authority aforsaid, that if sentence in the saide appeale shall happen to be giuen at the saide Court of Rome, for, and in the behalfe of the saide Richard and Agnes, for the reuersing of the said pretensed sentence, before the end of 40. daies, nert after the end of this session of this present Parliament: that thẽ the same shall be adiudged & taken to be good & effectual in the law, & shal and may be vsed, pleaded, & allowed in any court or place within this realme: any thing in this act or in any other act or statute contained to the contrarie notwithstanding. And if no sentence shalbe giuen at ỹ court of Rome in the said appeale, for the reuersing of the said pretensed sentence before the end of the said 40. daies: That then it shal and may be lawful for the said Richard and Agnes, & either of them, at any time hereafter to commence, take, sue & prosecute their said appeale, from the said pretensed sentence, and for the reuersing of the said pretensed sentence within this realme, in such like maner and forme, as was vsed to bee pursued, or might haue bẽn pursued within this Realme, at any time since the 24. yere of the raign of the said late king Henrie the eight, vpon sentences giuen in the Court or Courtes of any Archbishop within this Realme.

Sentence

Delegate

Cardinal Poole

R. Chetewood

C. Tyrel

Rome

Sentence

Appeale

Sentence

And

And that ſuch appeale as ſo hereafter ſhal be taken or purſued by the ſaid Richard Chetelwod and Agnes, or either of them, and the ſentence that therein, or thereupon ſhal hereafter be giuen, ſhall bee iudged to be good and effectuall in the law, to all intents and purpoſes: any law, cuſtome, vſage, canon, conſtitution, or anie other matter or cauſe to the cõtrary notwithſtanding.

Prouided alſo, and be it enacted by the authoritie aforeſaid, that where there is the like appeale now depending in the ſaid Court of Rome, betweene one Robert Harecourt Merchant of the Staple, and Elizabeth Harecourt, otherwiſe called Elizabeth Robins of the one partie, and Anthonie Fidel Merchant ſtranger on the other partie, that the ſaid Robert, Elizabeth, and Anthonie, and euerie of them, ſhall and may for the proſecuting and trying of their ſaid appeale, haue and enioy the like remedie, benefit, & aduantage, in the like manner and forme as the ſaid Richard and Agnes, or any of them hath, may or ought to haue or enioy: this act or any thing therein contained to the contrary in anie wiſe notwithſtanding, An. 1. Eliz. cap. 1.

Rome. Rob. Harecourt

An. Fidel

¶ Note that by the ſtatute 23. El. ca. 1. (here 8.) euery offence againſt this Acte is inquirable, aſwel before Iuſtices of peace as other Iuſtices, hauing ſufficient iuriſdiction, within one yeere and a day after the offence committed.

5 ¶ We your ſaid moſt louing, faithful and obedient ſubiects, repreſenting the three eſtates of your realme of England, as thereunto conſtrained by the law of God & man, except we ſhould ouermuch forget our dueties to your highneſſe, and to the heirs of your body lawfully begotten, can no leſſe doe, but moſt humbly beſeech your highnes, that by authoritie of this preſent Parliament it may bee enacted, eſtabliſhed, & declared, þ we do recogniſe, acknowledge, and confeſſe the ſame your eſtate, right, title, & ſucceſſion, as is aforeſaid, to be in, and to your highneſſe, and the heirs of your body to be begotten, throughly & in the whole, and in euery part thereof, in ſuch maner & forme as before is mentioned, declared, or confeſſed: and thereunto moſt humbly and faithfully we doe ſubmit our ſelues, our heires & poſterities for euer. And further do make our moſt hearty & humble petitions vnto your highneſſe, that it may

Acknowledge Succeſſion Heires

pleaſe the ſame not onely to accept this our ſaid recognition, but alſo our faithful promiſes, that wee according to our dueties, ſhall and wil ſtand to, aſſiſt, & defend your royal Maieſtie, & the heires of your body to bee begotten, being kings and Quenes of this Realme, and your ſaide rights and titles in, and to the ſaid Imperial ſtate, place, crowne, & dignitie, in all things thereto belonging at all times to the vttermoſt of our poſſible powers, and therin to ſpend our bodies, lands, & goods, againſt al perſons whatſoeuer, that any thing ſhal attempt to the contrarie. And that it may be enacted by the authoritie aforeſaid, that aſwel this our declaration, confeſſion, and recognition, as alſo the limitation & declaratiõ of the ſucceſſiõ of þ imperial Crown of this realme, mentioned & contained in the ſaid act made þ ſaid 35. yere of þ raign of your ſaid moſt noble father, ſhal ſtand, remain, & be by the law of this realme for euer. And that all ſententes, iudgements, & decrees, had, made, declared, ſet forth, publiſhed and promulged, & alſo as much of euery clauſe, article, branch, matter, or thing contained & expreſſed in any act or acts of Parliament as be in any thing repugnant, contrary, or derogatorie to this our ſaid confeſſion, declaration, and recognition, or to anie part or parcel thereof, or contrarie to the ſaid limitation of the ſucceſſiõ of the Imperial Crowne, eſtabliſhed and made by the ſaid act in the ſaide xxxv. yere of the raigne of the ſaid late king Henrie the 8. (by whatſoeuer power or authoritie the ſame been, or haue been had or made) ſhall be vtterly fruſtrate, void, and of none effect. And alſo ſhall and may be cancelled, defaced, and put in perpetual oblition, at your highneſſe wil and pleaſure, as if the ſame had neuer been had ne made, declared, ſet forth, publiſhed, or promulged. An. 1. Eliz. cap. 3.

Recognitiõ

Sentences Iudgments

Void.

6 ¶ For the preſeruation of the M. Maieſtie, her heires and ſucceſſors, & the dignitie of the Imperial Crowne of this realme, & for auoiding ſuch inconueniences and diſhonors, as haue before time fallen, by meanes of the vntruſtly claimed & vſurped authority & power of the See of Rome, and the more reſtraint, & sharper correction of the fautors thereof: Be it enacted, that if any perſon or perſons, dwelling, inhabiting, or reſiant within this Realme, or within any other the Quenes dominions, ſeignories, or coũtries,

tries, or the marches of the same, or elsewhere within or vnder her obeisãce & power, of what estate, dignity, preeminẽce, order, degrẽ, or cõdition soeuer he or they be, after the 1. day of April, which shall be in the yere of our Lord God 1563. shal by writing, ciphring, printing, preaching, or teaching, deed or act, aduisedly, & willingly, hold or stand with, to extoll, set forth, maintaine, or defend the authority, iurisdiction, or power of the B. of Rome, or of his Sée, heretofore claimed, vsed or vsurped within this realme, or in any dominions or countrie, being of, within, or vnder the Quéens power or obeisance: or by any spech, opẽ deed or act, aduisedly & wittingly attribute any such maner of iurisdiciõ, authoritie, or preheminẽce to the said Sée of Rome, or to anie B. of the same Sée for the time being, within this realme, or in any the Quénes dominions or coũtries: that then euery such person or persons, so doing or offending, their abettors, procurers, & counsellers, & also their aiders, assistants & comforters, vpon purpose & to the intent to set forth, further, & extoll the said vsurped power, authority or iurisdiction, of any of the said Bishop or bishops of Rome, & euery of them, being thereof lawfully indicted or presented within one yere next after any such offẽces by him or them committed, & being lawfully conuicted or attainted at any time after, according to ỳ lawes of this realme, for euerie such default & offence shal incurre into the dangers, pẽalties, paines & forfaitures, ordained & prouided by the statute of Prouision & Pręmunire, made in the 16. yere of the raigne of king R. the second (which see after in Prouision 14.)

And it is also enacted by the authoritie aforesaid, that aswel Justices of Assise in their circuites, as Justices of peace within the limits of their cõmission & authorities, or 2. of euery such Justices of peace at the least, whereof one to be of the Quorum, shall haue full power & authoritie by vertue of this act, in their quarter or opẽ Sessions, to enquire of all offences, contempts, & transgressions, perpetrated, cõmitted or done, contrary to the true meaning of the premisses, in like manner and forme, as they may of other offences against the Quéns peace, & shal certifie euery presentment afore them, or any of them, had or made, concerning the same, or any part therof, before the Quéne, her heires & successors in her or their Courte, commonly called the K. bench, within 40 daies next after any such presentment had or made, if the Terme be then open, and if not, at the first day of the full terme next following the said 40. daies, vpon paine that euery of the Justices of Assises or Justices of peace before whõ such presentment shall be made, making default of such certificat, contrary to this statute, to lose and forfaite for euery such default C li. to the Quénes highnelle, her heires and successors.

And it is enacted &c. that the Justices of the K. bench, aswel vpon euery such certificate, as by enquirie before themselues within the limits of their authorities, shal haue ful power & authority, to heare, order, & determine euery such offẽce done or committed contrary to the true meaning of this present acte, according to the lawes of this realme, in such like maner & forme, to all intents & purposes, as if the person or persons against whom any presentment shall be had vpon this statute, had ben presented vpon any matter or offense, expressed in the said statute, made in the said 16. yeere of king R. the second.

And be it enacted &c. that aswel all maner of persons expressed & appointed, in, & by the acte made in the first yére of the Quénes Maiesties raigne that now is, intituled, An act restoring to the Crowne the antient iurisdiction ouer the state Ecclesiastical and spirituall, and abolishing all forraine powers repugnant to the same (before 41.) to take the Oth expressed, and set forth in the same, as all other persons which haue taken, or shall take orders, commonly called, Ordines sacros, or Ecclesiastical orders, haue ben, or shal be promoted, preferred, or admitted to any degrée of learning, in any Vniuersitie within this realme, or dominions to the same belonging. And al Schoolemaisters, and publike & priuate teachers of children, as also all maner of person & persons that haue taken, or hereafter shal take any degree of learning, in, or at the common lawes of this Realme, aswel vtter barresters, as benchers, readers, ancients in any house or houses of court, and all principal Treasurers, & such as be of the grand company in euery Inne of Chancerie, & all Atturnies, Prothonotaries, and Philizers, towards the lawes of this realme, and all manner of Sheriffes, Escheators, and Feodaries, and al other person & persons which haue taken or shall take vp-

Writing Ciphring Printing Preaching

Bishop of Rome

Preheminence Rome

Abetters Counsellers Aiders

Indicted

Conuict Attaint

Paines

Iust. of Aff.

2. Iust. one of the Q.

Quarter Sessions Enquire

Certifie

K. Bench

Iust. of P.

Default Forf. C. li.

Iust. of the kings bench

Oth

Diuers

Schoole Maisters

Vtter barresters Benchers Houses of courts Inne of Chancerie Attorneyes Prothonotaries Philizers Sheriffes Escheators Feodaries

on hī or them, to haue bēn, or shalbe admitted to any ministery or office, in, at, or belonging to the common lawe, or any other lawe or lawes, or to, or for the execution of them, or any of thē, vsed, or allowed, or at any time hereafter to be vsed or allowed within this realm, or any of the dominions or Countries belonging, or which hereafter shal happen to belong to the Crowne or dignity of the same & al other officers or ministers, of, or towards any court whatsoeuer, & euery of them, shal take & pronounce a corporal oth vpon the Euangelists, before he or they shal be admitted, allowed, or suffered to take vpō him or them, to vse, exercise, supply, or occupie any such vocatiō, office, degree, ministery, rowme, or seruice, as is aforesaid, & that in the open court, whereunto he doth or shall serue or belong. And if he or they do not, or shal not serue or belong to any ordinary or open court, thē he or they shal take & pronounce the oth aforesaid, in an open place, before a conuenient assembly to witnesse the same, & before such person or persons, as haue, or shal haue authority by common vse or other wise, to admit or cal any such person or persons, as is aforesaid, to any such vocatiō, office, ministery, rowme, or service, or els before such person or persons, as by the Q. highnes, her heirs or successors by commission vnder the great seale of Englād, shal be named or assigned, to accept & take the same according to the tenor, effect, and forme of the same oth verbatim, which is, and as it is already set forth to be taken, in the aforesaid act made in the first yere of the Queenes Maiesties raigne.

Commissiō

Archbishop Bishop

And be it enacted, that euery Archbishop and Bishop within this realme, and dominions of the same, shal haue full power and authoritie by vertue of this acte, to tender or minister the oth aforesaid, to euery or any Spiritual or Ecclesiastical person within their proper Diocess, alwel in places & iurisdictions exempt, as elsewhere. And be it enacted &c. that the L. Chancelor, or Keeper of the great Seale of England for the time being, shal & may at al times hereafter, by vertue of this act without further warrant, make and direct Commission or Commissions vnder the great Seale of England, to any person or persons, giuing thē or some of them, thereby authority to tender or minister the oth aforesaid, to such person or persons, as by the foresaide Commission or Commissions, the said Commissioners shal be authorised to tender the same Oth vnto.

Chancelor

Commissiō

And be it enacted, &c. that if any person or persons, appointed or compellable by this act, or by the said act made in the saide first yeere to take the said othe, or if anie person or persons, to whom the said othe by any such commission or commissions, shal be limitted and appointed to be tendred, as is aforesaid, do, or shal at the time of the said oth so tendred, refuse to take or pronounce the said oth in maner & forme aforesaid, that then the partie so refusing, and being thereof lawfully indicted or presented, within one yere next after anie such refusall, & conuicted or attainted at any time after, according to the lawes of this Realme, shall suffer & incurre the dangers, penalties, paines & forfaitures, ordained and prouided by the Statute of Prouision & Premunire aforesaid, made in the 16. yere of the raigne of king Richard the second.

Refuse Indicted

Attaint

Premunire

And bee it enacted by the authoritie aforesaid, that al and euerie person & persons, hauing authority to tender the oth aforesaid, shal within 40 dāies next after such refusal or refusals of the said othe (if the Terme be then open) and if not, then at the first day of the full terme next following the said 40. daies, make true certificate vnder his or their seale or seales, of the names, places, & degrees of the person or persons so refusing the same othe, before the Quēne her heirs or successors, in her or their court, commonly called the kings Bench, vpon paine that euerie of the said persons hauing such authoritie to tender the said oth, making default of such certificate, shall for euerie such default forfait one hundred pounds to the Quenes highnes, her heires and successors. And that the Sheriffe of the County where the said Court, commonly called the kings Bench, shal for the time be holden, shal & may by vertue of this acte, empanel a Iury of the same County, to inquire of, & vpō euery such refusal or refusals, which Iury shal & may vpon euerie such certificate, & other euidence to them in that behalf to be giuē by vertue of this act, proceede to indict the person and persons so offending, in such sort & degree, to all intents and purposes, as the same Iurie may do any office or offences, against the Quenes Maiesties peace, perpetrated, committed or done, within the same

Certificat

K. Bench

Fork. C.li.

Sheriffe

Iuris

Indict

County,

Countie, of & for the which, the same Jurie is so impanelled. And for stronger defence and maintenance of this acte, It is further ordained and enacted &c. that if anie such offender or offenders, as is aforesaid, of the first part or branch of this statute: that is to say, by writing, cyphring, printing, preaching or teaching, deede, or acte, aduisedly & wittingly holde, or stand with, to extol, set forth, maintaine, or defend the authoritie, iurisdiction, or power of the Bishop of Rome, or of his See, heretofore claimed, vsed or vsurped within this Realme, or in any dominion or countrie, being of, within, or vnder ỳ Quéenes power or obeisance, or by anie speech, open deede or acte aduisedly and wittingly attribute any such manner of iurisdiction, authoritie, or preheminence to the sayde See of Rome, or to any Bishop of ỳ same See for the time being, within this realm, or in any the Quéenes dominions or cõuntries, or bee to any such offender or offenders, abbetting, procuring, or counselling or aiding, assisting, or comforting, vpon purpose & to the intẽt to set forth, further, & extoll the said vsurped power & authoritie, or iurisdiction, after such conuiction & attainder, as is aforesaid, doe either cõmit or do the said offences, or any of them, in maner & forme aforesaid, and be thereof duely conuicted & attainted, as is aforesaid, & also that if any the persons aboue named, & appointed by this act to take the Oth aforesaid, do after the space of 3. moneths next after the first tender thereof, the second time refuse to take, and pronounce, or doe not take or pronounce the same in forme aforesaid to be tẽdred: that then euery such offender & offenders, for the same second offence & offences, shall forfait, lose, & suffer such like, & the same paines, forfaitures, iudgements, & execution, as is vsed in cases of high treason.

Offender

Writing Cyphring Printing

Bishop of Rome

Speech

Aiding

Attainder

Othe 3. Moneths

2. Offence Forf.

Treason

Prouided alwaies, that this act, nor any thing therein contained, nor any attainder to be had by force & vertue of this act, shal not extend to make any corruption of blod, the disheriting of any heire, forfaiture of any Dower, nor to the preiudice of the right or title of any person or persons, other then the right or title of the offender or offenders, during his, her, or their natural liues only. And that it shal & may be lawful to euery person & persons to whom the right or interest of any lãds, tenements, or hereditaments after the death of any such offender or offenders, should or might haue appertained, if no such attainder had been, to enter in the same without Ouster le maine to bee sued in such sort, as he or they might haue done if this act had neuer been had ne made.

No corruption of blood Heire Dower

Ouster le maine

Prouided also, that the Oth expressed in the said acte, made in the said first yeere, shal be taken & expounded in such forme, as is set forth in an Admonition annexed to the Quéenes Maiesties Iniunctions, published in the first yeere of her Maiesties raign: that is to say, to confesse & acknowledge in her Maiestie, her heires & successors, none other authoritie thẽ that which was challenged & lately vsed by the noble king Henrie the eight, & king Edward the first, as in the said Admonition more plainly may appeare.

Iniunctions

And be it enacted by the authority aforesaid, that this act shal bee openly read and published, and declared at euery quarter Sessions by the Clerke of the Peace, and at euery Leete and Lawday, by the Steward of the court, & once in euery terme in the open hall of euery house and houses of Court and Chancerie, at the times, and by the persons thereunto to bee limitted and appoynted by the Lord Chancellor, or Keeper of the great Seale for the time being.

Quarter Sessions Clerk of P. Leete Steward

Innes of Court and Chancerie

Chancelor

And bee it further enacted, that euerie person which hereafter shall be elected, or appointed a Knight, citizen, or Burgesse, Baron for any of the fiue Ports, for anie Parliament, or Parliaments, hereafter to be holden, shall from henceforth before he shal enter into the Parliament house, or haue any voice there, openly receiue & pronounce the said Oth, before the Lord Steward for the time being, or his deputie or deputies for that time to be appointed. And that he which shall enter into ỳ Parliament house, without taking the said oth, shal be deemed no Knight, Citizen, Burges, nor Baron for that Parliament, nor shall haue any voice, but shalbe to al intents, constructions and purposes as if hee had neuer been returned nor elected Knight, Citizen, Burgesse, or Baron for the Parliament, and shall suffer such paines & penalties, as if he had presumed to sit in the same without electiõ, return, or authoritie.

Knight Citizen Burgesse Baron of 5. Ports

Oth L. Steward

No Knight

Paine

Prouided alwaies and bee it enacted by authoritie aforesaid, that this acte, nor anie thing therein contayned, shall not extend to compell anie temporall person, of or aboue the degree of a Baron of this

Temporall person Baron

Realme

Realme to take or pronounce the othe aboue said, nor to incurre any penaltie limited by this acte, for not taking or refusing the same: any thing in this acte to the contrarie in any wise notwithstanding.

Almes — Prouided and be it enacted, &c. that charitable giuing of reasonable almes to any of the offender or offenders aboue specified, without any fraud or couin, shal not be taken or interpreted to be any such abetment, procuring, counsaling, aiding, assisting, or comforting, as thereby the giuer of such almes shall incurre ante paine, penaltie, or forfaiture appointed in this acte.

Abetting

Peere — Prouided also &c. that if any Peere of this Realm shal hereafter offend contrarie to this acte, or anie branch or article thereof, that in that and all such case and cases, they shal be tried by their Peeres, in such like maner and forme, as in other cases of treasons they haue vsed to be tried, and by none other meanes.

Trial

Prouided also &c. that no person shal be compelled by vertue of this acte, to take the oth aboue mentioned, at or vpon the second time of offering the same according to the forme appointed by this statute, except the same person hath been, is, or shall be an Ecclesiastical person, that had, hath or shal haue in the time of one of the raignes of the Quenes Maiesties most noble father, brother, or sister, or in the time of the raign of the Quenes Maiestie, her heirs or successors, charge, cure or office in the Church: or such person or persons as had, hath or hereafter shall haue anie office or ministerie in any Ecclesiastical Court of this Realm, vnder any Archbishop or Bishop, in any ý times or raignes aforesaid, or such person or persons as shal wilfully refuse to obserue the orders and rites for diuine service, that be authorised to be vsed and obserued in the Church of England, after that he or they shall bee publikely by the Ordinarie, or some of his officers for Ecclesiastical causes, admonished to keepe and obserue the same: Or such as shal openly and aduisedly depraue by wordes, writings or any other open facte, any of the rites and ceremonies at any time vsed & authorised to be vsed in the Church of England: Or that shal say or heare the priuate Masse, prohibited by the lawes of this Realme, & that al such persons shal be cõpellable to take the Oth vpon the second tender or offer of the same, and incurre the penalties for not taking of the saide Othe, and none other.

Ecclesiastical person — Office — Refuse Rites — Ordinarie — Moyns Clayming — Masse — ii. Tender: Penalty

And forasmuch as it is doubtfull, whether by the lawes of this Realm, there be any punishment for such as kill or slay any person or persons attainted, in or vpon a Premunire: Be it therefore enacted by the authoritie aforesaid, that it shall not be lawfull to any person or persons, to slay or kil any person or persons, in anie maner attainted, or hereafter to bee attainted, of, in, or vpon any Premunire, by pretence, reason or authority of any iudgment giuen, or hereafter to be guen, in, or vpõ the same, by pretence, reason or force of any word or wordes, thing or thinges, cõtained or specified in any statute or law of Prouision and Premunire, or in any of them: Any law or statute, or opinion, or exposition of any law or statute to the cõtrary in any wise notwithstanding. Sauing alwaies the due execution of al and euery person or persons attainted, or to be attainted for any offence, whereupon iudgemẽt of death now is, or ought to be, or hereafter may lawfully bee giuen, by reason of this statute or otherwise: & sauing alway al & euery such pains of death, or other hurt or banishment, as heretofore might without danger of law be done vpon any person or persons that shal send or bring into this Realme, or any other the Quenes dominions, or within the same shal execute any Summons, sentence, excommunication, or other proces against any person or persons from the Bishop of Rome, for the time being, or by, or from the See of Rome, or authority, or iurisdiction of the same See.

Kill — Pretence — Execution — Judgement — Summons Sentence Excommunication B. of Rome

Prouided alwaies, &c. that no person or persons shal hereafter be indicted for assisting, aiding, maintaining, comforting or abbetting of any person or persons, for any the said offences, in extolling, setting forth or defending of the vsurped power and authority of the Bishop of Rome, vnlesse he or they be thereof lawfully accused by such good and sufficient testimonie, or proofe, as by the Iurie by whom he shal bee so indicted, shall be thought good, lawfull and sufficient to proue him or them guilty of the saide offences. Ann. 5. Eliz. cap. 1. ★

Indicted Aiding — B. of Rome

7 ¶ Where in the Parliament holden at Westminster, in the fifth yere of the raigne of our Soueraigne Ladie the Quenes Maiestie that nowe is, one acte and statute verie good was made, intituled:

tituled: An act for the assurance of the Quenes Maiesties royal power over all states and subiects within her highnesse dominions (which see before, 6.) for the abolishing of the vsurped power and iurisdiction of the Bishop of Rome, and of the See of Rome, heretofore vnlawfully claimed and vsurped within this Realme, and other the dominions to the Quenes Maiestie belonging: And yet neuertheless, diuers seditious and very euill disposed people, minding as it should seeme, verie seditiously and vnnaturally, not only to bring this Realme, and the imperiall Crowne thereof (being in verie deed of it selfe most free) againe into the thraldome and subiection of the forreine, vsurped and vnlawful iurisdiction, preheminence and authoritie claymed by the saide See of Rome: but also to estrange and alienate the mindes and hearts of sundry her Maiesties subiects, from their dutifull obedience, and to raise and stirre sedition and rebellion within this Realme, haue lately procured and obtained to themselues, from the saide Bishop of Rome, and his said See, diuers bulles and writings, the effect wherof hath ben and is, to absolue, and reconcile all those that will bee contented to forsake their due obedience to the Quenes Maiestie, and to yelde and subiect themselues to the said fayned, vnlawfull and vsurped authoritie: and by colour of the said bulles and writings, the said persons very secretly, and most seditiously, in such partes of this Realme, where the people for want of good instruction are most weake, simple, and ignorant, and thereby fardest from the good vnderstanding of their duties towards God & the Quenes Maiesty, haue by their lewd & subtil practises & perswasions, so far forth wrought, that sundrie simple & ignorant persons haue ben contented to be reconciled to the said vsurped authoritie of the See of Rome, and to take absolution at the handes of the said naughtie & subtil practisers, whereby hath growen great disobedience & boldnes in many, not only to withdraw and absent themselues frō al diuine seruice, now most godly set forth & vsed within this Realme, but also haue thought themselues discharged, of, & from al obedience dutie and allegeance, to her Maiestie, whereby most wicked & vnnatural rebellion hath insued, & to the further danger of this Realme, is hereafter very likely to be renued, if the vngodly & wicked attempts in that behalf, be not by seueritie of lawes in time restrained and brideled: For remedie & redresse whereof, and to preuent the great mischieues & inconueniences that therby may insue: Be it enacted by the Quenes most excellent Maiestie with the assent of the Lords spirituall & temporal, and the Commons in this present Parliament assembled, & by authoritie of the same: that if any person or persons, after the first daie of July next comming, shall vse, or put in vre in any place within this Realme, or in any the Quenes dominions, any such bull, writing or instrument, written or printed, of absolution, or reconciliation, at any time heretofore obtained and gotten, or at any time hereafter to bee obtained or gotten from ỳ said Bishops of Rome, or any his successors, or frō any other person or persons authorised, or claiming authority, by or from the saide Bishop of Rome, his predecessors, or successors, or See of Rome: Or if anie person or persons after the said first daie of Julie, shall take vpon him or them by colour of anie such bull, writing, instrument or authority, to absolue, or reconcile anie person or persons, or to grant or promise to anie person or persons within this Realme, or anie other the Quenes Maiesties dominions, any such absolution, or reconciliation, by anie speech, preaching, teaching, writing or anie other opē deede: Or if anie person or persons within this Realm, or any the Q. dominions, after the saide first daie of Julie, shal willinglie receiue & take anie such absolution or reconciliation: Or els if anie person or persons haue obtained or gotten since ỳ last day of the Parliament holden in ỳ first yeere of the Q. Maiesties raigne, or after the said first daie of Julie, shal obtaine or get, from the said Bishop of Rome, or any his successors or See of Rome, anie maner of bull, writing or instrumēt, writtē or printed containing any thing, matter or cause whatsoeuer, or shal publish, or by anie waies or meanes put in vre any such bul, writing or instrument: That then al & euery such acte and acts, offence & offences, shal be deemed and adiudged by the authority of this act, to be high treason, and the offender and offenders therein, their procurers, abbetters & counsellers to the fact and committing of the said offence or offences, shal be deemed and adiudged high Traitors to the Quene and the Realme: and being therof

Bull
Absolue
Promise
Shal receiue
Hath receiued
Bull
Publish
Treason
Procurers

therof lawfully invited and attainted, according to the course of the lawes of this Realme, shal suffer paines of death, & also lose & forfait al their landes, tenementes, hereditaments, goods & catteis, as in cases of high treason, by the lawes of this Realme, ought to be lost and forfaited.

Comfor-ters after.

And be it further enacted by the authoritie aforesaid, that al & every aiders, comforters, or maintainers of any of the said offender or offenders, after the committing of any of the said acts or offences, to the intent to set forth, vphold or allow the doing or execution of the said vsurped power, iurisdiction or authority, touching or cõcerning the premisses, or any part therof, shall incurre the paines and penalties contained in the statute of Premunire, made in the xvi. yere of the raign of king Richard the 2. Prouided alwaies, & be it further enacted by authority aforesaid, that if any person or persons to whom any such absolution, reconciliation, bull, writing or instrument, as is aforesaid, shal after the first day of July, be offered, moued or perswaded to be vsed, put in vre, or executed, shal cõceale the same after, motion or perswasion, & not disclose & signifie the same by writing, or otherwise, within fire weeks the next following, to some of the Queenes Maiesties priuie Counsel, or vnto the president or vicepresident of the Queenes Maiesties Counsel established in the North parts, or in the Marches of Wales, for the time being: & the same person or persons so concealing, & not disclosing, or not signifying the said offer, motion or perswasion, shall incurre the losse, danger, penalty & forfaiture of misprision of high treason. And that no person or persons shal at any time hereafter be impeached, molested or troubled, in, or for misprision of treason, for any offence or offences made treason by this acte, other then such as by this act are aforce declared to be in case of misprision of high treason. And be it further enacted by the authority aforesaid, that if any person or persons shall at any time after the said first day of July, bring into this Realm of England, or any the dominions of the same, any toke or tokens, thing or things, called or named by the name of an Agnus dei, or any crosses, pictures, beades or such like vaine & superstitious things, from the Bishop or See of Rome, or from any person or persons not authorised or clayming authority, by or from the said Bishop or See of Rome, to consecrate or hallow the same (which said Agnus dei, is vsed to be specially hallowed & consecrated, as it is termed, by the saide Bishop in his owne person, & the said crosses, pictures, beades and such like superstitious things, here also hallowed either by the same Bishop, or by others, having power, or pretending to have power for the same, by or from him, or from him or his said See, and diuers pardons, immunities & exemptions granted by the authoritie of the said See, to such as shal receiue & vse the same:) & that if the same person or persons so bringing in, as is aforesaid, such Agnus dei, & other like things as bin before specified, shal deliuer or cause, or offer to be deliuered the same or any of them to any subiect of this Realme, or of anie the Dominions of the same, to be worne or vsed in any wise: that then aswell the same person & persons so doing, as also al & euerie other person or persons which shal receiue and take the same, to the intent to vse or weare the same, being therof lawfully conuicted and attainted by the order of the common lawes of this Realm, shal incurre vnto the dãgers, penalties, paines, and forfaitures, ordained and prouided by the statute of Premunire and Prouision made in the xvj. yere of the raigne of king Richard the 2.

Premunire.

Offer Conceale

vi. Weekes

Wilfull.

Bring

Agnus dei Crosses Beades

Prouided neuertheless, and be it further enacted by the authoritie aforesaid, that if any person or persons to whome any such Agnus dei, or other the things aforesaid shal be tendred and offered to bee deliuered, shall apprehend the partie so offering the same, and bring him to the next Iustice of peace of that shire where such tender shall be made (if he shall bee of power and able so to doe) or for lacke of such abilitie, shall within the space of three daies next after such offer made as is aforesaid, disclose the name & names of such person or persons as so shal make the same offer, and the dwelling place, or places of resort of the same person or persons (which hee shall endeuour himselfe to know by all the waies and meanes he can) to the Ordinaris of the Diocies, or to anie Iustice of peace within that shire, where such person or persons, to whom such offer shal be made as is aforesaid, shall be resident: & also if such perso or persons to whom such offer shall bee made, shall happen to receiue anie such Agnus dei, or other thing aboue remembred, and shall within the space of one daie next after such receipt,

Deliuer Offer

To be worn

Receiue

Premunire

Apprehend Next Iust. of peace.

iii. daies

Iust. of P.

deliuer

deliuer the same to any Iustice of Peace, within the same shire where the party so receiuing shalbe then resiant, or shal happen to be: that then euery such person or persons doing any of the acts or things in this Proviso aboue mentioned, in forme aboue declared, shall not by force of this statute incurre any danger or penalty appointed by this statute, or any other paine or penaltie: this act or any thing therein conteyned to the contrary in any wise notwithstanding.

Deliuer. One day. Any I. of p.

And be it further enacted &c. that al and euery person and persons, which at any time since the beginning of the first yeere of the Q. Maiesties reigne that nowe is, haue brought, or caused to be brought into this Realm, any such bulls, writings or instruments of reconciliation, only as are aboue mentioned, & now haue any of the same bulles, writings or instruments, in his or their handes or custody, and shall & do within the space of three moneths nert after the end of any Session or dissolution of this present Parliament, bring & deliuer all such bulles, writings and instruments, which they, or any of them nowe haue in his or their custodie, to the Bishop of the Diocesse where such absolution hath bin giuen and receiued, to the intent that the same bulles, writings or instruments may be cancelled and defaced: and shal openly and publikely before such Bishop, confesse and acknowledge his or their offence therein, & humbly desire to be receiued, restored and admitted to the Church of England, shall stand and be clerely pardoned and discharged of al and euery offence and offences, done or committed in any matter or cause concerning any of the said bulles, writings or instruments, for, or touching such absolution, or reconciliation only. And that al & euery person and persons, which haue receiued, or taken any absolution from the said Bishop of Rome, or his said Sea of Rome, of any reconciliation vnto the saide B. of Rome, or to the saide Sea of Rome, whence the said first yeere of the reigne of our said Soueraigne Lady the Queene, and shal within the said space of three moneths next after any Session or dissolution of this present Parliament, come before the Bishop of the Diocesse of such place where such absolution or reconciliation was had or made, and shal publikely and openly before the same Bishop confesse and acknowledge his or their offence therein, and humbly desire to be receiued, restored and admitted to the Church of England, shall likewise stand, and be clerely pardoned and discharged of al and euery offence and offences done and committed in any matter or cause concerning the saide bulles, writings or instruments, for or touching onely receiuing of such absolution, or reconciliation: & for and concerning all absolution or reconciliacion, had or receiued by colour of any of the saide bulles, writings or instruments onely.

First yeare

Bulles iii. moneths

Confesse

Prouided also, and be it &c. that if any Iustice of Peace, to whom any matter or offence before mentioned, shalbe vttered, shewed or declared, as is aforesaid, do not within the space of viij dayes next after it shal be to him shewed, or vttered, signifie or declare the same to some one of the Q. Maiesties priuie Counsell: that then the same Iustice of P. shall incurre the danger, paine and forfaiture, prouided by the said statute made in the said yeere of king Richard 2.

Iust. of P.

viij. Dayes

Declare Q. Counsel

Forf.

Prouided also, and be it &c. that if any Nobleman being a Peer of this Realme shall at any time hereafter happen to be indicted for any the offence or offences aforesaid: that then euery such Noble man and Peere of this Realme, shall haue his triall by his Peeres, as in cases of high Treason and Misprision of Treason hath heretofore bin accustomed or vsed: sauing to all and euery person and persons, bodies politike and corporate, their heires and successours, and the heires and successours of euery of them (other then the said offenders and their heires, claiming only as heire or heires to any such offenders, and such person and persons as claime to any their vses) al such rights, titles, interests, possessions, leases, rents, reuersions remainders, offices, fees & all other profites, commodities & hereditaments, as they or any of them shall haue at the day of the committing of such offence or offences, or any time before, in as large & ample maner, to all intents and purposes, as if this acte had neuer beene had or made any thing herein conteyned to the contrary thereof notwithstanding. Anno 13. Eliz. cap. 2.

Peeres.

Saning

Rightes.

Note by the statute of 23. Eliz. cap. 1. heere next following, euery offence against this statute, is inquirable aswell before the Iustices of Peace, as other Iustices herein named, within one yeere and a daye after

after the offence committed

8 ¶ Where sithence the statute made in ỳ 13. yeere of the reigne of the Queene our Soueraigne Lady (cap. 2.) entituled, An acte against the bringing in and putting in execution of bulles, writings, and instrumentes, and other superstitious things from the Sea of Rome (which see here 7.) diuers euill affected persons haue practised, contrary to the meaning of the saide statute, by other meanes then by bulles or instruments, written or printed to withdrawe diuers the Quænes Maiesties subiects, from their naturall obedience to her Maiestie, to obay the said vsurped authoritie of Rome, and in respect of the same, do perswade great numbers to withdrawe their due obedience to her Maiesties Lawes established for the due seruice of Almightie God. For reformation whereof, and to declare the trüe meaning of the said law: Be it declared & enacted by the authoritie of this present Parliament, that al persons whatsoeuer which haue or shall haue, or shall pretend to haue power, or shall by any waies or meanes put in practise to absolue, perswad or withdrawe any the Quænes M. subiects, or any within her highnesse Realmes and Dominions, from their natural obediẽce to her Maiestie, or to withdrawe them for that intent from the religion now by her highnes authoritie established within her highnesse Dominions to the Romish religion, or to moue them or any of them to promise any obedience to any pretended authoritie of the Sea of Rome, or of any other Prince, State or Potentate, to be had or vsed, within her Dominions, or shal do any ouert act to ỳ intent or purpose, & euery of them, shal be to all intents adiudged to be Traitors, & being thereof lawfully conuicted, shall haue iudgement, suffer and forfaite, as in case of high Treason. And if any person shal after the end of this Session of Parliament, by any meanes be willingly absolued, or withdrawen as is afore saide, or willingly be reconciled, or shall promise any obedyence to any such pretended authoritie, prince, state or potẽtate, as is aforesaid: that then euery such person, their procurors & counsellers thereunto being thereof lawfully conuicted, shalbe taken, tried and iudged, and shall suffer and forfaite in cases of high Treason. And be it likewise enacted and declared, that all and euery person & persons, that shal wittingly be aydors, or maintaynors of such persons so offending, as is aboue expressed, or of any of them knowing the same, or which shall conceale any offence aforesaide, and shall not within xx. dayes at the furthest, after such persons knowledge of such offence, disclose the same to some Iustice of Peace, or other higher officer: Shall be taken tried and iudged, and shall suffer and forfaite as offenders in Misprision of Treason. And be it likewise enacted, that euery person which shall saye or sing Masse, being thereof lawfully conuicted, shal forfaite the sume of CC. Markes, and be committed to prison in the next Gaole, there to remayne by the space of one yeere, and from thence forth till he haue paied the said summe of CC. markes. And that euery persõ which shall willingly heare Masse, shall forfaite the summe of C. Markes, and suffer imprisonment for a yeere. Be it also further enacted by the authoritie aforesaide, that euerie person aboue the age of xvi. yeeres which shall not repaire to some Church, Chappel or vsual place of Commõ prayer, but forbeare the same, contrary to the tenour of a statute made in the first yeare of her Maiesties reigne, for vniformitie of Common prayer, (which see in seruice 5.) and being thereof lawfully conuicted, shal forfaite to the Q. Maiestie for euery moneth after the ende of this session of Parliament, which he or shee shall so forbeare, xx. li. of lawfull English money. And that ouer and besides the said forfaitures, euery person so forbearing by the space of xii. moneths, as is aforesaid, shall for his or her obstinacie, after certificate thereof in writing made into the Court, cõmonly called the kings Bench, by the Ordinarie of the dioces, a Iustice of assise and Gaole deliuery, or a Iustice of Peace of the County where such offendour shall dwell or be, be boũd with two sufficient sueries, in the summe of CC. pounds at the least, to the good behauiour, and so to cõtinue bound vntil such time as the persons so bound do conforme themselues, & come to the Church, according to the true meaning of the said Statute, made in the said first yeare of the Queenes Maiesties reigne. And be it further enacted, that if any person or persons, body politike or corporate, after the feast of Peterost next comming, shall keepe or mainteine any Schoolemaster, which shal not repaire to Church as is aforesaide, or be allowed by the

Absolue
Withdraw.
Religion
Obedience
Rome
Treason
Absolued
Obedience
Procurers
Treason
Maintainers.
Conceale
xx. Dayes
Iust. of P.
Misprif.
Say Masse
For.
Year. Masse. Forf.
Not repaire to Church
l. Moneth
Forf. xx. li.
xii. moneths Certificat.
Bound
Good behauiour
Keep schoolmaster
Not repaire

the Bishop or Ordinary of the Dioces, where such Schoolemaster shall be so kept, shall forfaite and lose for euery moneth so keeping him x.li. (Prouided that no such ordinary or their Ministers shall take any thing for the said allowance.) And such schoolemaster or Teacher presuming to teach contrary to this acte, and being therof lawfully conuict, shalbe disabled to be a teacher of youth, and shall suffer imprisonment without baile or mainprise for one yeere.

Fork.

Schoolemaster Teach

Without baile

And be it likewise enacted, that all and euery offeces against this act, or against the acts of the first, fifth, or viii. yeeres of her Maiesties reigne, touching acknowledging of her Maiesties supreame gouernmēt in causes ecclesiastical, or other matters touching the seruice of God, or comming to Church, or establishment of true religion in this Realme, shal & may be inquirable, aswell before Justices of Peace, as other Justices named in the same statutes within one yere & a day after euery such offence committed, any thing in this act, or in any other act to the contrary not withstanding. Be it likewise enacted, that Justices of Oier & Terminer, & Justices of Assise, & of Gaole delinery, in their seueral limits, shal haue power to enquire, heare and determine of all offices against this statute. And Justices of Peace in their open Quarter Sessions of Peace, shall haue power by vertue of this acte to enquire, heare and determine of al offences against this acte, (except Treason and Misprision of Treason).

Iust. of P. Inquire One yeere and a day

Iust. of P. Quarter Sessions

Determine

Prouided alway, that euery person guiltie of any offence against this statute other then Treason and Misprision of Treason, which shal, before he be thereof indicted, or at his arraignement or triall before iudgement, submit and conforme himselfe before the Bishop of the Dioces where he shall be resident, or before the Justices where he shalbe indicted, arraigned, or tried (hauing not before made like submission at any his trial being indicted for his first like offence) shall vpon his recognition of such submission in open Assises or Sessions of the County where such person shal be resident, be discharged of al & euery the said offences against this act (except Treason and Misprision of Treason) and of all paines and forfaitures for the same. And be it likewise enacted, that all forfaitures of any summes of money limitted by this acte, shalbe deuided in three equal parts, whereof one third part shalbe to the Quenes Ma. to her own vse, one other third part to the Queenes Maiestie for relefe of the poore in the parish where the offence shal be committed, to be deliuered by warrant of the principall Officers in the receipt of the Eschequer, without further warrant from her Maiestie, & the other third part to such person as will sue for the same in any Court of Record, by action of debt, bill, plaint or information, in which suite no essoine, protection or wager of laiwe shall be allowed. And that euery person which shal forfaite any summes of money by vertue of this act, and shal not be able, or shall faile to paie the same within three moneths after iudgement therof giuen, shalbe committed to prison, there to remain, vntil he haue paied ỳ said summes, or conforme himselfe to goe to Church, and there do as is aforesaide.

Submission

Discharged

Fork.

iii. Partes

Not able

Prison

Prouided also, that euery person which vsually on the Sunday shall haue in his or her house the diuine seruice which is established by the laiw in this Realme, & be thereat himselfe, or her selfe vsually or most commonly present, and shal not obstinately refuse to come to Church, & ther to doe as is aforesaid, and shal also foure times in the yeere at the least, be present at the diuine seruice in the Church of the Parish where he or she shall be resident, or in some other open Common Church or such Chappel of ease: shal not incurr any paine, or penaltie limitted by this act, for not repairing to Church. And be it likewise enacted & declared, that euery grant, conueyāce, bond, iudgemēt & executiō had or made, since the beginning of this session of Parliamēt or hereafter to be had or made of coulnous purpose, to defraud any interest, right or title, ỳ may or ought to growe to the Queene, or to any other person, by meane of any conuiction or iudgement, by vertue of this Statute, or of the said Statute of the said viii. yere, shall be, and be adiudged to be vtterlye voide against the Queene and against such as shall sue for any part of the saide penalties in forme aforesaide. Prouided alway, that if any peere of this Realme, shall happen to be indicted of any offence made Treason or Misprision of Treason by this acte, hee shall haue his tryall by his Peeres, as in other like cases is accustomed.

House Diuine seruice

Common conueyance

Peere

Prouided also that neither this acte,

nor any thing therein conteyned, shal extend to take away or abridge the authoritie or iurisdiction of the ecclesiastical cōsurs, for any cause or matter, but that the Archbishops and Bishops, and other ecclesiastical Iudges may do & proceede, as before the making of this act they lawfully did or might have done: any thing in this act to the contrary notwithstanding.

9 ¶ For asmuch as the good felicitye and comfort of the whole estate of this Realme consisteth (only next vnder God) in the suertie and preservation of the Queenes most excellent Maiestie: And for that it hath manifestly appeared that sundry wicked plottes and meanes have of late bene devised and laid aswel in forrein parts beyond the seas, as also within this Realme, to the great indangering of her Highnes most Royall person, and to the vtter ruyne of the whole common weale, if by Gods mercifull providence the same had not bin revealed: therefore for prevenenting of such great perils as might hereafter otherwise growe, by the like detestable and devilish practises, at the humble suit and earnest petition & desire of the Lords Spiritual and Temporal, & the Commons in this present Parliament assembled, & by the authoritie of the same Parliament: We it enacted and ordeined, if at any time after the end of this present Session of Parliament, any open invasion or rebellion shal be had or made into or within any of her Maiesties Realmes or Dominions, or any acte attempted, tending to the hurt of her Maiesties most Royal person, by or for any person that shal or may pretend any title to the Crowne of this Realme after her Maiesties decease: Or if any thing shall be compassed or imagined, tending to the hurt of her Maiesties Royall person, by any person or with the privitie of any person that shall or may pretend title to the Crowne of this Realme: That then by her Maiesties Cōmission vnder her great Seale, the Lordes & other of her Highnesse privie Counsell, and such other Lordes of Parliament to be named by her Maiestie, as with the said privie Counsell shal make vp the number of xviii. at the least, having with them for their assistance in the behalfe, such of the Judges of the courts of Record at Westminster, as her highnes shal for that purpose assigne and appoint, or the more parte of the same Counsell, Lordes and Judges, shall by vertue of this act have authoritie to examin all & every the offences aforesaid, & al circumstances therof, and thereupon to give sentence or iudgement, as vpon good proofe the matter shall appeare vnto them. And that after such sentence or iudgement given, and declaration thereof made and published by her Maiesties Proclamation vnder the great seale of England, all persons against whom such sentence or iudgement shalbe so given and published, shalbe excluded and disabled for ever to have or claime, or to pretend to have or claime the Crowne of this Realme, or of any her Ma. Dominions, any former law or statute whatsoever to the contrary in any wise notwithstanding. And that thereupon all her highnesse subiects shal & may lawfully by vertue of this act and her Ma. direction in the behalfe, by al forcible & possible meanes pursue to death every such wicked person, by whome or by whose meanes, assent or privitie, any such invasiō or rebelliō shalbe in forme aforesaid denounced to have bin made, or such wicked act attempted, or other thing compassed or imagined against her Ma. persō, & al their aydors, comforters & abbettors.

Judgement

Proclamation.

Disabled

Invasion Rebellion

Title to the Crowne

Commissiō

Privie Counsell

Iudges

Pursue to death

And if any such detestable act shalbe executed against her highnes most royal psō, whereby her Maiesties life shalbe taken away (which God of his great mercy forbid:) That then every such person, by or for whome any such act shal be executed, and their illues being any wise assenting or privie to the same, shall by vertue of this acte be excluded & disabled for ever to have or claime, or to pretend to have or claime the said Crowne of this Realme, or of any other her Highnesse Dominiōs: Any former lawe or statute whatsoever to the contrary in any wise notwithstanding. And that all the subiects of this Realme, & al other her Maiesties Dominions, shall & may lawfully, by vertue of this acte, by al forcible & possible meanes pursue to death every such wicked persō, by whom, or by whose meanes, any such detestable fact shall be in sourme hereafter expressed, denounced to have bene committed, & also their illues being any way assenting or privie to the same, & all theyr aydors, comforters & abbettors in that behalfe.

Illue vnlawfully

And to the end that the intention of this Lawe may be effectually executed,

if her Maiesties life shall be taken away by any violent or vnnaturall meanes (which God defend.) Be it further enacted by the authoritie aforesaide, that the Lordes and other which shall be of her Maiesties priuie Counsell at the time of such her decease, or the more part of the same Counsell, ioyning vnto them for their better assistance fiue other Earles, and seuen other Lordes of Parliament at the least (forseeing that none of the saide Earles, Lordes or Counsell be knowen to be persons that may make any title to the Crowne) those persons which were chiefe Iustices of either Bench, maister of the Rolles, and chiefe Baron of the Eschequer at the time of her Maiesties death, or in default of the said Iustices, master of the Rolles, and chiefe Baron, some other of those which were Iustices of some of the Courtes of Record at Westminster, at the time of her Highnesse decease, to supply their places, or any viii. or more of them, whereof viii. to be Lordes of Parliament, not being of the priuie Counsell, shall to the vttermost of their power and skill examine the cause & maner of such her Maiesties death, and what persons shalbe any way guiltie thereof, and all circumstances concerning the same according to the true meaning of this act, and thereupon shall by open Proclamation publishe the same: and without any delay by al forcible & possible meanes prosecute to death all such as shalbe found to be offenders therein, and all their aydors and abettors: And for the doing thereof, and for the withstanding and suppressing of all such power and force, as shal any way be leuied or stirred in disturbance of the due execution of this law, shal by vertue of this act haue power & authoritie not only to rayse and vse such forces, as shall in that behalfe be needefull and conuenient, but also to vse all other meanes & things possible & necessary for the maintenance of ỹ same forces and prosecution of the said offenders. And if any such power and force shalbe leuied or stirred in disturbance of the due execution of this law, by any person that shall or may pretend any title to the Crowne of this Realme, whereby this lawe may not in all things be fully executed, according to the effect and true meaning of the same: That then euery such person shal by vertue of this acte be therefore excluded and disabled for euer to haue or claime or to pretend to haue or claime the crowne of this Realme, or of any other her highnesse Dominions: any former lawe or statute whatsoeuer to the contrary notwithstanding.

Chiefe Iustices
Master of Rolles

L. of Parliament

Proclamation.

Forces

Disabled

And be it further enacted by the authoritie aforesaid, that all and euery the subiectes of all her Maiesties Realmes and dominions, shall to the vttermost of their power, aide and assist the said Counsell, and all other the Lordes and other persons to be adioyned vnto them for assistance as is aforesaid, in all thinges to be done and executed, according to the effect and intention of this lawe. And that no Subiect of this Realme shall in any wise be impeached in body, landes, or goodes, at any time hereafter, for any thing to be done or executed, according to the tenor of this law: any lawe or statute heretofore made to the contrary in any wise notwithstanding.

And whereas of late many of her Maiesties good and faithful subiects, haue in the name of God and with the testimony of good consciences by one vniforme maner of writing vnder their handes and seales, and by their seuerall othes volumtarily taken, ioyned themselues together in one bond and association, to withstand and reuenge to the vttermost, all such malicious actions and attempts against her Maiesties most royall person: Nowe for the full explaning of all such ambiguities and questions, as otherwise might happen to growe, by reason of any sinister or wrong construction or interpretation to bee made or inferred, of, or vpon the wordes or meaning thereof: Be it declared and enacted by the authoritie of this present Parliament, that the same association and euery article and sentence therein conteyned, aswell concerning the disallowing, excluding, or disabling of any person that may or shall pretend any title to come to the Crowne of this Realme, as also for the pursuing and taking reuenge of any person for any such wicked act or attempt, as is mentioned in the same association, shall and ought to be in all things expounded and adiudged according to the true intent and meaning of this act, and not otherwise, nor against any other person or persons, Anno 27. Elizabeth cap. 1.

Othes

Association.

10 ¶ For auoyding of all fraudes and delayes heretofore practised, or hereafter to be put in vre, to the hinderance of

the due and speedy execution of the Statute made in the xviii. yeere of her Maiesties reigne: (which see before 8) Be it enacted by authoritie of this present Parliament, that euery fesserment, gift, grant, conueyãce, alienatiõ, estate, lease, incumbrance, & limitation of vse, of, or out of any landes, tenements, or hereditaments whatsoeuer, had or made at any time since the beginning of the Queenes Maiesties reigne, or at any time hereafter to be had or made by any persõ which hath not repaired, or shall not repaire to some Church, Chappel, or vsual place of Common prayer, but hath forborne, or shall forbeare the same, contrary to the tenour of the said statute, and which is, or shall be reuokeable at the pleasure of such offendour, or in any wise directly, or indirectly ment or intended, to or for the behoofe, reliefe or maintenance, or at the disposition of any such offẽdour, or wherwith, or whereby, or in consideration whereof such offendour, or his familie shalbe maintained, relieued, or kept, shal be deemed & taken to be vtterly frustrate and voide, as against the Queenes Maiestie, for or concerning the leuying & paying of such summes of money, as any such person by the lawes or Statutes of the Realme already made, ought to pay or forfaite, for not comming or repairing to any Church, Chappel, or vsuall place of Common prayer, or for saying, hearing, or being at any Masse, and shal also be seised and had, to and for her Maiesties vse, and behoofe, as hereafter in this act is mentioned: any pretence, colour, fained consideration, or expressing of any vse, to the contrary notwithstanding.

Masse

And further be it enacted by the authoritie aforesaid, that euery conuiction heretofore recorded for any offence before mentioned, not already estreated or certified into the Quẽnes Maiesties Court of Eschequer, shall from the Iustices before whom the record of such conuiction shall be remayning, be estreated and certified into the Queenes Maiesties Courte of Eschequer, before the end of Easter Terme next coming, in such conuenient certaintie for the time, and other circumstances, as the court of Eschequer may thereupon award out proces for seisure of landes and goodes of euery such offender, as hath not paied their said forfaitures, according to the lawes and statutes in such case prouided. And that

Estreates

euery conuiction hereafter for any offence before mentioned, shal be in the court cõmonly called the Kings Bench, or at the Assises or generall gaole deliuerie, and not else where, and shall from the Iustices before whom the record of such conuiction shall remaine, be estreated and certified into the saide Courte of Eschequer, before the end of the Terme next ensuing after euery such conuiction, in such conuenient certaintie, as is before mentioned. And be it also enacted &c. that euery such offendour in not repayring to diuine seruice, but forbearing the same contrary to the saide estatute, as hath bin heretofore conuicted for such offence, and hath not made submission, and bin conformable, according to the true meaning of the saide estatute, shall without any other indictment or conuiction, pay into the receipte of the sayde Eschequer. all such summes of money, as according to the rate of xx.li. for euery moneth, sithence the same conuiction, doe yet remaine vnpaied, in forme as hereafter enlueth, that is to saie: The one moitie thereof before the end of next Trinitie Terme, and the other moitie thereof before the end of the next Hillary terme, or at any such other times, as by the Lord Treasourer, Chancellor, and chief Baron of the Eschequer, or any two of them, shal by composition vpon good band & suerty taken be limitted, before the end of the saide next Trinity Terme, if any such composition shal happen to be. And shall also in euery Easter and Michaelmas Terme, vntill such time as the same person doe make submission, and be conformable, according to the true meaning of the saide statute, paye vnto the said receite of the Eschequer xx.li. for euery moneth, which shall incurre in all that meane time.

Kings bench

Eschequer

xx.li. a Moneth

And be it also enacted by the authoritie aforesaide, that euery such offendour in not repairing to diuine seruice, but forbearing the same, contrary to the saide estatute, as hereafter shall fortune to be thereof once conuicted, shall in such of the termes of Easter or Michalmas, as shall be next after such conuiction, pay vnto the said receit of Eschequer after the rate of xx.li. for euery moneth, which shalbe conteyned in the indictment, whereupon such conuiction shalbe: And shall also for euery moneth after such conuiction without any other indictmẽt or conuicton, pay into the receit of the Escheq. aforesaid at

two

two times in the yeare, that is to say in euery Easter Terme & Michas. Terme, as then shal remaine vnpaied, after the rate of xx.li. for euery moneth after such conuiction. And if default shalbe made in any part of any paiment aforesaide, contrary to the formeherein before limitted, that then & so often the Maiestie shal & may by proces out of the said Eschequer, take, seise, and enioy all the goods, & two parts as well of all the lands, tenements, and hereditaments, leases & farmes of such offendor, as of al other the lands, tenements, & hereditaments, lyable to such seisure, or to the penalties aforesaid, by the true meaning of this act, leauing the third part only of the same landes, tenements, and hereditamentes, leases and Farmes, to and for the maintenance and relefe of the same offender, his wife, children and family.

Goodes.

Landes.

Mines

And for the more speedie conuiction of such offender, in not repayring to diuyne seruice, but forbearing the same, contrary to the said estatute: Be it enacted by the authoritie aforesaid, that the Indictment of euery such offendour mencioning the not comming of such offender to the Church of the Parish where such person at any time before such Indictment was, or did keepe house or residence, nor to any other Church, Chappel, or vsual place of common prayer, shalbe sufficient in the lawe, and that it shall not be needefull to mention in any such indictment, that the partie offender was, or is inhabiting within this Realm of England, or any other the Quenes Maiesties Dominions. But if it shal happe any such offender then not to be within this Realme, or other her Ma. Dominions, that in such case the party be relieued by plea to be put in, in that behalfe, and not otherwise. And that vpon the Indictment of such offender, a Proclamation shall be made at the same assises or gaole deliuery, in which the Indictment shall be taken, if the same be taken at any Assise or Gaole deliuerye, by which it shalbe commaunded that the body of such offender shall be rendred to the Shiriffe of the same Countie, before the said next assises or generall gaole deliuerie to be holden in the same Countie. And if at the same next Assises or Gaole deliuery, the same offender so proclaimed shall not make apparance of record, that then vpon such default recorded, the same shalbe as sufficient conuiction in lawe of the same offence whereof the partie so standeth indicted, as is aforesaid, as if vpon the same Judgment a trial by verdict thereupon had proceded and bin recorded.

Indictmts

Plea

Proclamation

Shirife

Prouided alwayes, that whensoeuer any such offender, as is aforesaid, shall make submission and become conformable, according to the forme limitted by the sayd estatute made in the xviii. yeere of the Queenes Maiesties reigne, or shall fortune to dye: that then no forfaiture of xx.li. for any moneth, or seisure of the lāds of the same offender, from and after such submission and conformitie, or death, and ful satisfaction of all the arrerages of xx. poundes monthly, before such seisure due or paiable shall ensue or be continued against such offender, so long as the same person shal continue in cōming to diuine seruice, according to the intent of the said estatute. And where by the said former estatute, the third part of the forfeitures for not comming to diuine seruice, is limited to the poore: Be it further enacted by the authoritie aforesaid, that it shall & may be lawful to and for the Lord Treasurer of England, Chancelor, and Chiefe baron of the Eschequier for the time being, or two of them, to assigne & dispose of the full third part of the xx. li. for euery Moneth paied, or to be paied into the receit of the Eschequier, as is aforesaid, for the relefe and maintenance as well of the poore and of the houses of correction, as of impotent & maimed soldiers, as the same L. Treasurer, Chancelier, & chiefe Baron, or any two of them, shall order or appoint any thing in the said estatute made in the said xviii yeare of her Maiest. reigne mentioned, to the contrary thereof in any wise notwithstanding.

Submission

L. Treasurer

Poore

Souldiers

Prouided alwaies that this act, or any thing therein conteyned, shall not in any wise extend or be construed to make void or impeach any graūt or lease heretofore made bona fide, without fraud or couine, wherupon any yerely rent or paiement is reserued or payable, or any grāt or leas hereafter to bee made bona fide without fraud or couine, wherupon the accustomed yerely rent or more shal be reserued or any other conueyance, assurance, or assignement whatsoeuer, heretofore made bona fide, vpon good consideration, and without fraude or couine, which is not, or shall not be reuokeable at the pleasure of such offender, otherwise then to giue

Leases

Vsuall rents

benefite and title to her Maiestie, her heires and successours, to haue, perceiue, and enioy, such rentes and payementes during the continuance of such lease or graunt, according to the true meaning of this act. And prouyded also, that this act, or any thing therein conteined, shall not in any wise extende or be construed to continue any seisure of any landes or tenementes of such offender in her Maiesties handes, or in the handes of her heires or successours, after the said offenders death, which landes, or tenements he shal haue or be seised of only for terme of his life, or in the right of his wife: any thing in this act to the contrary notwithstanding. An. 28. Eliz. c. 6.

☞ ¶ For the better discouering and auoiding of such traiterous and most dangerous conspiracies and attempts as are dayly deuysed and practised against our most gracious Soueraigne Lady the Queenes Maiestie, and the happie state of this Commō weale, by sundry wicked & seditious persons, who terming themselues Catholikes, and being (indeed) spies and intelligencers not onely for her Maiesties forren enimies: but also for rebellious and traiterous subiects borne within her Highnesse Realmes & Dominions, and hauing their most detestable deuilish purposes vnder a false pretext of Religion and conscience, do secretly wander & shift from place to place within this Realme to corrupt and seduce her Maiesties subiects, and to stirre them to sedition and rebellion: Be it ordained &c. that euery person aboue the age of xvi. yeeres borne within any the Maiesties Realmes or Dominions, or made Denizen, beinga Popish Recusat, and before the end of this session of Parliament conuicted for not repairing to some Church, Chappel, or vsuall place of cōmō prayer to heare diuine seruice ther, but forbearing the same contrary to the lawes & statutes heretofore made & prouided in that behalf, & hauing any certein place of dwelling and abode within this Realme, shall within xl. dayes next after the end of this Session of Parliament (if they be then within this Realme & not restreined or stayed either by imprisonment, or by her Maiesties commaundement, or by other⁹ direction of some five or more of ỹ priuie Counsel, or by such sickenesse or infirmitie of body as they shal not be able to trauel without imminent dager of life, and in such cases of absence out of this Realme, restraint or stay, then within xx. dayes next after they shall returne into the realme and be enlarged of such imprisonment or restreint and shall be able to trauell) repaire to their place of dwelling where they vsually heretofore made their common abode, and shall not at any time after passe or remoue aboue five miles from thence.

xvi. peeres.

Recusant

Conuicted

Place of dwelling

Repaire

Dwelling

Five miles

And also that euery person being aboue the age of xvi. yeeres, borne within any her Maiesties Realmes or Dominions, or made Denizen, & hauing, or which hereafter shall haue any certeine place of dwelling and abode within this Realme, which being then a Popish recusant shall at any time hereafter be lawfully conuicted for not repairing to some Church Chapel, or vsuall place of Common prayer to heare Diuine seruice there, but forbearing the same contrary to the sayde lawes and statutes, & being within this Realme at the time that they shalbe conuicted, shall within xl. dayes next after the same conuiction (if they be not restreined or staied by imprisonment or otherwise as is aforesaid, and in such cases of restreint and stay, then within xx. daies next after they shall be enlarged of such imprisonmēt or restreint and shalbe able to trauell) repaire to their place of vsuall dwelling and abode, and shall not at any time after passe or remoue aboue five miles from thence, vpon paine that euery person and persons that shall offend against the tenor and intent of this act in any thing before mentioned, shall lose & forfaite all his goodes and chattels, and shal also forfeite to the Queenes Maiestie all the landes, tenements and hereditaments, and all the Rents and Annuities of euery such person so being or offending during the life of the same offender.

xvi. peeres

Conuicted

Repaire

Dwelling

Forf.

And be it also enacted by the authoritie aforesaide that euery person aboue the age of xvi. yeeres, borne within any her Maiesties Realmes or Dominions, not hauing any certeyne place of dwelling and abode within this Realme, and being a Popish Recusant, not vsually repairing to some Church, Chapell, or vsuall place of common prayer, but forbearing the same contrary to the same Lawes & Statutes in ỹ behalfe made, shal within forty daies next after thend of this session of Parliament (if they be then within this Realme & not impri-

No certeine dwelling

impri-

imprisoned, restreined, or stayed as aforesaid, and in such case of absence out of the Realme, imprisonment, restraint or stay, then within twentie daies next after they shall returne into the Realm, and be enlarged of such imprisonment or restreint, and shall be able to travell) repaire to the place where such person was borne, or where the father or mother of such person shall then be dwelling, & shall not at any time after remoue or passe above fiue miles from thence, vpon paine that euery person & persons which shall offend against the tenour & intent of this act in any thing before mentioned, shall lose and forfeit all his & their goods & chattels, and shall also forfait to the Queenes Maiestie all the lands, tenements, & hereditaments, & all the Rents & Annuities of euery such person so doing or offending during the life of the same person.

Repaire Place of birth

Fiue miles

Forf.

And be it further enacted by the authoritie aforesaid, that euery such offender as is before mentioned, which hath or shall haue any lands, tenements or hereditaments, by copie of Court roll or by any other customarie tenure at the will of the lord, according to the custome of any Manor, shall forfeit all & singuler his & their said lands, tenements & hereditaments so holden by copy of Court roll or customary tenure as aforesaid, for and during the life of such offender: (if his or her estate so long continue) to ỹ lord or lords of whom the same be immediatly holde, if the same lord or lords be not then a Popish Recusant, & conicted for not cõming to church to heare Diuine seruice, but forbearing the same contrary to the lawes and statutes aforesaid, nor seised or possessed vpõ trust to the vse or behoofe of any such Recusant as aforesaide, and in such case the same forfeiture to bee to the Queenes Maiestie.

Copyhold land

Forf

Prouided alwayes, and be it further enacted by the authority aforesaid, that all such persons as by the intent & true meaning of this Acte Are to make repaire to their place of dwelling and aboad, or to the place where they were borne, or where their father or mother shall bee dwelling, and not remoue or passe aboue fiue miles from thence, as is aforesaide, shall within twenty daies next after their comming to any of the said places (as the case shal happen) notifie their comming thither, & present themselues and deliuer their true names in writing to the Minister or Curate of the same Parish, and to the Constable, Headborough, or Tythingman of the Towne, and thereupon the said Minister or Curate shal presently enter the same into a Booke to be kept in euery Parish for that purpose. And afterward the said Minister or Curate, and the said Constable, Headborough or Tything man, shal certifie the same in writing to the Justices of the Peace of the same Countie at ỹ nert generall or quarter Sessions to be holden in ỹ same Countie, and the saide Justices shall cause the same to be entred by the Clerke of the Peace in the Rolles of the same Sessions. And to the ende that the Realme be not pestered and ouercharged with the multitude of such seditious & dangerous people, as is aforesaid, who hauing litle or no abilitie to aunswere or satisfie any competent penaltie for their contempt and disobedience of the saide Lawes and Statutes, and being committed to prison for the same, doe liue for the most part in better case there, then they coulde if they were abroad at their owne libertie: The Lords Spirituall and Temporall, and the Commons in this present Parliament assembled, do most humbly and instantly beseech the Queenes Maiestie, that it may be further enacted, that if any such person or persons being a Popish Recusant, not being a femme couert, and not hauing lands, tenements, rents or annuities of an absolute estate of inheritance, or freeholde, of the cleere yerely value of twentie markes, aboue all charges to their owne vse and behoofe, and not vpon any secret trust or confidence for any other, or goods, and chattels in their owne right, and to their owne proper vse and behoofe, and not vpon any such secret trust or confidence for any other, aboue the value of fourtie poundes, shall not within the time before in this Acte in that behalfe limited and appointed, repaire to their place of vsuall dwelling and abode, if they haue any, or else to the place where they were borne, or where their father or mother shall be dwelling, according to the tenor and intent of this present Act: And thereupon notifie their comming, and present themselues, and deliuer their true names in writing to the Minister or Curate of the Parish, and to the Constable, Headborough, or Tithing man of the Towne, within such time, and in such maner and

Lands

xx. marks

Goods

xl. pounds

Enter Booke

Iust. of p.

forme

fo:me as is afo:esaid, o: at any time after such their repairing to any such place, as is befo:e appointed, shall passe o: remoue aboue fiue miles from the same: And
3. moneths shall not within thr:ee moneths next after such person shall be app:ehended o: taken, fo: offending as is afo:esaide, confo:me themselues to the obedience of the Lawes and Statutes of this Realme, in comming vsually to the Church to heare Diuine Seruice, and in making such publike confession and submission, as hereafter in this Act is appointed and exp:essed, being thereunto required by the Bishop of the Diocesse, o: any Iustice
Iust. of p. of the Peace of the Countie where the same person shall happen to be, o: by the Minister o: Curate of the Parish: that then in euery such case euery such offender being thereunto warned o: required
Coroner by any two Iustices of the Peace, o: Coroner of the same Countie where such offender shall then be, shall vpon his and their co:po:all othe befo:e any two Iustices of the Peace, o: Coroner of the
Abiuration same County, abiure this Realme of England and all other the Queenes Maiesties dominions fo: euer: And thereupon shall depart out of this Realme at such hauen and po:t, and within such time as shall in that behalfe be assigned and appointed by the said Iustices of Peace, o: Co:oner, befo:e whome such abiuration shalbe made, vnlesse the same offenders be letted o: staied by such lawfull & reasonable meanes o: causes, as by the common lawes of this Realm are permitted & allowed in cases of abiuration fo: felony, and in such cases of let o: staye, then within such reasonable & conuenient time after, as the Common law requireth in case of abiuration fo: felony as is afo:esaid. And that euery Iustice of peace &
Iust. of p. Co:oner befo:e whome any such abiuration shall happen to be made as is afo:esaid, shal cause the same p:esently to be entered of Reco:d befo:e them, and shal certifie the same to the Iustices of Assises &
Iustices of assises Gaole deliuerie of the said county at the nert Assises, o: Gaole deliuery to be holden in the same county. And if any such offender which by the tenour and intent of this Act is to be abiured as is afo:esaid, shall refuse to make such abiuration as is afo:esaid, o: after such abiuration made, shall not go to such hauen & within such time as is befo:e appointed, & from thence depart out of this Realme according to this p:esent Act, o: after such his departure shall returne o: come againe into any her Maiesties Realmes o: dominions, without her Maiesties speciall licence in that behalfe first had and obteyned, That then in euery such case the person so offending, shalbe adiudged a felon. and shall suffer and lose as in case of felo- Felonie nie, without benefit of Clergie.

And be it further enacted and o:deined by the authoritie afo:esaide, that if any person which shal be suspected to be a Je- Iesuite suite, Seminarie o: Massing p:iest, being Seminarie examined by any person hauing lawfull authoritie in that behalfe, to examin such person which shalbe so suspected, shall re- Refuse fuse to answere directly and truely whether he be a Iesuite, o: a Seminarie o: Massing p:iest as is afo:esaid, euery such person so refusing to answere, shal fo: his disobedience & contempt in that behalfe, be committed to p:ison by such as shal ex- Prison amine him, as is afo:esaid, and thereupon shall remaine & continue in p:ison without baile o: mainp:ise, vntil he shall make direct & true answere to the said questions whereupon he shal be so examined.

Prouided neuertheless, and be it further enacted by the authoritie afo:esaide, that if any of the persons which are hereby limitted & apointed to continue & abide within fiue miles of their vsual dwelling place, o: of such place where they were borne, o: where their father o: mother shalbe dwelling, as is afo:esaid, shal haue necessarie occasion o: businesse to go and trauaile out of the compasse of the saide fiue miles, That then and in euery such case vpon licence in that behalfe to be got- Licence ten vnder the hands of two of the Iustices of the Peace of y saine Countie, with the p:iuitie and assent in writing of the Bishop of the Diocesse, o: of the Lieute- Bishop nant o: of any deputie Lieutenant of the Lieutenant. saine Countie, vnder their hands, it shall and may be lawfull fo: euery such person to goe and trauaile about such their necessarie businesse, and fo: such time onely, fo: their trauelling, attending, & returning, as shalbe compiled in the same licence, any thing befo:e in this Act to the contrary notwithstanding.

Prouided also that if any such person so restrained, as is afo:esaide, shalbe o:ged by p:ocesse without fraud o: couin, o: Processe be bounden without fraud o: couin to make appearance in any her Maiesties Courts, o: shall be sent fo:, commanded,

o:

or required by any three or more of her Maiesties Priuie Counsell, or by any foure or more of any Commissioners to be in that behalfe nominated & assigned by her Maiestie, to make apparance before her Maiesties said Counsell or Commissioners, That in euery such case euery such person so bounden, urged, commaunded, or required to make such apparance, shall not incurre any paine, forfeiture or losse, for trauailing to make apparance accordingly, nor for his abode concerning the same, nor for conuenient time for his returne backe againe vpon the same.

Priuie Counsell

And be it further prouided and enacted by the authoritie aforesaide, that if any such person or persons so restrained as is aforesaid, shalbe bound, or ought to yeeld & render their bodies to the Shirif of the Countie where they shall happen to be vpon Proclamation in that behalf, without fraude or couine to be made, That then in euery such case euery person which shalbe so bounden, or ought to yeeld and render their bodie, as aforesaid, shall not incurre any paine forfeiture or losse for traueiling for that intent & purpose only, without any fraude or couin, nor for conuenient time taken, for their return back againe vpon the same.

Bound Shirife

Proclamation.

And furthermore be it enacted by the authoritie &c. That if any person or persons that shall at any time hereafter offend against this Acte, shall before he or they shalbe therof conuicted, come to some Parish Church on some Sunday or other festiual day, & then & there heare Diuine seruice, and at Seruice time before the Sermon or reading of the Gospel make publike and open submission and declaration of his and their conformitie to her Maiesties lawes and statutes as hereafter in this Acte is declared & appointed, that then the same offendor shall thereupon be clearely discharged of & from all and euery paines and forfeitures inflicted or imposed by this Acte for any of the said offences in this Acte conteined, the same submission to be made as hereafter followeth, That is to say,

Submission

I A.B. do humbly confesse & acknowledge that I haue grieuously offended God, in contemning her Maiesties godly and lawfull gouernement and Authoritie, by absenting my selfe from Church, & from hearing Diuine seruice, contrary to the godly Lawes and Statutes of this Realme, and I am heartily sorie for the same, and do acknowledge and testifie in my conscience that the Bishop or Sea of Rome hath not, nor ought to haue any power or authoritie ouer her Maiestie, or within any her Maiesties Realmes or Dominions: And I do promise and protest without any dissimulation or any colour or meanes of any dispensation, that from henceforth I will from time to time obey and performe her Maiesties Lawes & Statutes in repayring to the Church and hearing Diuine Seruice, and do my vttermost endeuour to maintaine and defend the same.

And that euery Minister or Curate of euery Parish where such submission and declaration of conformitie shall hereafter be so made by any such offendour as aforesaide, shall presently enter the same into a Booke to be kept in euery Parish for that purpose, and within tenne dayes then next following shall certifie the same in writing to the Bishopp of the same Diocesse.

Entre

Booke

Bishop

Prouided neuertheles, that if any such Offendour after such submission made as is aforesaid, shall afterward fall into relapse, or eftsoones become a Recusant in not repairing to Church to heare Diuine seruice, but shal forbeare the same contrary to the lawes & statutes in that behalfe made and prouided, that then euery such offender shal lose all such benefite as he or shee might otherwise by vertue of this Acte haue or enioy by reason of their said submission, and shal thereupon stand & remaine in such plight, condition, and degree to all intents, as though such submission had neuer bene made.

Relapse

Prouided alwayes and be it enacted &c. that all & euery woman married, or hereafter to be married, shall be bound by all and euery article, branch, and matter conteined in this Statute, other then the branch and article of abiuration before mentioned. And that no such woman married or to be married during marriage, shalbe in any wise forced or compelled to abiure, or be abiured by vertue of this Act, any thing therein conteined to the contrary thereof notwithstanding. Anno 35. Eliz. cap. 2.

Femme couert.

12 ¶ For the preuenting and auoyding of such great inconueniences and perils as might happen and growe, by the wicked and dangerous practises of seditious Sectaries and disloyall persons,

persons, Be it enacted &c. That if any person or persons above the age of sirtéen yeeres, which shall obstinately refuse to repaire to some Church, Chapel, or vsual place of Common prayer to heare Diuine seruice, established by her Maiesties Lawes and Statutes in that behalfe made, and shall forbeare to doe the same by the space of a moneth next after, without lawfull cause, shall at any time after fourtie dayes next after the ende of this Session of Parliament, by Printing, writing or erpresse wordes or speeches aduisedly and purposely practise or go about to moone or perswade any of her Maiesties subiectes, or any other within her Highnesse Realmes or dominions, to denie, withstand, and impugne her Maiesties power and authoritie in causes Ecclesiasticall, vnited & annexed to the Imperial crowne of this Realme, or to that end or purpose shall aduisedly and maliciously moone or perswade any other person whatsoeuer, to forbeare or abstaine from comming to Church to heare Diuine seruice, or to receiue the Communion according to her Maiesties lawes and statutes aforesaide, or to come to, or to be present at any vnlawfull assemblies, conuenticles, or meetings, vnder colour or pretence of any exercise of Religion, contrarie to her Maiesties said lawes & statutes: Or if any person or persons which shall obstinately refuse to repaire to some Church, Chapell, or vsuall place of Common prayer, and shall forbeare by the space of a moneth to heare Diuine Service, as is aforesaid, shall after the saide fortie dayes, either of him, or themselues, or by the motion, perswasion, inticement or allurement of any other, willingly ioyne in, or be present at any such assemblies, conuenticles, or meetings, vnder colour or pretence of any such exercise of religion, contrarie to the lawes and statutes of this Realme, as is aforesaid, that then euery such person so offending, as aforesaid, and being thereof lawfully conuicted, shall be committed to prison, there to remaine without baile or mainprise, vntil they shal conforme and yeeld themselues to come to some Church, Chapell or vsuall place of Comon prayer, & heare Diuine Seruice, according to her Maiesties lawes & statutes aforsaid, & to make such open submissiō & declaration of their said conformitie, as hereafter in this Acte is declared and appointed.

Crowne

Diuine seruice.

Church Chappel Common prayer

Prison

Prouided alwayes & be it further enacted by the authoritie aforesaid, that if any such person or persons which shall offend against this act as aforesaid, shal not within three monethes next after they shalbe conuicted for their said offence, conforme themselues to the obedience of the Lawes and Statutes of this Realme in comming to the Church to heare Diuine Seruice, and in making such publike cōfession & submission, as hereafter in this Act is appointed & exprelled, being thereunto required by the Bishop of the Diocelle, or any Justice of the peace of the Countie where the same person shal happen to be, or by the Minister or Curate of the Parish, that in euery such case, euery such offender being thereunto warned or required by any Justice of the Peace of the same Countie where such offenders shall then be, shal vpon his and their corporall othe before the Justices of the Peace in the open quarter Sessions of the same Countie, or at the Assises & Gaole delinerie of the same Countie, before the Justices of the same Assises and Gaole delinerie, abiure this Realme of England, and all other the Quenes Maiesties Dominions for euer, vnlesse her Maiestie shall licente the partie to returne: And thereupon shal depart out of this Realme at such Hauen or Port, and within such time as shall in that behalfe be assigned and appointed by the said Justices, before whom such Abiuration shall be made, vnlesse the same offender be letted or staied by such lawfull and reasonable meanes or causes, as by the Comon lawes of this Realme are permitted and allowed in cases of Abiuration for Felonie. And in such cases of let or staye, then within such reasonable and conuenyent time after, as the Common lawe requireth in case of Abiuration for Felonie as is aforesayde. And that the Justices of Peace before whom any such Abiuration shall happen to be made as is aforesayde, shall cause the same presently to be entred of recorde before them, and shal certifie the same to the Justices of Assises and Gaole delinerie of the saide Countye at the next Assises or Gaole delinerie to be holden in the same Countie: And if any such offender which by the tenour and intent of this Acte is to be abiured as is aforesaide, shall refuse to make such abiuration as is aforesaide, or after such abiuration made, shall not goe to such Hauen.

Conforme

Abiuration

Entre Abiuration

Refuse

Hauen, and within such time as is before appointed, and from thence depart out of this Realme according to this present Acte, or after such his departure shall returne or come againe into any her Maiesties Realmes or Dominions, without her Maiesties speciall licence in that behalfe first had and obteined, That then in euery such case the person so offending shall be adiudged a Felon, and shal suffer as in case of Felonie, without benefit of Clergie. Felon

And furthermore, be it enacted by the authoritie of this present Parliament, That if any person or persons that shall at any time hereafter offend against this Acte, shall before he or they be so warned or required to make abiuration according to the tenour of this Acte, repaire to some Parish Church on some Sunday or other Festiual day, and then and there heare Diuine Seruice, and at seruice time before the Sermon or reading of the Gospell make publike and open submission and declaration of his and their conformitie to her Maiesties lawes and Statutes as hereafter in this Act is declared and appointed: That then the same offender shall thereupon be cleerely discharged of and from all and euery the penalties and punishments inflicted or imposed by this Act for any of the offences aforesaide. The same submission to be made as hereafter followeth, That is to saye, I A.B. doe humbly confesse and acknowledge, that I haue grieuously offended God in contemning her Maiesties godly and lawful gouernement and authoritie, by absenting my selfe from Church and from hearing Diuine seruice, contrary to the godly Lawes and Statutes of this Realme, and in vsing and frequenting disordered and vnlawfull conuenticles and assemblies vnder pretence and colour of exercise of Religion. And I am heartily sorie for the same, and doe acknowledge and testifie in my conscience, that no other person hath or ought to haue any power or authoritie ouer her Maiestie. And I do promise and protest without any dissimulation, or any colour or meanes of any dispensation, that from henceforth I will from time to time obey and performe her Maiesties lawes & Statutes in repairing to the Church, and hearing Diuine seruice, and doe mine vttermost endeuour to maintaine and defende the same. And that euery Minister or Curate of euery Parish where such submission & declaration of conformitie shall hereafter be so made by any such offender as aforesaid, shall presently enter the same into a booke to be kept in euery Parish for that purpose, and within ten dayes next following, shall certifie the same in writing to the Bishop of the said Diocesse. Submission Entrie Booke Certifie Bishop

Prouided neuertheless, that if any such offender after such submission made, as is aforesaid, shall afterwardes fall into relapse, or els soones obstinately refuse to repaire to some Church, Chapell or vsuall place of Common prayer to heare Diuine seruice, and shall forbeare the same as aforesayd, or shall come or be present at any such assemblies, conuenticles or meetings vnder colour or pretence of any exercise of religion, contrarie to her Maiesties Lawes and Statutes: that then euery such offender shal lose al such benefite as hee or shee might otherwise by vertue of this Acte haue or enioy by reason of their said submission, and shall thereupon stande and remaine in such plight, condition and degree to al intents as though such submission had neuer been made. Relapse

And for that euery person, hauing house and familie, is in duetie bounden to haue speciall regard of the good gouernement and ordering of the same: Be it enacted by the authoritie aforesaid, that if any person or persons shall at any time hereafter relieue, maintaine, reteine or kepe in his or their house or otherwise, any person which shall obstinatly refuse to come to some Church, Chapell or vsuall place of Common prayer to heare diuine seruice, and shall forbeare the same by the space of a moneth together, contrary to the Lawes and Statutes of this Realm, that then euery person which shall so relieue, maintaine, reteine or kepe any such person offending as aforesaide, after notice therof to him or them giuen by the Ordinarie of the Diocesse, or any Iustice of Assises of the Circuit, or any Iustice of Peace of the Coūtie, or the Minister, Curate or Churchwardens of the Parish where such person shal then be, or by any of them, shal forfeit to the Quenes Maiestie for euery person so relieued, maintained, reteined or kept, after such notice as aforesaid, x.li. for euery moneth, that he or they shal so relieue, maintaine, reteine or kepe any such person so offending. Maynteine Forf.

Pro-

Prouided neuertheleſſe, that this Acte ſhall not in any wiſe extend to punith or impeach any perſon or perſons for relieuing, maintenning or keeping his or their wife, father, mother, childe or children, wardes, brother or ſiſter, or his wiues father or mother, not hauing any certeine place of habitation of their owne, or the husbandes or wiues of any of them: or for relieuing, maintening or keeping any ſuch perſon as ſhalbe committed by authoritie to the cuſtody of any by whome they ſhall be ſo relieued, mainteined or kept: Any thing in this Acte contained to the contrarie notwithſtanding.

Relefue Wife Father Mother Childe

Recouerye.

And for the more ſpeedie levying & recouering for and by the Queenes Maieſtie of al and ſingular the paines, duties, forfeitures and payments which at any time hereafter ſhall accrue, growe or be payable by vertue of this Acte, or of the Statute made in the three and twentieth yeere of her Maieſties reigne concerning Recuſants: (which ſee here 8.) Be it enacted by the authoritie aforeſaide, that all and euery the ſaid paines, duties, forfeitures and payments ſhall and may be recouered and leuied to her Maieſties vſe by action of debt, bill, plaint, information or otherwiſe in any of the Courts commonly called the Kings Bench, Common Pleas or Eſchequer in ſuch ſorte, and in all reſpects as by the ordinarie courſe of the Common lawes of this Realme, any other debt due by any ſuch perſon in any other caſe ſhould or may be recouered or leuied, wherein no eſſoine &c.

Recuſants

Prouided alwayes, that the thirde part of the penalties to be had or receiued by vertue of this Act, ſhall be imployed and beſtowed to ſuch good and charitable vſes, and in ſuch manner and forme as is limitted and appointed in the Statute made in the xxvij. yeere of her Maieſties reigne touching Recuſants, (which ſee here 10.

Prouided alſo, that no Popiſh Recuſant or femme couert ſhalbe compelled or bound to abiure by vertue of this Act.

Prouided alſo, that euery perſon that ſhall abiure by force of this Act, or refuſe to abiure, being thereunto required as aforeſaid, ſhall forfeit and loſe to her Maieſtie all his goods and chattels for euer: and ſhall further loſe all his landes, tenements and hereditaments for and during the life onely of ſuch offender, and no longer: And that the wife of any offender by force of this Acte, ſhall not loſe her dower: Nor that any corruption of bloud ſhall growe or be by reaſon of any offence mentioned in this Act: but that the heire of euery ſuch offender by force of this Act, ſhall and may after the death of euery offender haue and enioy the landes, tenements and hereditaments of ſuch offender, as if this Act had not bene made. And this Act to continue no longer then to the end of the next Seſſion of Parliament. An. 35. Eliz. cap. 1.

Forf.

Goods
Lands

¶ Cui in vita.

IN caſe when the husband loſt by default a tenement that was the right of his wife, it was a hard caſe that the wife after the death of the husband had none other recouerie but by a writ of Right: Wherefore our Soueraigne Lorde the King hath ordeined, that the woman after the death of her husband, ſhal recouer by a writ of Entre, called Cui ipſa in vita ſua contradicere non potuit, which ſhal be pleaded in forme vnder written: If the tenant doe except againſt the demaund of the wife, that he entred by iudgemẽt, and it be found, that his entre was by default, whereto the tenant of neceſſitie muſt make anſwere if it be demaunded of him, then he ſhall be further compelled to ſhewe his right, according to the forme of the writte that he had purchaſed before againſt the husband and the wife. And if he can verifie that he hath, or had right in the tenement demaunded, the woman ſhall get nothing by her writ. But if he cannot verifie it, the woman ſhall recouer the tenement in demaund. This alſo being obſerued, that if the husband abſented himſelfe, and will not defend his wiues right, or will yeeld vp the tenement againſt his wiues will, if the wife doe come in before iudgement, readie to aunſwer to the demaundant, and to defend her right, the wife ſhal be admitted thereunto: Likewiſe, if tenant in dower, tenant by the Lawe of the lande, or otherwiſe for terme of life, or by gift, whereas the reuerſion is reſerued, doe make default, or will yeeld vp the tenemẽt: the heires, or they to whom the reuerſion belongeth, ſhall be admitted to anſwere, if they come in before iudgement. And if vpon default or reddition, iudgement happen to be giuen: then the heires, or they vnto whome the reuerſion belongeth, after the death of

Writte Entis

Default

Recouer

Tenant in dower

of ſuch tenants, ſhall haue a recouerie by a writ of Entre, in which like proceſſe ſhal be obſerued, as is aforeſaid, in caſe where the huſband leeſeth his wiues land by default. And ſo in the caſes aforeſaide, two actions do concurre, one betweene the demaundant and tenant, and the other betweene the tenant, ſhewing his right, and the demandant. Weſt.2.cap.3. An. 13.E.1.

¶ Curteſie of England.

Crie

VVHen a man ſhal take lands in mariage with a wife, if he haue begotten of the ſame his wife an heire, ſonne or daughter, which ſhalbe heard to crie, within the Tower walls, if the ſame huſband ouerliue his wife, whether the heire liue or not, the ſame land ſhal remaine to the huſband, and after the death of the huſband, the landes ſhall returne to the donour, or to his heire: but if he haue no heire by his wife, then after the death of the wife, it ſhall returne to the donour, or to his heire. And this is the cauſe why, for land giuen in mariage, homage is not vſed to be receiued: for if any lands were ſo giuen in mariage, or otherwiſe, that homage were receiued, it might then neuer lawfully reuert to the donor, or to his heire, as aboue is ſaid. And the ſame iudgement ſhalbe of the ſecond huſband, as is ſaid of the firſt, whether there be left any heire of the firſt or not. The ſtatutes of tenants by the law of England. But this ſeemeth to be no ſtatute, but onely ſome one mans opinion.

Homage

Default

Reconu

¶ Cuſtome, Cuſtomers, and Controllers.

Wool
Woolfels
Leather

Tenant in dower

Shipping

Sureties

Plate
Siluer

SHal not demand, aſſeſſe, nor take, nor ſuffer to be taken, more cuſtome of a ſack of wool of any Engliſhman, but halfe a marke onely. And vpon the woolfelles and leather the olde cuſtome. And the ſacke ought to containe xxvi. ſtones, and euery ſtone xiiij. pound. And that euery man that ſhippeth wolles ouer the Sea, Engliſh man or other, reſiant, inhabiting, or repairing into England, ſhall find good and ſufficient ſuertie to the Cuſtomers before his paſſing, to bring again of euery ſack of wooll, plate of ſiluer, to the value of two Marks at his firſt returne or repairing. And to bring the ſame plate to the kings Exchange, and there to receiue his money. And that none cocket woolles, but in the name of him that ſhall bee owner of the ſame. And if any bee founde otherwiſe cocketted, they ſhall be taken into the Kings hands as forfeit. Anno 14. E.3. cap.21.

Cocket

Forf.

2 ¶ Wee, nor our heires ſhal demande aſſeſſe, nor take, nor cauſe to be taken more of the cuſtome of one ſacke of wool of no Engliſhman, but one half marke, and of foure hundred woolfelles, halfe a marke, and of a laſt of leather one marke for cuſtome onely, and the ſack ought to conteine xxvj. ſtone, and euery ſtone xiiij pound, and that euery one that paſſeth with wools beyond the ſea, Engliſhman or other, reſiant, inhabiting, and repayring into England, ſhal finde good & ſufficient ſuretie before his paſſing, to the cuſtomers, to bring againe of euery ſack of wool, plate of ſiluer, to the value of two marks, within three monethes after that the wools ſo charged ſhal paſſe out of the port, and the ſame plate to be brought to the kings exchange, & there to receiue his money: that is to ſay, two marks. And the Cuſtomers of the port where the woolles ſhalbe ſo charged, ſhall take of them in whoſe names the ſame woolles ſhal be charged, ſuch ſuretie for whome they will anſwere, to bring again plate, in forme aforeſaid, and that he ſhal certifie the Wardens of the kings Exchange, at the Tower of London, three times by the yeere: that is to ſaie, at the Natiuitie of Saint John the Baptiſt, at All Saints, and at the Purification of our Ladie, of the names of all them which haue founde ſuch ſuertie, and the number of ſackes which they ſhall haue charged, And in caſe that the ſaide Warden hath not receiued plate, in forme aforeſaide, of them whereof the certification ſhal come vnto him at Saint John Baptiſt, or before All Saintes next enſuing: then he ſhall thereof certifie the Treaſurer, and Barons of the Eſchequer. And the ſaide Treaſurer and Barons ſhall receiue the certification of the ſaide Warden, and ſhal make out ſuch proceſſe that the plate be brought to the Kings Exchange, in forme, as afore is ſaid, aſwel againſt the Cuſtomers, as againſt thoſe which haue founde ſuch ſuertie, and haue not brought againe plate, as aforeſaide, and in the ſame manner it ſhalbe done at the Purification, of the certificatiō made to ỹ ſaid Warden at All Saints before, & alſo at

Exchange

Certifie

Treaſurer
Eſchequer

Proceſſe

S.

S. John, of the certification made to him by the ſame Cuſtomers, at the Purification before, and ſo from time to time, at the termes aforeſaid. And that none ſhall cocket wooll, but in the name of him to whom the woolls ſhall belong, & if any woolls be found otherwiſe cocketted, they ſhall be taken into the kings hands as forfeited. Anno. 14. E. 3. Sta. Prælatorum cap. 4.

Plate

3 ¶ Item that no Cuſtomer nor Controller, haue any ſhips of their owne, nor meddle of the freight of ſhips, and that to eſchew alwel the dammage of our Soueraigne Lord the King of his cuſtomes, as the loſſe of the Marchants, repairing to the port, alwell aliens as denizens. An. 14. R. 2. ca. 10. See the like infra 11.

Shippes Freight

Marchants Aliens Denizens

4 ¶ Euery Cuſtomer frō henceforth, vpon the yeelding of his account in the Eſchequer, be ſworne by his othe, to anſwer lawfully to the ſame our ſoueraine Lord the King, without fraud, or male engin, of all maner profits and commodities, for the payment of any aſſignement, be it by taile or in any other maner. An. 4 H. 4. cap. 20.

Account Eſchequer Sworne

Taile

5 ¶ No man that holdeth any commō hoſterie in any citie or Borough of England, ſhall be Cuſtomer, Controller, ſurveyer nor ſearcher, of the ſaide Soueraigne Lord the King, & that to eſchew the dammage & loſſe, which thereof may happen, by the fauour that ſuch common hoſtlers may or will do to Marchants, and other their hoſtes in their ſaid offices. Anno. 11. H. 4. cap. 2. See the like infra 115.

Hoſterie

6 ¶ Whereas our Soueraigne Lorde the king hath had the cuſtome & ſubſidie in the forme contained in the grant of his Commons, and amongſt other of euery cloth of Scarlet, & of other cloth of whole graine, a certeine cuſtome: Now ſo it is, that certaine Marchants aliens, dwelling in the Citie of London, and other townes, haue taken & do hold great houſes, in which they be ſole inhabitants, & do buy ſometime, as in a yere a thouſand or two thouſand clothes of fine white, or more, and do die the ſame of their owne graine in Scarlet, or in ſanguine, or in other colours of whole graine, or halfe grain, and afterward do the ſame clothes to be cut to ſmall pieces of fiue or ſixe yards, or more, or leſſe, and thereof make diuers garments, and packe the ſame in their ſaid houſes, and in the ſame packes, ſubtilly do packe fine wool, gold, & ſiluer in plate, and ſometime they put ſuch wool, gold, and ſiluer in barrels, and other veſſels, & bring the ſame out of the Realme, without paying any cuſtome or ſubſidie for the ſame, vnder the colour of ſuch garments ſo made, becauſe that ſuch garments be not cuſtomable, and ſo our ſaid Soueraigne Lord the King by ſuch Marchants aliens ſo dwelling alone in their houſes, is daily defrauded, & greatly deceiued of his cuſtomes & ſubſidie, to his great dammage and preiudice in this behalfe: It is therefore ordeined & eſtabliſhed, that all Marchants aliens from henceforth ſhall pay the cuſtomes & ſubſidies, alwell for ſuch garments after the rate: that is to ſay, if foure or fiue or ſixe ſuch garments do conteine one cloth of whole graine, that then they ſhall paye the cuſtome and ſubſidie as for a whole cloth of Scarlet, if leſſe, leſſe: or if more, more: as alſo of grained clothes, and al other clothes of wooll. And more ouer it is accorded & aſſented in the ſaid Parliament, that Commiſſions ſhalbe made to certein perſons, to enquire if the ſaid aliens haue any thing done or attempted to the contrary of the ſaid ſtatutes, made before this time in this cauſe, & therof to certifie in the kings Chancerie. An. 11. H. 4. ca. 7.

Graine

Garments

Wool Gold Siluer

Plate

Marchants Aliens

Commiſſions.

Chancerie

7 ¶ If any Cuſtomer, Collectour, or Controller of the Kings cuſtomes of cockets of clothes, of ſubſidies, of tonnage or pondage in any port or place of England, be duely attainted or conuict, at ỳ kings ſute of falſe concealing of the kings cuſtome or ſubſidie, duely entred and payed by any Marchant: That then the ſaid Cuſtomer, Collectour, or Comptroller ſo duely attainted or conuicted by the lawe, ſhall loſe and forfait to the king the treble valure of the marchandiſes ſo duely cuſtomed, and make fine and ranſome. And he that will ſue ſhall haue the thirde part for his labor. An. 3. H. 6. ca. 3.

Clothes Subſidies Tonnage

Attaint Conuict

Forf.

Fine

8 ¶ The Cuſtomers & Comptrollers ſhall write & deliuer ſufficient warrants, ſealed with the ſeale of their office to be ordeined, to the ſaid Marchants, and to euery of them, for all and euery of their marchandizes, euery time by them to the Cuſtomers & Cōptrollers duely ſhewed. And that the ſaid Marchants, nor none of them ſhal any thing pay for the ſaid warrants, but onely their due cuſtome. And in caſe that any Cuſtomer or Comptroller in any of the ſaid Ports do the contrary: that then euery Marchant ſo grieued, may

Warrants

Marchants Marchandizes

Action

may haue an action by vertue of this ordinance, to purſue againſt euery cuſtomer or comptroller that doeth the contrarie, in euery Court of Recorde. And Attaint Forf. then euery Cuſtomer or Comptroller ſo attainted, ſhal forfait to the king for euery default x.li. And to the Marchant therby greeued that wil ſue, C. ſhillings. An. 11. H. 6. ca. 15.

Blank Cockets

9 ¶ Anno 11. H. 6. cap. 16. An act was made to endure for iij. yeeres, againſt Cuſtomers for making of blank cockets.

Denizen

10 ¶ Euery Marchant Denizen for wools, woolfels, & tinnes which ſhall be charged & ſhipped in any galley, carack, or other veſſel, to be brought and carried by the Sea, by the kings licence, or otherwiſe to other places & portes, then to the Staple of the king, ſhall pay to the King ſuch Cuſtomes and ſubſidies, and other duties, as Marchants aliens paye to the king for ſuch marchandizes.

Woolles Woolfels Tinne

Licence

Prouided alwayes, that this graunt or ordinance ſhal not extende to any perſons which haue licences by the kings letters Patents, to them made before this time, to ſhip, carrie, or bring any wools, woolfels, or tinne, to other places or portes beyond the Sea, then to the ſtaple of Calice, but that they ſhall be of this ordinance cleerely diſcharged and excepted. An. 20. H. 6. cap. 4.

Letters patents

Tranſport Calice

11 ¶ No Cuſtomer, Comptroller of the cuſtome, clerkes, deputies, miniſters, nor their ſeruants, factors, or ſearchers, comptrollers, or ſurueyors of ſearches, nor their clerks, deputies, miniſters or factors, ſhal haue any ſhips of their owne, or ſhal buy or ſell by way or by colour of marchandiſes, nor they ſhall not meddle with the fraighting of ſhippes, or haue or occupy any ſuch wharfes or keyes, or ſhal hold any Hoſteries or Tauernes, or ſhall be any factors or atturneyes, for any Marchant denizen or alien, nor ſhall bee Hoſt to any Marchant alien, vpon paine of xl.li. to be forfait, as often as they doe to the contrarie: that is to ſaye, the one halfe to the king, and the other halfe to him that will ſue in this caſe againſt any ſuch perſon doing the contrarie: This ordinance to begin at the feaſt of S. Michael next comming. Anno 20. H. 6. ca. 5. See the like before. 3. 5.

Ships

Wharfes Keyes Hoſteries Tauerne

Forf.

Moitie

12 ¶ An. 20. H. 6. ca. 7. It was enacted to endure to the next Parliament, that if any marchandize be diſcharged, the cuſtome not payed, or if any marchandize of the ſtaple be carried ouer, the cuſtome not payd, they ſhould be forfait. Forf.

Tonnage Pondage

13 ¶ Anno 12. E. 4. cap 3. It appeareth that in An. 3. E. 4. a ſubſidie of tonnage & pondage was granted to the King for his life of certaine wares. And in the ſaide act of 12. E. 4. cap. 3. It is further enacted as followeth. No Marchant Denizen or Stranger, ſhal ſet or ſuffer any Cloth of golde, or ſiluer, bawdkin, velnet, damaſk, ſatten, tartaron, or chamblet, nor none other cloth of ſilke, nor any corſe of ſilke and of golde, nor of ſilke of the making of any of the parties beyond the ſea to ſell, before that the Collectors of the ſubſidie of Tonnage & Pondage, and the Comptroller of the ſame, in the Port where ſuch marchandiſes is ſet vpon land, hath ſurueyed and meaſured the ſame, & hath ſealed euery piece thereof in the one ende thereof, with the ſeale or marke, eſpecially to be ordeyned for the ſame, whereof the ſame Collectors haue the one part, & the Comptroller hath the other part, ſeuerally in their cuſtodie. And if any ſuch cloth of golde, of ſiluer, bawdkin, velnet, damaſk, ſatten, ſarcenet, tartaron, chamblet, and cloth of ſilke and of gold, be any time hereafter ſet to ſale not ſealed, nor hauing ſuch ſeale thereupon: What then he which ſetteth ſuch marchandiſe to ſale, ſhall forfait the ſame marchandiſe, or the value thereof, whereof two partes ſhall be to the king, and the thirde parte to the finder. Alſo it is ordained by the ſame authoritie, that the Collectors of the ſame ſubſidie, and the ſaid Comptroller, ſhall at all times requiſite, be readie to ſeale ſuch marchandiſes, & to ſeale the ſame at all times when they be required, without delay, or taking any thing for the ſame in any wiſe, vpon paine of forfeiture to the owner thereof xx. ſhillings, for euery of the ſaid Collectors and Comptrollers at any time that they refuſe to ſeale ſuch marchandiſe after ſuch requeſt made, or taking any thing for the ſealing of any ſuch marchandiſe. Alſo it is ordeined by the auctoritie aforeſaide, that all manner of ſuch clothes of golde, of ſiluer, bawdkin, velnet, damaſke, ſatten, ſarcenet, tartaron, chamblet, and euery other cloth of ſilke, corſe of gold and ſilke, now being within this Realme, and after the feaſt of Saint Michael the Archangell next cõming offered to ſell, ſhalbe ſealed with the ſaid Seales before the ſaid feaſt, vpõ the paine before ſpecified. Alſo whereas

Denizen Cloth of gold

Silke

Meaſure

Seale

Forf.

Seale

Forf.

Refuſe

it is expressed in the said grant of the said Subsidie, that if any concealement bee found in the Marchants in the payment of the saide dueties, that they for such concealement, shall paye onely double subsidie, without other pame or forfaiture therein, as in the same Acte is more fully conteyned.

Conceale

Double subsidie

The King considering that notwithstanding the same ordinance, Marchants do not regard to defraud him of his duetie of the said Subsidie, in asmuch as they do nothing for faire in that behalfe, but onely pay the double subsidie: By the aduise, assent, and authoritie aforesaid, hath ordeined and established, that the same statute in this behalf be void, and of no strength. And if any Marchandizes which be to be brought frō the parties beyond the Sea, or to be carried out of this Realm, whereof any subsidie is or shalbe due, or perteining to the King, be hereafter shipped to be caried beyond the Sea, the Collectors of the said Subsidie not payed, or without agreement with the Collectors of the said subsidie for the same: That then the saide marchandizes, or the value therof shalbe forfait to the king. Also whereas diuers Marchant strangers, & other oftentimes in the Citie of London, and in other places, haue packed diuers woollen clothes, some in graine, some ungrained, & other clothes not grained, & the same so packed caused to be caried by land from London, & other places to other portes, as to Sandwich, Southhampton, and other portes, whereas the Customers for the time being, without due packing or sight of such clothes, vpō the information of the Marchant, doe custome such clothes as for course clothes, wherby the king is greatly deceiued of his duetes thereof, aswell in the fineneſſe of such clothes, as in not knowing of the number of the clothes so packed: Therefore the king by thaduise and assent aforesaid, and by the same authoritie, doth ordeine, establish, and enact, that in euery Port within this Realme of England, wherein any woollen clothes shalbe packed, after the first day of May next comming, in the presence of the Collectors of the aforesaide Customes & subsidies of the same Port for the time being, that all such customes and subsidies, due and pertaining to the king for the said clothes, shalbe payed and contented to the same Collectors where the said clothes be so packed, or els sufficient sureties shalbe therefore to them found, before that the same clothes bee carryed from the said Port, to any other Port or place, vpon paine of forfaiture of all the same clothes, or the value therof, to be had of the owner of the same. And if any woollen clothes to be carried ouer the Sea, be packed in any other manner, or vnder any other forme: that then the Collectors of the Port where they be so packed, or brought to be packed, shall seise, & there vnpacke all the said packes and fardels, and survey all the clothes therein, so that our soueraigne Lorde the King may be truely answered of his duitie in this behalfe, without any fraud or deceit. And if any Customer or Comptroller of anye Port or place be negligent or slack, in vnpacking of the said clothes, or surueying of them, in the forme aforesaid: that then and as often euery such Customer and Comptroller, for euery such default, shall forfait to our Soueraigne Lord the king xx.s for euery such Cloth.

Cloth

Forfait.

Woollen cloth.

London

Ports

Sureties

Forfait.

Bells

Forfait.

Moreouer, it is ordeined by the aduise and the assent aforesaid, that euery of the saide Collectors, receiuing any custome or subsidie for any of the saide clothes, or sureties for the same, shalbe thereof charged and chargeable to our Soueraigne Lorde the king, vpon his or their accompt. And that the same Collector or Collectors shall from time to time, make a Cocket or Cockets of all such clothes, directed to the Collectors of the Porte where the same clothes shalbe shipped, witnessing their number, and that he or they haue receiued the customes and subsidies of the same clothes, or sureties for the same, By which cocket or cockets, the said collectors or the receiuors of them, shal be thereof discharged against our soueraigne Lord the King & all other, of the same customes and subsidies.

Charge

Accompt

Cocket

Prouided alwaies, that this act or ordinance be not preiudicial, nor in any wise hurtfull to any person or persons, in, or for any letters patents made by the king our Soueraigne Lorde, of any graunt of licence to ship & carrie out of this Realm of England, any woollen clothes or other marchandizes, specified in any of the said letters Patents, to retaine the customes and Subsidies in their owne handes, or in the handes of any of them. And that the same Letters Patentes bee to the same person or persons, and euery of them, good and effectuall, after the tenor of

Letters patents Licence

of the same Letters Patents, and euery of them: This act or ordinance notwithstanding, by whatsoeuer name or names any of the saide person or persons be named or called in any of the saide Letters Patents. An. 12. E. 4. cap. 3.

Denizen

14 ¶ Any person made, or hereafter to bee made Denizen, shall paye for his marchandise like custom and subsidie, as he ought or should pay afore that he were made denizen: any letters Patẽts, or other ordinances by Parliament contrary to this made notwithstanding. Anno. 1. H. 7. cap. 2.

Letters patents

Denizen Stranger

15 ¶ Euery Marchant aswell Denizen as stranger, which shall bring from hencefoorth any maner of goods into any Port within this Realme by way of marchandise, and there do enter the saide goods or marchandizes in the bookes of the Customers of the saide Port where the goods or marchãdizes shall first come to, and the Kings duetie thereof to the saide Customers contented, or therefore with him agreed, and afterwarde that done, will conuey or carie the same goods or marchandizes from thence into any port within the saide Realme: That then the owner of the same goods & marchandizes, his factor or atturney, shall bring from the Customers of the Port, where the said goods or Marchandizes were so entred, a certificate vnder the same customers seales, directed to the customers of the Port, whereunto the saide goods or marchandizes shalbe conueyed or caried, making mention within the same certificate, aswell of the naturall colour, length, and value, af all maner of marchandizes so entred, vsed to be meat with Elle or Yarde, as of the naturall weight, content or valure of all maner other marchandizes vsed to be weyed or valured. And that the same certificate so made, be deliuered to the said Customers before the said goods be discharged, so that they may see whether the natural colour, length, value, content, or weight of the same do agree with the saide certificat, so that the king be not deceiued of his custome & subsidies therof due. And if any certificat be made from hencefoorth by any Customer of any Port, wherunto any such goods or marchandizes shalbe first brought, & there in their bookes entred, not making mention according as is aforesaid: that then the saide Customer or customers, for their misbehauing shall lose their office, & to make fine with the king for the same at his pleasure. And furthermore, if any such goods or marchandizes, or any parcel thereof be discharged, vnpacked, or put to sale within any Port, then within the same where they shalbe first entred, before the saide certificate be deliuered, & the same goods & marchandizes seen, according as is above expressed: That then all the said goods or marchãdizes be forfeited to the king our Souereigne Lord: The one halfe therof to remaine to his highnesse, & the other half to him & them which shall prooue any such goods or marchandizes so forfaited. And that the Customer or customers, nor no deputie to any such common Officer to whom such certificate shal come, take nothing for the sight of the same goods so certified. Also it is ordeined & established by authoritie aforesaid, that no maner of Marchant, denizen nor stranger, do take vpon him to enter, or cause to be entred in the bookes of any Customer of any Port within this Realme, any maner of marchandizes comming into this his saide Realme, or going out of the same, in any other Marchants name, sauing onely the name of the true Marchãt owing ẏ same, vpon paine of forfeiture of all such goods & marchandizes so entred: and euery of the saide Marchants which so shall take vpon him to cause such vntrue entrie to be made, to haue imprisonmẽt, & to make the fine therof at the Kings pleasure. And that no person take vpon him to be Customer, Comptroller, or searcher, in any port, citie, borough, or towne, where he is common Officer, nor no deputie to any such common Officer, vpon paine of forfeiture for euery halfe yere that he occupieth the said common office and offices of the customership, comptroller, or searcher, the summe of xl. li. The one halfe therof to the king, & the other halfe to him that will sue for it, by writ, bill, or information. An. 3. H. 7. ca. 7. See part of this Act altered here following. 16.

Certificat

Colour
Length
Weighe

Office lost
Fine

Unpacked

Forf.
Moitie

Denizen

Name
Forf.

Imprisonm.
Fine.

Officer

Forf.

Moitie

16 ¶ The custome and subsidie of all woollen clothes to be shipped and carried ouer the Sea, whereseuer they be packed, shalbe paied to the Customers of the Porte or Portes where any such clothes shalbe laded or shipped, or to their deputies: This Act (s. An. 12. E. 4. cap. 3. before 3.) or any other act heretofore made to the contrary notwithstanding. An. 11. H. 7. cap. 6.

Woollen cloth Shipped

Strangers' Denizens

17 ¶That al Marchant ſtrangers and other that be made Denizens by ỹ kings letters Patents, or otherwiſe, pay from henceforth ſuch cuſtomes & ſubſidies for their goods & marchandizes, inward and outward, as they ſhould haue paid if ſuch letters Patents & graunts had neuer to them bin made. An. 11. H. 7. ca. 14.

Letters patents

18 ¶See Bowes and Bowſtaues. 5. that no cuſtome ſhalbe paide for certaine bowſtaues.

Bowſtaues

19 ¶It be lawfull from henceforth that euery Engliſhman, and all other the kings ſubiects, may in euery port or hauen within this Realm of England, Ireland, & Wales, and in the Marches of the ſame, and in the town of Berwik, where it ſhall happen any marchandiſe to arriue, or to be charged & carried out, to cuſtome in his name all maner of goods and marchandiſes of another Engliſhman, or the kings ſubiect. And in like forme euery Marchant ſtranger to cuſtome in his name any goods or marchandiſes of any other Marchant ſtranger, ſo that the ſaid Marchant ſtranger, that cuſtometh the goods of another Marchant ſtranger, & the verie owner or proprietary of the goods ſo cuſtomed, be charged with like cuſtome, ſubſidie and other things, ſo that the kings grace be not defrauded of his right. And if any Marchant ſtranger or Denizen, or any other the kings ſubiects cuſtome any goods or marchandiſes of any other ſtranger or denizen, or of any other the kings ſubiectes, whereby the kings grace ſhould loſe his cuſtome, ſubſidie, or other his right or duetie: What then the ſaide Marchant ſtranger or denizen, or any other the kings ſubiect, that ſo taketh vpon him or them, to forfait to our Soueraigne Lord the king, the goods or marchandiſes ſo cuſtomed, and ouer that, to forfait to the partie or parties in this behalfe grieued, as much money, as the goods or marchandiſes of the Marchant ſtranger denizē, or other the kings ſubiects ſo cautelouſly cuſtomed amounted vnto. And that no Citizen of London, or other the Kings ſubiectes inhabiting in the cinque Ports, or any other being free of priſage, or butlarage of wines, by graunt, cuſtome, or otherwiſe, cuſtome no wines of any perſon or perſons not being free of any priſage or butlarage. And if any perſon free of the ſaide priſage or butlarage ſo doe, that then the ſaide perſon or perſons that ſo do, forfait to our ſaid Soueraigne Lorde the double value of the priſage of the ſaide wines ſo cuſtomed. And further that it be lawfull to any perſon or perſons grieued contrarie to this act, to haue an action of debt againſt any perſon or perſons that ſo cuſtomed the goods or marchandiſes in his name, & not in the owners name, of the ſumme of the value of the ſaide Marchandiſes ſo cuſtomed and forfaited, in the which action, none eſſoine nor protection ſhall lye, nor the defendant to wage his lawe. An. 1. H. 8. cap. 5. See before 15.

Stranger

Forf.

Forf.

London

v. ports Priſage Butlarage

Forf.

Action.

20 ¶From henceforth the Collectors and comptrollers of the ſaid ſubſidie (s in 12. E. 4. cap. 7. before 13.) nor their clerkes nor any of them, take for the ſealing of any peeces of the ſaid marchandiſes aboue rehearſed (s. in 12. E. 4. ca. 3. before 13.) any thing vpon paine of forfeiture at euery time xx. li. And alſo be it &c. that if & as often as the ſame Collectors and comptrollers, or any of them, vnreaſonably delay or tarrie the ſaide Marchants or any of them, for and about the ſealing of the ſame Marchandiſes, that then and ſo often the ſame collectors and comptrollers, and euery of them ſo vnreaſonably delaying and tarrying the ſame Marchants or any of them, to forfait for the ſame xl. s. The one moitie of euery of the ſaide penalties ſo forfeited to be to ỹ king our ſoueraigne Lorde: And the other moitie thereof to the Marchant ſo grieued, that will ſue for the ſame by way of information in the kings Eſchequer, or by action or bill of debt after the order of the common law, as in any other actions of debt is vſed. In which actiō the defendant ſhall not be admitted to wage his lawe, nor protection nor eſſoyne to be to him allowed in the ſame ſuit for the ſaid forfaiture An. 4. H. 8. cap. 6.

Sealing

Forf.

Delay

Forf. Moitie

21 ¶See Engliſhmen 2. that Engliſhmen ſworne to forreine Princes, ſhall pay cuſtome as ſtrangers.

22 ¶See Cordiners 11. for the cuſtome of leather.

Leather

23 ¶If any ſtranger borne, denizen or not denizen, or any of the kings Subiects, do at any time from or after the laſt day of March next comming, any act or thing contrarie to the true meaning, tenour and purport of the ſame former acte and ſtatute (s. An. 1. H. 8. cap. 5. before 19.) that then he and they ſo offending, ſhall loſe and forfait all his and their owne goods and cattels perſonals for euer.

Denizen

Forf.

The

The one moitie of which forfeiture ſhall be to the king, & the other moitie to him or them that will ſue for the ſame, by bill, plaint, action of debt or information, in which bill, plaint, action or information, no wager of law, eſſoyne or protection ſhalbe admitted or allowed. Moitie Bill

Prouided alway & be it &c. that euery ſuch bill, plaint, actiõ or information, ſhal be had & purſued within three yeeres next inſuing any ſuch offence committed or done, or els the offender to be cleerly free, and diſcharged thereof, any law or ſtatute to the contrarie had or made, notwithſtanding. An. 2. E. 6. cap. 22. Diſcharge

¶ Cuſtomes and vſages.

Lordſhips Manors Reuerſions Cromwell Thynne

A Swel all the lordſhips, manors, lands, tenements, woods, paſtures, rents, ſeruices, reuerſions, remainders, aduowſons, and all other whatſoeuer hereditaments, ſet, lying and being within the Countie of Kent, of the which Thomas Cromwell knight of the honourable order of the Garter, Lorde Cromwell of Wimbildon, Lord priuie ſeale, Thomas Burgh knight, Lorde Burgh, George Brooke knight, lord Cobham, Andrewe Windſore knight, Lord Windſore, Tho. Cheney knight, Treaſorer of our ſaide Soueraigne Lord the kings moſt honourable houſhold, Chriſtopher Hales knight, maſter of the Rolles of our ſaide Soueraigne Lords Court of Chauncery, Tho. Willoughby knight, one of ỳ Iudges of the Kings Court of the common place, Anthony Seintleger knight, Edward Wotton knight, Edward Boueton knight, Roger Chomeley knight, ſerieant at law, Io. Champneis knight, John Baker eſquire our ſaid Soueraigne Lord the kings generall Atturney, Reynold Scot eſquire, Io. Guildford eſquire, Tho. Kempe Eſquire, Edward Thwaits Eſquire, William Roper Eſquire, Anthony Sands Eſquire, Ed. Iſaac eſquire, Percuall Hart eſquire, Edward Monins Eſquire, William Whetnall Eſquire, John Fogge Eſquire, Edm. Fetiplace Eſquire, Tho. Hardres Eſquire, William Waller Eſquire, T. Wilford eſquire, Th. Moile eſquire, T. Harlakinden eſquire, Geffrey Lee eſquire, James Hales, Henry Huſee, and Tho. Royden gentlemen, or any of them is or be ſeiſed to his or their own vſe or vſes, in fee ſimple or in fee taile, the which now beene of the tenure and nature of Gauelkinde, and heretofore haue been departed, or be departible betweene heires males, by the cuſtome of Gauelkinde, ſhal from hence forth be cleerely changed from the ſaide cuſtome, tenure and nature of Gauelkinde, and in no wiſe hereafter be departed or departible by the ſaide cuſtome of Gauelkinde, betweene heires males, but ſhal remaine, reuert, abide, deſcend, come and be after and according as Lordſhips, Manors, lands, tenements, and other hereditaments, do or may diſcend, remaine, reuert, abide, come, or bee according to the common law of this Realme, and as other manors, landes and tenements, being in the ſaide Countie of Kent, which neuer were holden by ſeruice of Socage, but be and alwayes haue beene holden by Knightes ſeruice, doe diſcend, remaine, reuert, abide, come and be: And in like maner to diſcend, and be diſcendable, remaine, reuert, come and be inheritable, to the heire or heires, after and according to the ſayd common lawes of this Realme of England. And that all and ſinguler the ſaide Lordſhips, manors, lands, tenements, and other hereditaments with the appurtenances of the ſaide Lorde Cromwell, Lorde Burgh, Lorde Cobham, Lorde Windſore, Thomas Cheyney, Chriſtopher Hales, Thomas Willoughby, Anthony Seintleger, Ed. Wotton, Edward Boueton, Roger Cholmley, John Champneis, John Baker, Reynold Scot, John Guildford, Thomas Kempe, E. Thwaits, William Roper, Anthony Sandes, Edward Iſaac, Percival Hart, Ed. Monins, William Whetnall, I. Fogge, Edmond Fetiplace, Thomas Hardres, William Waller, Thomas Wilford, Thomas Moile, Tho. Harlakinden eſquires, Geffrey Lee, James Hales, Henry Huſee, and Thomas Royden, or of any of them, and which before the making of this Acts haue bin of the ſaid nature and tenure of Gauelkind in the ſaide Countie of Kent, ſhall from henceforth be accepted, taken, inherited, deemed and iudged to be like as Lordſhips, manors, landes, tenementes, and other hereditaments at the common law of this Realme, and in ſuch manner and forme as if the ſame manors, Lordſhips, lands, tenements and other hereditaments, had neuer bin of the ſaide nature of Gauelkind, any vſage or cuſtome in ỳ ſaid Countie of Kent heretofore had, accepted or vſed, to the cõtrary notwithſtan- Rent Socage Knight ſeruice. Gauelkind Common law

standing. Sauing alwaies and reseruing to all and singuler persons, other then the said Lorde Cromwell, Lorde Burgh, Lorde Cobham, Lord Windsore, Tho. Cheyney, Christopher Hales, Thomas Willoughby, Anthony Seintleger, Ed. Wotton, Edward Bourton, Roger Cholmley, John Champnets, John Baker, Reynold Scot, John Guldsorde, Thomas Kempe, Edw. Whyttis, William Roper, Anthony Sanders, Edward Isaac, Percinal Hart, Ed. Wonins, William Whetnall, Joh. Fogge, Edmond Fetiplace, Thomas Harpers, William Waller, Thomas Willsorde, Thomas Wylle, Tho. Harlakinden Esquires, Geffrey Lee, James Hales, Henry Husee, and Thomas Royden, or any of them, and to euery of them against any other of them, all such right, title, interest, and inheritance, as they or any of them had before the making of this act, of, to, or in any of the saide mannors, lands, tenements, woods, pastures, rents, seruices, reuersions, remainders, aduowsons and other the premisses, as if this present act had neuer bæn had nor made. Anno. 31. H. 8. cap. 3.

2 ¶ See Forfeiture 5. Custome of forfaiture for felonie in Glocester and Kent and of custome of Dower, and Partition among heires males in Kent. Fol.

3 ¶ See for the custome of Kent in the new printed booke comonly called Magna charta late printed by R. T. Anno Domini 1556. fol. 147.

4 ¶ Anno 32. H. 8. ca. 29. it is enacted that the landes in Dwalbeche soke in Nottingham shire shall discēd to the heire at the common lawe, and shal not be partible betwæne heires males by the Custome.

¶ Custos Rotulorum.

WHere before this time the Lorde Chancellor hath had the appointmēt of the Custos Rotulorum, and the Custos Rotulorum the appointment of the Clerk of the peace, till nowe of late certaine vnworthie and vnlearned men haue by friendship obtained grauntes of the saide Clerkship for terme of their lines vnder the kings Letters Patents, whereby much inconuenience hath insued: For reformation thereof, Be it enacted &c. That no person or persons shall from henceforth be nominated and appointed to the said office and offices of the Custos Rotulorum, within any shire of this Realme of England or Wales, and other the kings dominions, Marches or Territories of the same, but such as shal haue a Bill assigned with the kings hand for the same: Which Bill signed shalbe a sufficient warrant by the authoritie aforesaid to the said Lorde Chancelor of England, and the Lorde Keeper of the great Seale for the time being, to make from time to time Commission and Commissions assigning and authorising thereby the same person to be Custos Rotulorum, vntill the King hath by another Bill assigned with his owne hande appointed and ordeined one other person to haue, occupie and exercise the same office of the Custos Rotulorum, and that the said person appointed and assigned to bee Custos Rotulorum, as is aboue said, shall and may occupie, exercise and enioy the same office of the Custos Rotulorum, by himselfe or his sufficient deputie learned in the Lawes of this Realme, and meete and able to supply the saide office, according to the tenor of the saide graunt or Commission: But this article aforesaid is altered againe as appeareth hereafter. 2. Assigned. Warrant Chancellor. Custos Rotulorum.

And be it &c. that euery Custos Rotulorum for the time being, shal at all times hereafter in euery shire of this Realme, Wales, and other the kings dominions, Marches and territories of the same, nominate, elect, appoint and assigne all and euery person and persons, which hereafter shall be Clerkes of the peace within any of the saide shires of this Realme of England, Wales, and other the kings dominions, marches and territories of the same, and to giue and graunt the same office & offices of the Clerkship of the peace to such able person instructed in the lawes of this Realme, as shalbe able to exercise and occupie the same, to holde and inioy the same during the time that the Custos Rotulorum shall occupie and exercise the saide office of the Custos Rotulorum, so that the sayde Clerke demeane him in the saide office iustly and honestly. And that it shall bee lawfull to euery such grauntee of the said Clerkship, to occupy & inioy the same office of the clerkship of the peace by himselfe or by his sufficient deputie, instructed in the lawes of this Realme, so that the same deputie be admitted, taken and reputed by the saide Custos Rotulorum, to be sufficient & able to exercise, occupie, Clerks of the peace. Deputie

keepe

keepe & inioy the same office of the Clerkship of the peace.

Prouided alwayes and be it &c. that all such as now haue any of the said Offices of Custos Rotulorum, or Clerkship of the peace by the kings letters patents, or cõmission to them made, shall and may inioy, haue and exercise their said Offices by vertue of the same letters patents or commission, by themselfe or their sufficient and able deputie instructed in the lawes of this Realme: any thing in this present act had or made to the contrary notwithstanding. Letters P.

Prouided also, and be it further enacted &c. that the Archbishop of Yorke, the Bishop of Durham, the Bishop of Ely, and euery of their successors, and al and euery such person & persons, corporations, & bodies corporated, to whom the Kings Maiestie or any of his noble progenitors, by his or their letters patents, haue giuen & graunted any libertie or authoritie, or otherwise haue authoritie by other lawfull meanes or wayes, to ordeine, make and constitute any of the said officers of Custos Rotulorum or Clerke of the peace, within any Countie Palantine or other place, shall and may haue and inioye the same libertie and authoritie, according as they haue had and enioyed the same: any thing in this present act had or made to the contrary notwithstanding. Anno 37. H.8. cap. 1. Archbishop Letters P.

2 ¶ For the restoring of the nomination and appointment of the office of Custos Rotulorum to the office of the Chancelor of England, or the Lorde Keper of the great seale, as in olde time it did appertaine & belong vnto the same: Be it &c. That the Lord Chancelor of Englãd, or Lord Keper of the great Seale for the time being, shal at all time & times hereafter, and from time to time without any bill or bils to be assigned with the Kings hand, name, elect, assigne & appoint such person and persons to be Custos Rotulorum within euery shire of this Realme of Englande, Wales & other the Kings dominions, Marches & Territories of the same, or by any of them, as by the discretion of the said Lord Chauncellor or Lord Keeper of the great Seale for the time being, shalbe thought able and mete to haue and exercise the same. And that the said person & persons so to be appointed, elected, named & assigned by the said Lord Chauncelor or Lorde Keper of the great Seale for the time being, shall & may occupie, exercise and inioy the same office of Custos Rotulorum, by himselfe or by his sufficient deputie or deputies, in as ample and large maner and forme, as if the said act had neuer bin had ne made: The before rehearsed act, or any thing therin cõtained to the contrary hereof in any wise notwithstanding. Chancellor

Prouided alwayes and be it &c. that all such as now haue any of the said offices of Custos Rotulorum by the Kings letters patents, or commission to them or any of them made, shal and may inioy, haue and exercise their said offices by vertue of the same letters patens or commission by himselfe, or his sufficient and able deputy instructed in the lawes of this Realme; Any thing in this present act had or made to the contrary notwithstanding. Letters P.

Prouided also, and be it further enacted &c that the Archbishop of Yorke, the Bishop of Durham, the Bishop of Elie, and euery of their successors, the Chauncelor of the Duchy of Lancaster for the time being, and all and euery person and persons, corporations and bodies corporated, to whom the kings Maiestie or any of his noble progenitors, by his or their letters patents, or Acte of Parliament, haue giuen and granted any libertie and authoritie, or otherwise haue authoritie by other lawfull meanes or wayes, to ordeine, make and constitute any of the said offices of Custos Rotulorum within any Countie Palantine or other place, shall and may haue and enioy the same libertie and authoritie, according as they haue had and enioyed the same: Any thing in this present Acte had or made to the contrarie notwithstanding. Anno 3. & 4. E. 6 cap. 1.

Dayes in Banke.

If a writte come within the Vtas of Saint Michael, a day shalbe giuẽ therupon vntill the Vtas of Saint Hillarie. And if it come in the quinzime of Saint Michael, day shalbe giuen vntil the quinzime of Saint Hillarie. If it come in the three wekes after Saint Michael, the day shalbe Crastino Purificationis. If within a Moneth after Michaelmas, in the Vtas of the Purification. If in crastino Animarum, then in the quinzime of Easter. If in crastino Martini, then in the three wekes after Easter. If in the Vtas of S. Martine, then in Easter Moneth.

If in the quinzime of Saint Martine, then within fiue weekes after Easter, & also there is day specially giuen in crastino Ascensionis, and it counteruaileth as much as within v. weeks after Easter. If in the Vtas of Saint Hillarie, in the Vtas Trinitatis. If in quindena Hillarij, then in quindena Trinitatis, and sometime in crastino of Saint John Baptist. If in crastino Purificationis, then in crastino and Vtas of Saint John Baptist. If in the Vtas of the Purification, then in quindena of John Baptist. If in quindena Paschæ, then in the Vtas of Saint Michael. If with in three weekes after Easter, then in quindena of Saint Michael. If within Easter Moneth, then within three weekes of the feast of Saint Michael. If within fiue weekes after Easter, or in crastino Ascensionis, then within a Moneth after the feast of Saint Michael. If in the Vtas of the Trinitie, then in crastino Animarum. If in quindena Trinitatis, or in crastino of Saint John Baptist, then in crastino Martini. If in the Vtas of Saint John Baptist, then in the Vtas of Saint Martin. If in quindena of saint John Baptist, then day shalbe giuen vnto quindena Martini. An. 51. H. 3.

2 ¶ If the Writ do come in Octauis Michaelis, day shalbe giuen vntill crastino Animarum. If it come in quindena Michaelis, day shalbe giuen vntill the crastino Martini. If in mense Michaelis, then in quindena Martini. If in crastino Animarum, then in Octauis Hillarij. If in crastino Martini, then in quindena Hillarij. If in Octauis Martini, then in crastino Purificationis. If in quindena Martini, then in octauis Purificationis. If in octauis Hillarij, then in quindena Paschæ. If in quindena Hillarij, then in tribus septimanis Paschæ. If in crastino Purificationis, then in mense Paschæ. If in octauis Purificationis, then in crastino Ascensionis. If in quindena Paschæ, then in octauis Trinitatis. If in tribus septimanis Paschæ, then in quindena Trinitatis. If in mense Paschæ, then in crastino Iohannis Baptist. If in quinque septimanis Paschæ, then in octauis Iohannis. If in crastino Ascensionis, then in quindena Iohannis. If in octauis Trinitatis, then in octauis Michaelis. If in quindena Trinitatis, then in quindena Michaelis. If in crastino Iohannis Baptistæ, then in tribus septimanis Michaelis. If in octauis Iohannis Baptistæ, then in mense Michaelis. If in quindena Iohannis Baptistæ, then in crastino Animarū. Dies in dote. Anno 51 H. 3.

3 ¶ In a plee of Dower, that is called vnde nihil habet from henceforth foure dayes shalbe giuen in the peere at the least, and mo, if it may conueniently be: So that they shall haue iiij. or vj. dayes at the least in the peere. In assises of Darreine presentment, and in a plea of Quare impedit of Churches vacant, dayes shall be giuen from xv. to xv. or from three weekes to three weekes, as the place shall happen to be neere or farre. Marlb. ca. 12. Anno 52. H. 3. Dower. Assise. Quare imp.

4 ¶ The king vnto his Iustices of the Bench greeting. Knowe yee that where within our Realme of Englande, it was doubted of the peere and day that were wont to be assigned vnto sicke persons being impleaded, when and from what day of the peere going before, vnto another day of the peere following, the yeere and day in a Leape peere ought to be taken and reckoned, how long it was. We therefore willing that a conformitie bee obserued in this behalfe euery where within this our Realme, and to auoyde all danger from such as be in plea, haue prouided, and by the counsell of our faithfull subiectes haue ordeined, that to eschue from henceforth all doubt and ambiguitie that might arise hereupon, the day increasing in the Leape peere shalbe accounted for one peere, so that because of that day none shalbe preiudiced that is impleaded, but it shalbe taken and reckoned of the same Moneth wherin it groweth, and that day and the day next going before, shalbe accompted for one day. Bissextile, Anno, 21. H. 3. Leap yeere.

5 ¶ In the said Trinitie Terme shal be iiij. common dayes of returne onely & not aboue, that is to saye, the first daye of returne shalbe & be called in crastino sanctæ Trinitatis. The second day of returne of the same Terme, shalbee, and be called in octauis Sanctæ Trinitatis. The thirde day of returne of the same Terme, shalbe and be called in quindena Sanctæ Trinitatis, and the fourth day of returne of the same Terme shalbe, and be called a die sanctæ Trinitatis in tres septimanas. And that the same dayes of returne shal be obserued & kept in all our soueraigne Lorde the Kings high Courtes of Recorde, hereafter to be holden at Westminster, Trinitis Terme

or

or other place or places, at the assignement, appointment or agreement of our said Soueraigne Lorde his heires or successours. And that from or after the feast of Saint Michael the Archangell nert comming, there shall not be, nor be called any dayes of returne in crastino Sancti Iohannis Baptistæ, octauis sancti Iohannis Baptistæ, nor quindena sancti Iohannis Baptistæ, nor any of them.

And bee it further enacted &c. that the said terme of the holy Trinitie, shal yerely for euer, from the saide feast of S. Michael Th'archangel next comming, begin the Sunday nert after Trinitie Sunday, whensoeuer it shall happen to fall. For the keeping of the Essoines, prokers, returnes, and other ceremonies heretofore vsed & kept, in like maner & fourme, as in times past hath ben vsed to be done in the day of returne commonly called in octauis Sanctæ Trinitatis. And that the full Terme of the saide Trinitie terme, shall yeerely for euer beginne and take his comencement the Friday nert after Corpus Christi daye, in such & like maner and forme, to all purposes, intentes and respects, as heretofore hath bene vsed the Wednesday nert after Corpus Christi day. And that from and after the saide feast of Saint Michaell Th'archangell nert comming, the said second and thirde dayes of returne, called octauis Sanctæ Trinitatis, and quindena sanctæ Trinitatis, shall take their commencement and beginne as in times past hath bene vsed. And that the saide fourth daye called a die Sanctæ Trinitatis in tres septimanas, shall take his commencemente and beginne from the saide Trinitie Sundaye vnto three weekes then next following, and shall haue his returne with the fourth daye, as is accustomed in other like dayes of returne.

And be it &c. that if after the saide feast of Sainte Michael the Archangel nert comming, any writte in any reall action come in, and be returnable in to any of our said Soueraigne Lord the kings Courts in octauis sancti Hillarij, then daye shall be giuen in crastino sanctæ Trinitatis, If in quindena Sancti Hillarij, in octauis Sanctæ Trinitatis. If in crastino Purificationis beatæ Mariæ, in quindena Sanctæ Trinitatis. If in octauis Purificationis beatæ Mariæ, then a die Sanctæ Trinitatis in Tres septimanas. And if after the same feast of Saint Michael the Archangell, any writte in any reall action come into any our saide Soueraigne Lorde the Kinges Courtes, returnable in crastino Sanctæ Trinitatis, then daye shall be giuen in crastino Animarum. If in octauis Sanctæ Trinitatis, in crastino Sancti Martini. If in quindena sanctæ Trinitatis, in octauis Sancti Martini. If a die Sanctæ Trinitatis in tres septimanas, in quindena sancti Martini. And bee it &c. that if after the saide feast of Saint Michael the Archangel nert comming, any Writte of Dower come into any of our Soueraigne Lorde the Kinges Courtes, and be returnable in quindena Paschæ, then day shall be giuen in crastino Sanctæ Trinitatis. If a die Paschæ in tres septimanas, in octauis sanctę Trinitatis, If a die Paschæ in vnum mensem, in quindena Sanctæ Trinitatis. If a die Paschæ in quinque septimanas, or in crastino Ascentionis Domini, then daye shall bee giuen vntill the daye of a die Sanctæ Trinitatis in tres septimanas. And if after the same Feast of Saint Michael the Archangell nert comming, any Writte of Dower come into any of our Dower. sayde Soueraigne Lorde the Kinges Courtes of Recorde, in crastino Sanctę Trinitatis, then daye shall bee giuen in octauis Sancti Michaelis. If in octauis Sanctæ Trinitatis, in quindena Sancti Michaelis. If in quindena Sanctæ Trinitatis, a die Sancti Michaelis in tres septimanas. If a die Sanctæ Trinitatis in tres septimanas a die Sancti Michaelis in vnum mensem, or otherwise as is appoynted, limitted and declared by the Statute of Marlebridge in the 12. Chapter thereof made and prouided.

Real action.

And it is &c. that all common Writes and Proceses, aswell personall as mixt, which shall fortune to be returnable in the said Trinitie Terme, shal haue and keepe the saide returnes of Crastino Sanctæ Trinitatis, octauis Sanctæ Trinitatis, quindena Sanctæ Trinitatis, and a die Sanctæ Trinitatis in tres septimanas, or any one of them: Prouided alway, and it is &c. that in such and like cases and proceße as speciall dayes haue beene vsed to bee appointed, assigned and giuen for the returning of writes and proceßes, it shall bee lawfull to the Justices of euery of the Kinges saide Courtes of Record for the time being, in al the proceßes by them awarded, to assigne and appoint speciall days of returnes, as by their

Proces

dis-

discretions shalbe thought conuenient.

Prouided also, and be it &c. that the dayes in Assise of Darrein presentment, and in plee of Quare impedit, limitted and appointed by the statute of Marlebridge (S. cap. 12 before 3.) and also the dayes to be giuen in attaint limitied in the statute made in the fifth yeere of the raigne of the noble King Edward the third (S. cap. 8. which is in Attaint 4.) being not contrariant to the tenor of this act, shall be holden firme and stable, and shal stand in their ful force and effect, Anno 32. Hen. 8. cap. 21.

Attaint

¶ Dammages and Costes.

VVHereas heretofore damages were not awarded in Assise of Nouel disseisin, but onely against the disseisors: It is prouided, that if the disseisors doe alien the landes, and haue not whereof there may be dammages leuied, that they to whose hands such tenements shall come shall be charged with the damages, so that euery one of them shall be charged with the damages for his time. It is prouided also, that the disseisée shall recouer damages in a Writ of Entre, grounded vpon disseisin, against him that is found tenant after the disseisor. It is prouided also, that where before this time dammages were not awarded in a plea of Mortdauncester (but in case where Landes were recouered against chiefe Lords) that from henceforth dammages shall bee awarded in all cases, where a man recouereth by assise of Mortdauncester, as before is saide in Assise of Nouel disseisin. And likewise dammages shalbe recouered in writtes of Cosinage, Aile, and Besaile. And whereas before time dãmages were not tared but to the value of the issues of the lande: It is prouided, that the demandant shal recouer against the tenant, the costes of his Writ purchased together with the damages aboue saide. And this act shall holde place in all cases where the party is to recouer damage. And euery man from henceforth shall be compelled to render dammages where the land is recouered against him, vpon his owne instruction, or his owne Acte. Gloceſter cap. 1. Anno 6. Edwardi. primi.

Assise Disseisors

Writ of Entre

Mortdanceſter

Cosinage

2 ¶ The king of his special grace granteth vnto his Citizens of London, that whereas before times they that were disseised of their freehold in the same Citie, could not recouer their damages before the coming of the Iusticers to the Tower: that from henceforth the disseisées shal haue damages by recognisance of the same assise, whereby they recouered their lands. And the disseisor shall be amerced before two Barons of the Eschequer, which shal resort once a yeare into the Citie to doe it. And it shall be commaunded vnto the Barons, and to the Treasorer of the Eschequer, that they shall cause it euery yeere to be leuied by two of them at their vprising. And the amerciaments by the summõs of the Eschequer shall be leuied to the kings vse, and be deliuered in the Eschequer. Gloceſter ca. 14. Anno 6. Edward. 1.

London

Disseisors

Amerce

Eschequer.

3 ¶ For entries by disseisin, damages shall runne from the time of the Statute published. In the same wise for damages in writs of Entre vpon disseisin, and in al Writs of Mortdanceſter, Cosinage, Aile or Besaile, touching intrusiõ by ones owne acte, by any manner of writte, damages shall runne after the writte purchased against them that held by Statute, albeit that their auncestors died seised thereof. Expositon of Gloceſter. Anno sexto Edwardi. 1.

Intrusion

4 Where oftentimes plaintife or demandant, plaintifes or demandants, that haue iudgement to recouer be delayed of execution, for that the defendant or tenant, defendaunts or tenaunts against whome iudgement is giuen, or other that bin bounden by the said iudgement, sueth a writte or writtes of Error, to annul and reuerse the saide iudgement, to the intent only to delay execution of the same iudgement: It is enacted, ordeined and established by the aduise of the Lords Spiritual and temporall, and at the prayer of the Commons in the saide Parliament assembled, and by authoritie of the same, that if any such defendant or tenant, defendantes or tenants, or if any other that shall be bounde by the said iudgement, sue afore execution had, any writ of Error to reuerse any such iudgement, in delaying of execution: that then if the said iudgment be affirmed good in the saide writte of Error, and not erronious, or that the said writte of Error be discontinued in the default of the partie, or that the person or persons that sueth writ or writes of Error be nonsuted in the same: that then the saide person or persons against whome the saide Writte of Error is

Iudgment

Error

Discõtinu.

Nonsuit.

sued

sued, shal recouer his costes and damages for his delay and wrongfull veration in the same, by the discretion of the Justice afore whome the saide writte of Error is sued. Anno 3. Hen. 7. cap. 10. And Anno 19. Hen. 7. cap. 20. It is enacted, that this acte bee good and effectuall, and that from thence forthit bee duely put in execution.

Auowyte

5 ¶ See Auowrie 1. and Recoueries 1. that the auowant shall recouer damages and costes.

6 ¶ If any person or persons at any time after the feast of the Purification of our Lady, in the twentie three yeere of the raigne of our Soueraigne Lorde king Henry the eight, commence or sue in any Court of Recorde, or elswhere in any other Courte, any action, bill or plaint of trespasse, vpon the Statute of King Richard the Second, made in the fifth yeere of his Raigne (See cap. 7.) for Entries into landes and tenements, where none Entrie is giuen by the Law, or any action, bill or plaint of debt or couenant vpon any especialtie, made to the plaintife or plaintifes, or vpon any contract supposed to be made betwene the plaintif or plaintifes, and any person or persons, or any action, bill or plaint of Detinue of any goodes or catteis, where the plaintife or plaintifes shall suppose that the propertie belongeth to them or to any of them, or any Action, Bill or plaint of Accompt, in the which the plaintife or plaintifes suppose the defendant or defendants to bee their Bailife or Bailifes, Receiuor or Receiuors of their manno, mese, money or goodes to yeeld Accompt, or any action, bil or plaint vpon the Case, or vpon any Statut for any offence, or wrong personall immediatly supposed to be done to the plaintife or plaintifes, and the plaintife or plaintifes in any such kinde of action, bil or plaint after apparance of the defendant or defendants, be nonsuted, or that any verdict happen to passe by lawful trial against the plaintif or plaintifes in any such action, bill or plaint: That then the defendant or defendants in euery such action, bill or plaint, shall haue iudgement to recouer his costes against euery such plaintife or plaintifes: And that to be assessed and taxed by the discretion of the Judge or Judges of the Court wher any such action, bil or plaint shalbe commenced, sued or taken. And also that euery defendant in such action, bill or plaint, shall haue such proces and execution for the recouerie and hauing of his costes against the same plaintif, or plaintifes, as the same plaintife or plaintifes should or might haue had against the defendant or defendants, in case that iudgement had bene giuen for the part of the said plaintife or plaintifes in any such Action, Bill, or Plaint.

Dettinue

Accompt

Verdict

Defendant

Taxe Judge

Proces

Prouided alway, that al and euery such poore person or persons being plaintif or plaintifes in any of the said actions, bills, or plaints, which at the commencement of their suits or actions be admitted by discretion of the Judge or Judges, where such suites or actions shall be pursued or taken, to haue their proces and counsaile of charitie, without any money or fee paying for the same, shal not be compelled to paye any costes by vertue or force of this estatute, but shal suffer other punishmēt, as by the discretion of the Justices or Judge afore whome such suites shall depend, shall be thought reasonable: Any thing afore rehearsed to the contrarye hereof notwithstanding Anno 23. Hen. 8. cap. 15.

No costes

Punishmēt.

7 ¶ Albeit that plaintife or plaintifes, bee or shall bee nonsuted in any whatsoeuer action, suite, bil or plaint commenced, or to bee commenced, sued, or to bee sued to the vse of our saide Soueraigne Lorde the King, his heires, or successors kings of England, or that it shall happen any verdicte to passe against any such plaintife or plaintifes in any action, Bill or plaint, sued or to be sued to the kinges vse: the defendant or defendants shal not recouer any costs against any such plaintife or plaintifes, Any acte or Statute made in this present Parliament or any other thing to the contrary being, in any wise notwithstanding. Anno 24. Hen. 8. cap. 8.

Plaintife

Verdict

Defendant

¶ Darreine presentment,

ASsise of Darrein presentment shall be take alwaies before our Justices of the Bench, & there shalbe determined. Magna Charta cap. 13.

¶ Decies tantum.

AS to the Article of Iurors in the 34. yeere, it is assented and ioyned to the same, that if any Iurors in assises sworne and other Inquestes to be taken betwene the King and the partie, or partie and partie, doe any thing take by them or by

Iurors

Assise Inquests

by other, of the partie, plaintife or defendant to say their verdict, and thereof bee attainted by Proces contayned in the same Article, be it at the suite of the partie that will sue for himselfe, or for the King, or any other person: euery of the saide Jurors shall paye tenne times as much as he hath taken. And he that will sue, shall haue the one halfe, and the king ỳ other half. And that al the imbracerors to bring foorth or procure such inquests in the Country to take gaine or profite, shall be punished in the same maner and fourme as the Jurors. And if the Juror or imbracer so attainted haue not wherewith to make gre in the maner aforesaid, he shal haue the imprisonment of one yeere. And the intent of the king, of great men, and of the commons is, that no Justice nor other Minister shall inquire of office vpon any of the pointes of this Article, but only at the suite of the partie, or of other as afore is said. Anno 38. Edw. 3. cap. 12.

Reward Attaint

Foyl.

Moitie

Imbracors

Punish

Imprisl.

Not inquire

¶ Declaration.

BY the auncient termes and formes of declarations, no man shall be preiudiced, so that the matter of the action be fully shewed in the declaration and in the writ. Anno 36. Ed. 3. cap. 15.

¶ Deedes and writings.

ANno 5. R. 2. cap. 8. It was enacted, that they whose writinges were destroyed in the last insurrection, should haue remedy by the Counsell.

Insurrectiõ

2 ¶ All statutes, recognisances, indentures, and other writings whatsoeuer, knowledged or made, by, or to any person or persons, bodies politike or corporate, being the Queenes subiects, since the vi. day of July last past, and before the first date of August then next following, vnder the name of the raigne of any other person, then vnder the name of our Soueraigne Lady the Queene, shall be as good and effectuall in the law, to all intents, purposes, constructions, and meanings: as if vpon the making thereof the name of our soueraigne Lady ỳ Quenes Maiestie, with her Stile appropriate and vnited vnto her Maiesties Imperiall Crowne, had bene fully and plainely expressed and contained in the same obligacions, recognisances, indenturs, estatuts & other writings. And that the same obligations, recognisances, indentures, estatutes, and other writings, shall and may be sued and minystred in barre exhibited, auerred, vsed and pleaded, in the name, title, and Stile, of our Soueraigne Lady the Queenes Maiestie, in such, and in the same manner and forme, as though the name of the same our Soueraigne Lady the Queene, with her graces vsual Stile had bene expressed, written and contained in the same: the lacke of the naming or mẽtioning of the name of our soueraigne Lady the Queene, of her Maiesties stile, in the date or time of the making of the said estatuts, recognisances, indentures, and other writings, in the said estatutes, recognisances, or other writings, in any wise notwithstanding.

Statutes Recognis. Indentures

Obligatiõs

Date.

Prouided alwaies, that this act, nor any thing therein contained, shal not extende to make good any letters Patents, Commissions, gifts, graunts, leases, demises, or other writings, made by the said Lady Jane Dudley, otherwise called the Lady Jane Gray, sithence the saide vi. daye of July last past, of any manors, lãds, tenements, hereditaments, offices, fees, or other writings whatsoeuer, now, or then being by any waies or meanes, parcel, member, or belõging to the said imperial Crowne, or to make good any other writings whatsoeuer, made by the said Lady Jane, sithen the said vi. day of July: But that they and euery of them shal remaine and be vtterly voyde and of none effect: any thing aforesaide to the contrary notwithstanding. An. 1. Mar. 1. Parliamento cap. 4.

Letters patents Cõmissions Leases Lady Jane

Voide

3 ¶ See Rome 4. That deedes and writings before made with the Seale of the supremacie, should be good and pleadable.

Seale

¶ Denizens.

ONe act was made concerning French Denizens, An. 4. & 5. P. & M. which was to continue but during the life of Quéene Mary.

Denmarke.

ANno 8. H. 6. cap. 2. An acte was made concerning Englishmen to remayne to the Staple in Denmarke: but it is repealed by 1. H. 8. cap. 1.

Staple

¶ Anno. 10. Hen. 6. cap. 3. It was enacted, that the Garden of the priuie Seale should make letters of requeste vnder the priuie Seale to the king of Denmake, to haue restitution of Englishmens goods, taken by him or his subiects. And if thereby

Priuie seale

Restitution

by reſtitution were not made, the Kinge by aduiſe of his Coũſel ſhould prouide remedie for the ſame partie grieued. See Breakers of Truce. An. 4. H. 5. cap. 7.

¶ Debt.

IT is prouided alſo, that in no Citie, Borough, Towne, market, nor faire, ther bee no forreine perſon (which is of this Realme) diſtrained for any debt, whereof he is not debtor or pledge. And whoſoeuer doe it, ſhall bee greeuouſly puniſhed without delay, and the diſtreſſe ſhall bee deliuered vnto him by the Bailifes of the place, or by the Kinges Bailifes, if neede bee. Weſt. 1. cap. 23. Anno 3. Ed. 1.

Diſtraine

Puniſh

2 ¶ See of an action of debt againſt a gailor. Accompt. 2.

Gailor

3 ¶ See Recogniſances 2. of an action of debt againſt the Gailor, that will not receiue one lent vnto him vpon a ſtatute Marchant, or if he receiue him, and after let hime eſcape.

Warden of the Fleete Priſoner

4 ¶ From henceforth no Warden of the Fleete ſhall ſuffer any priſoner there being by iudgement at the ſuite of the partie, to goe out of priſon, by mayneprize, baile, or by baſton, without making gree to the ſaide partyes of that whereof they were iudged, vnleſſe it bee by Writ or other commandement of the King, vpon paine to loſe his office, and the keeping of the ſaide priſon. And moreouer, if any ſuch Warden from henceforth bee attainted by due proces, that hee hath ſuffered, or let ſuch priſoner to goe at large againſt this ordinance, then the plaintifes ſhall haue their recouerie againſt the ſame wardens by a Writte of Debt. And alſo it is ordained, that if any at the ſuit of the partie iudged to any other priſon for debt, treſpaſſe, or other quarrell and will confeſſe himſelfe voluntarily, and by a fained cauſe debtor to the King, and by ſo much to be iudged to the ſaide priſon of the Fleete, there to haue greater libertie of priſon then elſewhere, & ſo to delay the partie of his recouerie, the ſame recognizance ſhall bee there receiued, and if he bee not debtor to the king of Record, his body ſhall incontinently bee remaunded to the priſon where hee was before, there to remaine till hee hath made gree to the ſaid party, and the ſame gree made, hee ſhall be immediatly ſent againe to the Fleete, ther to abid, till he hath made gree to the king of his recognizance aforeſaide. Anno 1. Ric. 2. ca. 12. See the like matter, Recogniſance 2.

Writ

Faſt.

Attaint

Debt to the King

Recognizãce

Remaund

5 ¶ In caſe of debt, where the debtors make fained giftes and feoffementes of their goodes and lands to their friendes and other, & after withdraw themſelues and flie into place of holy Church priuiledged, and there holde them a long time, and take the profite of their fayde landes and goods ſo giuen by fraud and colluſion, whereby their creditors haue bin long, and yet be delayed of their debts and recouerie, wrongfully and againſt good faith and reaſon: It is ordained and eſtabliſhed, that after the ſaide creditors haue thereof brought their writs of debt, and thereupon a Capias awarded, and the Shirife ſhall make returne, that he hath not taken the ſaid perſons, becauſe of ſuch places priuiledged, in which they bee or ſhall be entered: Then after ſuch returne made, an other writ ſhall bee graunted and made to the Shirife. In which Writ ſhall be compriſed, that Proclamation be made openly at the gate of the place ſo priuiledged, where ſuch perſons be entred by fiue weekes continually, euery weeke once, that the ſame perſon be at a certain day, compriſed in the ſame Writte, before the Kings Juſtices, there to anſwer to the plaintife of his demaunde, and vpon this Writ returned by the ſaid ſhirife, that proclamation is made in the ſaide forme, if the ſaide perſons called, come not in proper perſon, nor by atturney, iudgement ſhall bee giuen againſt them vpon the principall for their default. And out of the ſame iudgment, execution ſhalbe made of their goods & landes being out of the place priuiledged, aſwel (that is to ſaie) of thoſe landes & goods ſo giuen by colluſion, as of any other out of the ſame franchiſe, after that ſuch colluſion or fraude be duely found, in the ſame manner as that ought to haue bin if no demiſe had bin thereof made, notwithſtanding the ſame demiſe. But it is not the Kings minde, that by vertue of this ſtatute, any man be barred of his ſuite againſt ſuch debtors by the common courſe of the lawe before this preſent ſtatute vſed. Anno 2. R. 2. Stat. 2. cap. 3.

Gifts Feoffements

Sanctuary

Creditors

Capias

Shirifes

Proclamation.

Iudgement

Execution

Goods Lands

Colluſion

¶ Debt to the King.

WE nor our Bailifes, ſhall not ſeiſe any Lande or rente for any debt, as long as the preſent goods and cattels of the debtor do ſuffice to pay the debt, and the

Bailifes

Lands Goods

Suerties Distraine

the debtor himselfe bee ready to satisfie therefore. Neither shal the pledges of the debtor bee distrained, as long as the principall debtor is sufficient for the paiment of the debt. And if the principall debtor faile in paiment of the debt having nought wherewith to pay, or will not pay, where he is able ynough, then the pledges shall answere for the debt, and if they will, they shall haue the landes and rents of the debtor, vntil they bee satisfied of that which they before payed for him, except that the debtor can shew himselfe to bee acquited against the said suertie. Magna Charta cap. 8.

Lay fee Shirife Bailife. Letters patents

2 ¶ If any man that holdeth of vs lay fee, doe die, and our Shirife or Bailife doe shew our letters Patents of our summons for debt, which the dead man did owe vnto vs, it shall be lawfull to our Shirife or Bailife to attach and arrest al

Attach

Goods

the goodes and cattels of the dead man, being founde in the saide fee, to the value of the same debt, by the sight and recorde of lawfull men: So that nothing thereof shall be taken away, vntill we be clearely payed of the debt. And the residue shall remaine to the executors to performe the

Executors Will

will of him that is dead. And if it be found that he owe nothing vnto vs, all the goods and cattels shall goe to the vse of the dead man: sauing to his wife and children their reasonable partes. Magna Charta cap. 18.

Shirifes

Eschequer

3 ¶ In right of shirifes or other, which answere by their owne handes vnto the Eschequer, and which haue receiued of the Kings fathers debts, or the Kinges owne debtes before this time, and haue not acquited the debtors in the Eschequer: It is prouided, that the King shall send good and lawfull men through euery shire, to heare all such as will complain

Shirife Determine.

thereof, and to determine the matters there, that all such as can proue that they haue paied, shall bee thereof acquited for euer, which (whether the Shirifes or other be liuing or dead) shall haue restitution of their owne in a certaine forme that shall be deliuered them. And such as haue not so done (if they be liuing) shal be

Punish. Heires

grieuously punished. And if they be dead their heires shall answere and bee charged with the debt. And the King hath commaunded, that Shirifes and other aforesaide, shall from henceforth lawfully acquite the debtors at the nert accept after they haue receiued such debtes,

Accompt

and then the debt shall be allowed in the Eschequer, so that it shall no more come in the summons. And if the Shirife otherwise doe, and thereof be attainted, he shal pay to the plaintife thrice as much as hee hath receiued, and shall make fine at the Kings pleasure. And let euery Shirife take heede, that hee haue such a receiuor, for whome he will answere for the king wil be recompenced of all, of the Shirifes and their heires. And if any other that is answerable in the Eschequer by his own handes so doe, hee shall render thrice so much to the plaintife, and make fine in like maner. And that the Shirifes shall make Tales to al such as had payed their debt to the King, and that the summons of the Eschequer be shewed to all debtors that demaunde a sight thereof, without denying to any, and that without taking any money or reward, and he that doth contrary, the king shall punish him grieuously. West. 1. cap. 19. An. 3. Ed. 1.

Attaint in. Value Fine

Fine

Tales

Summons

No reward

4 ¶ Such distresses as are to be taken for his debtes, shall not bee made vpon beastes of the plough, so long as they may finde any other, vpon the same paine that is ordained by estatute. And he will not that ouer great distresses be taken for his debts, nor driuen to farre, and if the debtor can finde able and conuenient suertie for a day, within which a man may purchase remedy for to agree for the demand, the distresse shal be released in the meane time, and hee that otherwise doeth, shalbe grieuously punished. Articuli super Chartas cap. 12. An. 28. Ed. 1.

Distresses

Suertie

Releas

Punish

5 ¶ For the ease of the people which hath ben before this time grieued by outragious leuying of the Kings debts: the king will and granteth, that the Treasorer and Barons of the Eschequer, may determine and ordeine euery debt due to the king of the summe of CCC. li. according to the estate of the debtor: sauing alwayes their countenance. And that they shall not charge the Shirifes, Bailifes of liberties, nor none other accomptants in the Eschequer, to leuie any summe of any person, if he doe charge him of asmuch as hee may leuie by his othe, without abating ẏ debtors countenãce, but ẏ answers of the Shirifes & of other ministers, shall be taken according to the point of their othes. Anno 1. Ed. 3. cap. 4. Stat. 2.

Treasorer

Barons of the Ex.

Shirifes Bailifes

Eschequer

Othe

6 ¶ Be it declared and enacted, that al landes, tenements, profits, commodities & hereditamentes, which any Treasorer or

Lands Treasor

Receiuor Eschequer

or Receiuor, in or belonging to any of the Queenes Maiesties Courtes of the Eschequer, Wardes and Liueries or Duchie of Lancaster, Treasorer of the Chamber, Coferer of the houshould to the Queenes Maiestie, her heires or successors, treasorer for the warres, Treasorer of any fort, towne, or castle where any garrison is or shall be kept, Treasorer of the Admiraltie or Mainte, Treasorer, vndertreasorer, or other person accomptable to the Queenes Maiestie, her heires or successors, for any office or charge, of, or within the Mint, Treasorer or Receiuor of any summes of money in prest, or otherwise, for the vse of the Queenes Maiestie, her heires or successors, or for prouision of victual, or for fortifications, buildings, or worke, or for any other prouision to be vsed in any the offices of the Q. Maiesties ordinance and artillery, armorie, wardrobe, tents, & pauilions, reuels, customer, collector, farmer of customes, subsidies, impostes, or other duties, within any port of the Realme, collector of the tenthes of the Clergie, collector of any subsidy or xv. receiuor generall of the reuenues of any countie or counties, answerable in the recett of the Eschey or in the court of wards and Liueries, or the Duchie of Lancaster or Clerke of the Hamper, now hath, or at any time hereafter shall haue, within the time whilest he or they, or any of them shall remaine accomptable, shall for the paiment and satisfaction vnto the Q. Maiestie, her heirs & successors, of his or their arrerages, at any time hereafter to bee lawfully, according to the Lawes of this Realme, adiudged and determined vpon his or their accompt (al his due and reasonable petitions being allowed) be lyable to the payment thereof, and be put & had in execution for the paiment of such arrerages or debts, to be so adiudged and determined, vpon any such Treasorer, Receiuor, Teller, Customer, Collector, Farmer, Officer, or accomptant, as is before named, in like, and in as large and beneficiall maner to all intents and purposes, as if the same Treasorer, Receiuor, Teller, Customer, Farmor, or Collector, vpon whom any such arrerages or debts shall bee so adiudged or determined, had the day he became first Officer or accomptant, stand bounde by writing obligatorie, hauing the effect of a Statute of the Staple, to her Maiestie, her heires or successors, for ỳ trũe answering and payment of the same arrerages or debts.

Payment

Lyable Execution Arrerages

Statute Staple

And for asmuchas many times it may come to passe, that the Quæenes highnes, her heires or successors, shall not, or may not be conueniẽtly satisfied of the debt to bee determined, or due vpon any accompt or forme, as is aforesaide, by way of extent, for that the yerely value of the lands extended will not satisfie her Highnesse, her heires or successors, within the compasse of many yeeres, so as thereby great losse might ensue to her Highnesse, her heires and successors: For remedy thereof, bee it further enacted, that if any Treasorer, Receiuor, Collector, farmer, customer, teller, collector of custome, subsidie, or impost, or other person accomptãt before mentioned, which shal from or after the feast of S. Michael the Archangel now next coming, receiue or be chargable with any money or Treasure of our said Soueraigne Lady the Queene, her heires or successors, and shall vpon determining of his or their accompt (all his and their due petitions to them vpon the same accompt being allowed) or by reason of any farme, as aforesaide, be founde in arrerages, or to owe vnto our saide soueraigne Lady the Queene, her heires or successors, any summe or summes of money, and shall not within the space of vi. Monethes next after his or their accompts finished, or debt knowen (hauing allowance of his or their due & reasonable petitions, as is aforesaide) truely satisfie and pay al such arrerages & summes of money, as hee or they shall owe vpon determination of his or their accompt, or vpon his or their debt knowen, as is aforesaide: that then it shall and may bee lawfull to the Quæenes Highnes, her heires and successors, at any time, & frõ time to time, after ỳ said vi. moneths ended, to make sale by her or their letters Patentes, vnder the great Seale of England, of so much of the landes, tenements, and hereditaments of euerie such accomptãt or debtor, so being found in arrerages, or in debt, as is aboue mentioned, as may suffice our saide Soueraigne Lady the Queene, her heires or successors, for the satisfaction of his or their debt or arrerages to bee determined or adiudged vpon his or their accompt or farme, as is aforesaide (all due petitions being allowed, as is aforesaide)

Extent

Accompt

6. Monethes

Satisfie Arrerages

Sale Letters Patents Lands

Farms

vntill

vntill her Maiestie her heires or successors, be by such sale, fully satisfied and paied of such arrerages and debt to be found vpon accompt or farme, as is aforesaide: and if any ouerplus of money shall be reserued or had vpon any such sale, then the same shall bee payed and deliuered to the accomptant or farmer, or his heires, by the Officer that shall receiue the money vpon any of the saide sales, without any further or other warrant in that behalfe to be made or obtained.

Ouerplus

Sales

And be it further enacted by the authoritie aforesaid, that all the saide sales to bee made by the Queenes Maiestie her heires or successors, as is aforesaide, shall bee good and availeable in law, against the party accomptant, indebted as is aforesaid, & his heires clayming as heires, and against the Queenes Maiestie, her heires and successors, notwithstanding any former charge or incumbrance to her Maiestie, her heires or successors, by the person or persons for whose debt or duety the same shall fortune to be solde. And bee it further enacted by the authoritie aforesaid, that if any person or persons accomptant, or indebted, as is aforesaide, shall at any time after he or they shall become accomptant or chargeable, as is aforesaid, purchase and buy, or cause to be purchased and bought, any landes, tenements, or hereditaments, and cause the assurance therof to bee made in the name of any other person or persons, where the same is indeede meant or intended to the vse, profit, or behoofe of such person accomptant or indebted, or of any other person or persons, and that the same maner of purchasing, and secret vses, profites, or behoofes, shalbe found by office or inquisition: that then all and euery landes, tenements, & hereditaments, so to be bought or purchased, or caused to be purchased, as is before mentioned in this last Prouiso, shall by vertue of this act, be taken, deemed, and vsed for the satisfactiō of the arrerages & debt of euery such accomptant or debtor, as is aboue mentioned, to all intents and purposes, as though the person or persons indebted, vpon his or their accompt or farme, were thereof actually seised of such estate as was conueyed to any person or persons, by any such accomptant or debtor, or by his meanes as is aforesaid. And that all sales to bee thereof made by the Queenes Maiestie, her heires or successors, for satisfaction of such debt or arrerages, as shall be founde, as is aforesaide, to bee due and owing to our saide Soueraigne Lady the Queene, her heires or successors, shal be of the like effect, and be vsed and done in such like maner & forme, as is before expressed.

Shall Purchase lands

Collusion

Inquisitiōs

Sales

And whereas heretofore some Treasorers, tellors, receiuors, collectors, and others, hauing had charge of the Queenes Maiesties money and Treasure, haue gotten into their hands great summes of the Queenes Maiesties money & Treasure, sithence the beginning of her Maiesties reigne, and haue most fraudulently imployed her Maiesties money and treasure which they had in their charge, in sundry wise to their owne vses, partly in the purchasing her Maiesties owne landes, and partly in purchasing landes of other, and to the intent the same should not be lyable to satisfie and pay her Maiestie, her heires or successors, of that which to her or them should appertaine, haue purchased the same, sometimes in their owne names, and sometimes in the names of sundry their friends and kinsfolke, wiues or children, and yet neuertheles haue taken & receiued the rentes and reuenues thereof, to their owne vses: Wee it therefore further enacted and ordained by the authoritie aforesaid, that all and singuler landes, tenements and hereditamentes, which any Treasorer, Receiuor, Teller, Cullomer, Collector, Officer or accomptant before named, hath heretofore since the beginning of the Queenes Maiesties raigne, purchased, or caused to bee purchased, to the intent the same should not bee lyable, as is aforesaid (the fraud and couin aforesaide being first found by office or inquisition) shall and may bee seised and taken by her Maiestie, her heires & successors, and retained by her Maiestie, her heires and successors in fee simple, to bee solde, or otherwise vsed at her and their willes and pleasures, towardes the payment and satisfaction of all and euery arrerages already set or determined, and adiudged, or that hereafter shall be set, determined, or adiudged, vpon his or their accompt, (all reasonable and due petitions being allowed) at such rate and value, as the same were purchased or bought, or caused to bee purchased or bought by any such Treasorer, Receiuor, Teller, Cullomer, or collector before named, or by any other person to their vse.

Landes

Treasurer. Receiuor Teller Cullomer Collector Officer

Fraude

Fee simple

Landes

Prouided alwaies, that if the landes and

and tenements so to bee seised, taken, or sold by her Maiestie, her heires or successors, as is last above mentioned, doe surmount after the rate and value aforesaid, the debts and arrerages to be set, determined, or abiudged, vpon the accompt of any Treasorer, receiuor, teller, customer, collector, or accomptant before named: That then her Maiestie, her heires & successors, shal take & seise onely so much as shall amount after the rate & value aforesaid, to the iust payment & satisfaction of such debt & arrerages, as hath bin, or shal be set, determined, or abiudged, vpon his or their account as is aforesaid.

Bishop

Prouided alwaies, and be it further enacted by the authoritie aforesaid, that no Bishop, hauing the collectiō of any Subsidie or Tenths, or any his landes, tenements, or hereditaments, whereof he is seised in the right of his Bishoprieke, shal be charged by vertue of this acte, for any arrerages of tenthes or subsidie, otherwise, or in any other maner thē he might lawfully haue bēn before the making of this acte: any thing herein contained to the contrarie thereof notwithstanding.

And be it also further prouided & enacted by the authoritie aforesaide, that this act, or any thing therin cōtained, shall not in any wise extend to charge any treasorer, receinor, teller, customer, collector, or accomptant aforesaid, hauing any yerely

Receipt

receipt, nor any their landes, tenements, or hereditaments, whole yeerely receipt, collection, & charge, or whole whole receipt, from the beginning of his charge, is not, or hath not bēn, or hereafter shal not be aboue the summe of CCC. poundes, otherwise, or in any other maner & forme, then he or they might lawfully haue bēn charged before the making of this act: any thing herein contained to the contrary therof notwithstanding.

Coferer

And forasmuch as sundrie the accomptants before named, namely the Treasorer of the chamber, & Coferer of the houshold of our saide Soueraigne Ladie the Quēne, her heires & successors, Treasorers of warres or garisons, treasorers of the nauie, treasorers or receinors of anie summes of money for prouisions of victual, or for fortifications or for buildings, & Maister of the Wardrobe, are by order of their offices and charge, after their accompts ended & determined, to disburse, expend & defray the debt remaining vpon their accompts, in such charges, as are necessarily & incidently to be spent & prouided in their offices & charges, so as they are not of such sums of money or debt remaining vpō their accompt, to make present paiment & satisfaction, as other accomptants are: Be it therefore enacted & ordeined by the authoritie aforesaide, that this act, or any thing therin cōtained, shal not extend to giue any power or authority to make sale of any lands, tenements, or hereditaments, for any such debt to be set & abiudged, in any of his or their accompts, mentioned in this branch, vnles the Quēnes Maiestie, her heirs & successors, vpon the ending or determining of his or their accompts (all his or their due petitions to them vpō the same accompts being allowed) require, or command present paiment therof, or otherwise eftsons require a new accompt of the same debt so set or remaining in any the accompts mentioned in this branch, & that then the same debt, or any part therof, shal be foūd to be owing & vnerpended in the matters or charges pertaining to any of their said offices or charges mentioned in this braunch, and the same debt remaine vnpaied by the space of sixe moneths, after such request or commandement.

Accompts

6. Moneths

Prouided alway that this acte shall not extend to charge any Sheriffe, Escheator or Bailiffe of liberties, or the lands tenements or hereditaments of any Sherife, Escheator, or Bailife of liberties, nor of any their heires or assignes, for any thing touching his or their office of sherifewike, Escheatorship, or Bailifewike, nor for any money by him or them receiued, or to bee receiued, by reason of any their said offices, otherwise, or in any other maner then he or they might lawfully haue bin charged before the making of this acte: any thing herein contained to the contrarie notwithstanding.

Sherife Escheators Bailife

Heires

Prouided also, that this act as touching only the sale of any lands or tenements, shal not extend to any lands, tenements, or hereditaments, which any person or persons now haue or inioy, and haue purchased or obtained bona fide & not being priuy or consenting vnto any such intent, to defraude the Quēnes Maiestie, as is aboueaid: and that it shall be lawfull to euerie person and persons, whose landes, tenements, or hereditaments, shal by anie office or inquisition bee found to bee fraudulentlie conueied or assured, as is aboueaide, to haue his and their lawfull

Sale of lands

Defraude

Trauerse

Trauerse to euery such office or inquisition: And if it bee found with the partie that tendreth the Trauerse: That then he shal haue ẏ said lands out of the Princes hands, without any Petition, Knery, or Ouster le maine, or any other suit to bee had, made, or died. And the same beeing found for such person or persons so Trauersing, the same lands, tenements, & hereditaments shal be adiudged as not lyable, chargeable, nor to be solde by force of this statute.

Ouster le maine,

Prouided also and be it enacted, that if the Quéenes Maiestie, her heires or successors, shal by any sale of lands by force of this statute, be fully satisfied of the debt or arrerages of any such accomptant or debtor, or any part thereof, then the suerties of such accomptant or debtor shall be discharged of so much of the said debt, forfaiture, and arrerages, as so shalbe satisfied, & for the residue only, shall bee ratably according to their habilities charged: any thing in this, or any other statute to the contrarie notwithstanding.

Suerties

Discharge

Prouided alwayes, that this act, nor any thing therein contained, shall in anie wise extende to charge Henrie Golding Esquire, and Thomas Neale, one of the Quéens Maiesties Auditors, or the lands or tenements of either of them, to whom the Quéenes Maiestie hath demised any customes, subsidies, or impostes, in anie thing only touching the saide demise and lease, otherwise, or in any other manner, then they might haue bèen lawfully charged, if this act had neuer bin had or made, except they or either of them, do hereafter take any of the profits of ẏ said subsidies, customes, or impostes, by force of the saide demise: any thing herein contained to the contrarie thereof notwithstanding. Ann. 13. Eliz. cap. 4.

Auditors

7 ¶ For auoiding and redresse of great deceipts done to the Quéenes Maiestie, and to the Prelates and Clergie of this Realme, by vndercollectors of the tenths and subsidies of the Clergie, appointed by & vnder the Archbishops and Bishops of this Realme, and Deanes & Chapters (Sede vacante:) Be it enacted, that the statute made in the xiii. yère of her Maiesties raign, to make the lands, tenemèts, goods, and cattels of Tellers, Receiuors, &c. to bee lyable to the payment of their debts, shall to all intents and purposes, as amply and largely extende, and bee construed to extend to al such vndercollectors of tenths and subsidies of the Clergie, & to their landes, tenements, and hereditaments, goods and cattels, for satisfiyng of such money as they haue collected, or shal collect of the saide tenthes and subsidies, to the vse of the Quéenes Maiestie, her heires or successors (of what yérely summe soeuer the charge of their collection is or shall bée) in like forme as it doth extend to the Tellors, Receiuors, & other persons accomptant, whome the said acte specially and expressly concerneth, and in as ample wise, as if such vndercollectors were immediatelie accomptant to the Quéens Maiestie, her heires or successors: any prouision in the saide Statute, or other matter whatsoeuer, to the contrarie notwithstanding.

Collectors

Stat. of Anno 13. Eliz.

Landes Goods

Tenths Subsidies

And that euery such vndercollector, shal vpon procelle to bee awarded out of the Court of Eschequer, be chargeable to accompt for his receipt of such Tenths and Subsidies, as any Receiuor, immediately accomptant to her Maiestie, is or ought to be. And that euery Archbishop & Bishop, and Deane & Chapter (Sede vacante) to whose charge the collectiō of such tenths or subsidies doth or shal appertaine, shall be discharged of so much of the said tenths and subsidies, as shall bee satisfied to the Quéens Maiestie, her heirs or successors, of, or by the landes, tenements, hereditaments, goods, or cattels of such vndercollector, or his heires, without anie other warrant whatsoeuer, in that behalf to be obtained. An. 14. Eliz. cap. 7.

Procès Eschequer

Archbishop Bishop

Discharge

8 ¶ Where in the Parliament holden at Westminster the second day of April, in the 13. yère of the raigne of our Soueraign Ladie Quéen Elizabeth, there was amongst other things an acte made, intituled: An act to make the landes, tenements, goods and cattels, of Tellors, Receiuors, &c. lyable to pay their debts, vpon which act some doubt and question hath bèen moued, whether the Quéenes highnes, her heires and successors, might for ẏ satisfaction of her & their debts & carines, by her or their letters Patentes, vnder the great Seale of England, make sale of ame the landes, tenements, or hereditamentes, whereof her Highnesse, her heires or successors haue power or authoritie to make sale by vertue of the same Act, after the death of such accomptant or debtor, as is mentioned in the said Act, or where the accompt of such accomptant or debtor was not, or is not made, or

Tellors Receiuors

his

his or their debt knowen in the life time of the same accomptant or debtor.

Explanatiõ For declaration & explaining whereof: Be it declared and enacted by the authoritie of this present Parliament, that the said act in euerie part therof touching the power giuen by that recited act vnto her Highnesse, her heires and successors, to make sale of anie the lands, tenements, or hereditaments, by the same acte limited to be solde, is, shall, and ought to bee expounded and intended, aswell in case where the sale is to bee made after the death of such accomptant or debtor, as where it is to be made in his or their life time. And also aswell in case where the accompt is made, or the debt knowen, within 8. yeeres after the death of such Accomptãt accomptant or debtor, as where the same accompt is made, or debt knowen, in the life time of the same accomptãt or debtor: any ambiguitie, or question that hath risen or growen, or may arise, growe, or be conceiued vpon the letter of the same act, to the contrarie thereof in any wise notwithstanding.

Prouided alwaies, & bee it enacted by the authoritie aforesaide, that after the death of such accomptant & debtor, as is mentioned in the said recited acte, and before such time as any the lands, tenemẽts and hereditaments descended vnto the Heire heire of such accõptant or debtor, as heir vnto the said accomptant or debtor, shall be solde as aforesaid, a Scire facias shall be awarded out of her Maiesties Courte of Eschequer vnto the Sheriffe of the countie where anie such lands doe lie, to garnish the same heir, to shew cause why the same lands, tenements, & hereditaments so to him descended, as is aforesaid, should not bee put to sale for satisfaction of the said debts or farmes in the same act mentioned, according to the tenor of the saide acte: whereupon if the said heire doe not within a conuenient time vpon a garnishment, or two Nichils returned, shew and proue vnto the said Court, that the Executors or administrators of such accomptant or debtor, haue sufficiẽt, which ought to answer or be liable for the same debt or farme, and whereby the said debt or farme shall and maie be duly and fully satisfied: That then after ten moneths nert after such two Nichils or garnishment returned, the same lands, tenemẽts and hereditaments shalbe sold by her Maiestie, her heires or successors, & the money thereof comming, disposed according to the true intent and meaning of the said former recited act.

And be it further enacted by the authority aforesaid, that the said recited act, and this Statute of explanation also, as touching onely the sale of any landes, tenements, or hereditaments to be made after the death of such accomptãt or debtor, as is aforesaide, shall not extende to anie lands, tenements, or hereditaments, which any person or persons not being priuie or consenting vnto any such intent to defraud the M. Maiestie, her heires or successors, as in the said recited act is mẽtioned, now haue or inioy, & haue purchased or obteined, or before any Scire facias to be awarded, as aforesaid, shall haue or enioy, purchase or obtaine bona fide & vpõ good consideratiõ: any thing in this act, or in the before mentioned act to the contrarie therof in any wise notwithstanding.

Prouided alwaies, & be it enacted, that this act of explanation shall extend onely vnto such as haue bẽn, or shalbe Tellors, Receiuors, Treasorers, Customers, Coferers of the houshold, farmers of impost, Collectors, Bailifes, vitailers, and other Officers of receits and accomptes vnto our Soueraigne Ladie the Quẽns Maiestie, her heires and successors, and to euery of them, their heires, executors and administrators, and to no other.

Prouided also, & bee it further enacted by the authority aforesaid, that in such ca- Accompt
ses wher any accompt shal or ought to be made, or any debt shall bee owing in the courts of ẏ duchy of Lancaster, & Wards & Liueries, or in any of them: Then after the death of such accomptãt or debtor, as is mentioned in the said former act, in any of the said last mentioned courts, and before such time as anie of the lands, tenements, or hereditaments discended vnto the heire of such accomptant or debtor, as heire vnto the same accõptant or debtor, Proces
shalbe sold as aforesaid, such proces shalbe awarded as hereafter is expressed: that is Priuie seale
to wit, First, a priuie seale, commanding the same heire to make personall apparance in the court, out of which the same priuie Seale shall bee awarded to shewe cause, as in the writ of Scire facias to be awarded out of ẏ Eschequer, is before appointed. And if the same heire shall make default at the day of the returne of the same priuie Seale: that then vpon Affi- Affidauit.
dauit made that the same priuie Seale

was duely serued, either vpon the person of the same heire, or left at the place of his or her dwelling, or most vsual abode, an Attachment with proclamation shall be awarded against the same heire, & shal bee openly published and proclaimed in some Market Towne, in the Countie where the same heire was last dwelling, or made his or her vsual abode, vpō some Market day there in the time of open Market, rr. daies at the least before the returne therof. And if vpon returne therof the saide heire shall eftsones make default: that then all things shall be done & executed for the sale of the same lands, tenements, and hereditaments, and for the full satisfaction of the same debt or farme, in like and as large and ample maner & forme to all intents and purposes, as before in this acte is limitted and appointed in cases where defaulte is made vpon a garnishment or two Nichils returned vpon a Scire facias awarded out of the saide Court of Eschequer.

Attachment Proclamation

Prouided also & be it likewise enacted, that if the heire of any accomptāt or debtor before mentioned, shall happen to bée within the age of 21. yeres when any such proceese shal fortune to bee awarded, that then during the time of his or her nonage, this acte or any thing therein contained shall not in any wise be extended, executed or put in vre as touching or cōcerning only the selling of the landes, tenements or hereditaments of any such heire: anie thing in the same act conteined to the contrary in any wise notwithstanding. And yet neuertheless after such time as any such heire shall accomplish the full age of xxi. yeres, al and singuler the lands, tenements and hereditaments discended vnto the same heire from any such debtor or accomptant as aforesaid, shall at all times during the space of 8. yeeres then nert insuing, be subiect & lyable to be sold for the paiment and satisfaction of her Maiestie, her heires or successors according to the intent & true meaning of this acte, in such maner & forme to al intentes & purposes, as if the same heire had bēn of full age at the time of the death of such debtor or accomptant.

Heire within age

Prouided alwaies & be it enacted, that this act or any thing therin contained shal not extend to the sale of the landes, tenements or hereditaments of any such heire or heirs, for, or by reason of any accompt, debt or farme, wherof any such debtor or accōptant haue, or shal haue a quietus est or discharge in his or their life time. Ann. 27. El. cap. 3.

Quietus est

Demurrors.

Forasmuch as exceſſiue charges & expences, & great delay and hinderance of Iuſtice hath growen in actions & suits betweene the subiectes of this realme, by reason that vpon some small mistaking or want of forme in pleading, iudgements are often reuersed by writs of error, & often times vpon Demurrors in law giuen otherwise then the matter in law, & very right of the cause doth require, whereby the parties are constrained either vtterly to lose their right, or els after long time & great trouble & expences to renue againe their suits: For remedie thereof, Be it enacted &c. that from hencefoorth after Demurrer ioyned & entred in any action or suite in any Courte of Record within this realme, the Iudges shal proceede & giue iudgement according as the very right of the cause and matter in law shal appeare vnto them, without regarding any imperfection, defect or want of forme in any writ, returne, plaint, declaration or other pleading, proceſſe, or course of proceeding whatsoeuer: Except those onely which the partie demurring shal specially and particularly set downe and expresse together with his demurrer. And that no iudgement to bee giuen shall be reuersed by any writ of Error for anie such imperfection, defect or want of forme as is aforesaid, except such onely as is before excepted.

Demurrors

Iudges Iudgement

Error

And be it further enacted, that after demurrors ioined & entred, the court where the same shal be, shall and may by vertue of this acte, from time to time amend all and euery such imperfections, defects and wants of forme, as is before mentioned, other then those onely, which the partie demurring shall specially & particularlie expresse and set downe together with his demurrer, as is aforesaid.

Prouided alwaies & bee it further enacted by the authoritie aforesaid, that this act or any thing therein contained, shall not extend to any writ, declaratiō or suit of appeale of felonie or murder, nor to any indictment or presentment of felonie, murder, treason or other matter, nor to any proces vpō any of thē, nor to any writ, bil, action or information, vpon any popular or penal statute: any thing aforesaide

Appeale Indictment Proces Informatiō

to

to the contrarie notwithstanding. Ann. 27. Eliz. cap. 5.

¶ Dilapidations.

WHereas diuers and sundrie Ecclesiastical persons of this Realme, being endowed & possessed of ancient palaces, mansion houses, and other edifices and buildings belonging to their ecclesiastical benefices or liuings, haue of late yeres not only suffered the same for want Reparatiõs of due reparations, partly to run to great ruine and decay, & in some part vtterly to fal downe to the ground, conuerting the timber, lead, & stones to their owne benefit and commoditie: but also haue made deeds of gift, and colourable alienations, & other conueiances of like effect, of their goods and cattels in their liues time, to ỹ intent and of purpose after their deaths to defeate & defraude their successors of such iust actions & remedies, as otherwise they might & should haue had for the same, against their executors or administrators of their goods, by the lawes ecclesiastical of this Realme, to the great defacing of the state ecclesiastical, & intollerable charges of their successors, and euil president and example for others, if spedie remedy be not prouided.

Archbishop Bishop Deane Be it therfore enacted, that if any Archbishop, Bishop, Deane, Archdeacõ, Prouost, Treasorer, Chanter, Chãcelor, prebendary or any other hauing any dignitie Officer or office in any Cathedrall or collegiat Church within this Realme: Or if any Parson, Vicar or other Incumbent of any ecclesiastical liuing, whereunto do belong any house or houses or other buildings, which by lawe or custome hee is bound to kepe & maintain in reparation, Deede of gift Alienation doe from hencefoorth make any deede or deedes of gift, or alienation, or other like conueiances of his mouable goods or cattels, to the intent and purpose aforesaid: That thẽ the successor & successors of him Successors Suite that shal make such deede or deedes of gift or alienation, shal & may commence suit, & haue such remedie in any Court Ecclesiastical of this realm, competent for ỹ matter against him or thẽ to whom such deede or deedes of gift or alienation shall bee so Reparation made, for the amendment & reparation of so much of the said dilapidatiõs & decaies, or iust recompence for the same, as hath happened by his facte or default, in such sort as he might, should or ought lawfully to haue, if he or they to whome such deede or deedes of gift or alienation shall bee so made, were executor or executors of the Executor testament and last will of him that made such deede or deeds of gift, or alienation, or Administrator were administrator or administrators of his goods or cattels: Any law, custome, or other thing to the contrary in any wise notwithstanding. An. 13. El. cap. 10.

2 ¶ And be it further enacted, that all summes of money hereafter to be recouered, for or in name of dilapidations by sentence, cõposition, or otherwise, shal within two yeeres after such receipt, bee truly imployed vpon the buildings & reparations, in respect whereof such money for dilapidatiõs shal be paid, on paine that euery person so receiuing, & not imploying as is aforesaid, shal forfait double asmuch, as so shalbe by him receiued & not imployed: the which forfaiture shall be to the vse of the Quenes Maiestie, her heires & successors. An. 14. Eliz. cap. 11.

Recouer Sentence Compositiõ

Forf.

¶ Disceit.

IT is prouided also, that if any Serieãt, pleader or other do any maner of disceit or collusion in the kings court, or consent to it in disceit of the court, or to beguile the court or the party, & thereof be attainted, he shalbe imprisoned for a yere & a day, & frõ thencefoorth shal not be heard to plead in the Court for any man. And if he be no pleader, he shal be imprisoned in like maner by the space of a yere and a day at the least. And if the trespasse require greater punishment, it shal be at the kings pleasure. W. 1. cap. 29. Anno. 4. E. 1.

Serieant

Collusion

Attaint Imprisl.

2 ¶ A writ of disceite shalbe maintainable, & hold aswel in the case of garnishment touching plea of land, where such garnishment is giuen, as in case of summons in a plea of land. Dated at Northampton. An. 2. E. 3 cap. 17.

Garnishmẽt Summons

¶ Discontinuance of Right or estate.

IF any woman which hath had, or hereafter shall haue any estate in dower or for terme of life, or in taile, iointly with her husband, or onely to her selfe, or to her vse, in any manors, lands, tenemẽts or other hereditaments, of the inheritance or purchase of her husband, or giuen to the said husband & wife in taile, or for terme of life, by any of the ancestors of the said husband, or by any other person seised to ỹ vse of the said husband, or of his ancestors, & haue or shal hereafter (being sole, or with any

Dower

any other after taken to husband) discon-
Discontinue Alien Release tinued or discontinue, alienied, released or cõfirmed, alien, release, or confirme with warrantie, or by couin suffered, or suffer any recouery of the same against them or any of them, or any other seised to their vse, or to the vse of either of them after the forme aforesaid: That al such recoueries, discontinuances, alienations, releases, confirmations and warranties so had and made, and from henceforth to be had and made, be vtterly void and of none effect. And that it shall bee lawfull to euery person & persons, to whom the interest, title or inheritance, after the decease of the said women, of the said manors, landes & tenementes or other hereditamentes, being discontinued, alienied or suffered to be recouered, after the first daye of December next comming in the forme aforesaid should appertaine, to enter into all & euery of the premisses, and peaceably to possesse and inioy the same, in such manner & forme, as hee or they should haue done, if no such discontinuance, warrantie, ne recouerie had bẽn had or made. And ouer this be it &c. that if any of the said husbãds & women, or any other seised, or that shall bee seised to the vse of them of the estate afore specified, after the said first day of december, doe make or cause to be made, or suffer any such discontinuance, alienations, warranties or recoueries, in forme aforesaid: that then it shall bee lawfull to the person or persons, to whome the saide manors, landes, and tenements should or ought to belong after the decease of the said woman, to enter into the same, and them to possesse & inioy, according to such title & interest, as they should haue had in the same, if the same woman had bin dead, no discontinuance, warranty, nor recoueries had, as against the saide husband during his life, if the said discontinuance, alienation, warranties and recoueries be hereafter had by or against the same husbands and women, during the couerture and espousals betwirt them.

Confirmations Warranties Void

Women Prouided alwaies, that the said womẽ after ẏ decease of their said husbands may reenter into the same manors, lands and tenements, and them to inioy according to their first estate in the same. And ouer this &c. that if the said woman at the time of such discontinuance, alienations, recoueries, warranties, after the said first day of December, in forme above said, to be had & made of any the premisses, be sole:

Reenter

Sole

that then she shall be barred and excluded of her title and interest in the same from thencefoorth. And that the person and persons to whom the title, interest and possessions of the same shoulde belong after the decease of the same women, shall immediately after the discontinuances, alienations, warranties and recoueries enter into the same manors, lands and tenements, and other hereditaments, & them to possesse and enioy, according to his or their title in the same. Prouided also, that this act extend not to auoid any recouery, discontinuance or warrantie, after the forme aforesaid, afore this time had, made or suffered, but onely where the said husband and woman, or either of them, now being aline, or any other to their vse, now haue interest and title to the said manors, lands, tenements and other hereditamẽts alienied, discontinued or suffered to be recouered after the forme aforesaid, & thereof now taking the issues and profites, or any other person and persons to their vse.

Barre

Issues Profites

Prouided also, that this acte extend not to any such recouery or discontinuance, to be had with the heirs nert inheritable to the said women, if he or they that nert after the death of the same woman, should haue estate of inheritance in the same manors, lands, tenements, be assenting or agreeable to the said recoueries, where the same assent and agreement is of Record or inrolled.

Recouery

Prouided also, that it shal be lawfull to euery such woman being sole or maried, after ẏ death of her first husband, to giue, sell or make discontinuance, of any such land for terme of her life onely, after the course & vse of the common law before the making of this present act. Ann. 11. H. 7. cap. 20.

Sell

¶ Discontinuance of Proces.

OUr Soueraigne Lord the king, considering the great losses & damages which oftẽ times haue come, and be likely to come hereafter, aswell to himselfe, as to many of his lieges, for that, that where aswell diuers indictmentes and suites for our Soueraign Lord the king, as other suites betwẽne partie and partie, haue bin taken before diuers Justices of the peace, assigned by diuers Commissions of our said Soueraigne Lorde the king in diuers Counties of England, and diuers Plees and Processes vpon those indictments haue often bẽne made, and

Iust. of P.

hanging

hanging before the same Iustices not determined, the which plees and processes been often discõtinued by making of new Commissions of the peace in those Counties, to the great losse of our saide Soueraigne Lord the King, and his subiects, in delay of the same plees and suites, and of the deliuerance of his saide subiects, and vpon that, our Soueraign Lord the king, willing to prouide remedie: Of the assent and authoritie of this present Parliamẽt, hath ordained and established, that al such plees, suites and processes, from henceforth to bee taken and to bee made before Iustices of the peace in anie Countie of England, the saide plees and processes in such suites to be made, shall not be discontinued by such newe Commissions of the peace to be made, but that those plees and processes shal stand in their strength, And the Iustices in the same newe Commissions so assigned, after that they shall haue the Records of the same plees and processes before them, shall haue ful power and authority to continue the said plees & processes, and the same Plees and Processes, and all that depende vpon them to heare and finally to determine, as the other Iustices might & ought to haue done, of and in the same, if no new commission had been made, An. 11. H. 6. cap 6.

Plees Suites Proces Iust. of P.

Discontinue Newcommissions

Records

Hear & ter.

2 ¶ To take away the delaies that haue happened heretofore to suiters, by the death or demise of the kinges of this Realme: Be it &c. that by the death or demise of the Kings Maiestie that nowe is (whose life Almighty God long preserue, keepe and maintaine in most royal estate) nor by the death or demise of any that hereafter shall bee King of this Realme, any action, suite, bil or plaint now or that hereafter shall depend, betweene party & partie, in any of the Courts aforesaid, shal not any wise be discontinued or put without day, but that the proces, plees, demurrors & continuances in euerie action, actions, suits, bils, or plaints, which now or that hereafter shal depend, shal stand good and effectual, and be prosecuted and sued forth, in such maner and forme, and in the same estate, condition and order, as if the same king had lined, or continued in full life, the death or demise hereafter of anie King of this Realme notwithstanding.

R. death Demise

Action Suit

Not discontinue Proces Demurrors

And that all and all maner of Iudiciall proces, that hereafter shall be had or pursued in the time of the raigne of any other King then raigned at the time of the pursuit of their original or other former proceese, shal be made in the name of the king that for the time shal raigne and be king of this Realme, & the variante touching the same proteste betweene the names of the kings, shal not be in any wise material, as concerning any default to be alleaged or obiected therefore. And also be it &c. that al and euery Assise of Nouel disseisin, Assise of Mordauncester, Iuris vtrum, and Attaint, which at any time hereafter shall bee arraigned, commenced or sued before any of the kings Iustices of Assise, shal not from henceforth bee discontinued or put without day, by reason of death, newe Commission, association, or not comming of the same Iustices of Assise, or any of them, but shal stand good & effectual in the law, to al intents, constructions & purposes, the death, new commission, association, or not cõming of the same Iustices, or any of them, in any wise notwithstanding. And ouer that be it &c. that albeit any demandant or plaintife in any maner of action, bil or suit shal fortune to bee made or created Duke, Archbishop, Marques, Earle, Vicount, Baron, Bishop, Knight, Iustice, of the one bench or of the other, or Serieant at law, depẽding the same action, bil or suite, yet that notwithstanding, that no writ, action or suit shall for such cause in any wise be abatable or abated, but shall remaine in like force, goodnes and strength, as the same was before: any lawe or vsage to the contrary in any wise notwithstanding.

R. Name

Variance

Assise Mordancestor Iuris vtrum Attain: Iust. of ass.

Death Commissiõ

Damandat Plaintife

Auaunced Altering of addition

Not abated

And also be it &c. that albeit any person or persons being Iustice of assise, Iustice of Gaole deliuerie, or Iustice of peace within any the kings dominiõs, or being in anie other of the kinges Commissions whatsoeuer, shall fortune to bee made or created Duke, Archbishoppe, Marques, Earle, Vicount, Baron, Bishop, Knight, Iustice of the one bench or of the other, or Serieant at the law, or Shirife, yet that notwithstanding, he or they shal remain Iustice and Commissioner, and haue full power & authoritie to execute the same in like maner and forme as he or they might or ought to haue done before the same.

Iust. of ass. Iust. of G. Iust. of P.

This article touching Iustices of peace being made Sheriffes, is altered by 1. M. 1. Parliamento cap. 8. as appeareth in Shirifes 36. And bee it &c. that in all cases, where anie person or persons heretofore haue bin, or hereafter shalbe found guilty

Treason Murder Felonie

of any maner of treason, murder, manslaughter, rape or other felonie whatsoeuer, for the which iudgement of death should or may insue, & shall be reprieued to prison, without iudgement at that time giuen against him, her, or them so founde guilty, that those persons ỹ at any time hereafter shal by the kinges letters Patents be assigned Iustices, to deliuer the gaole where any such person or persons found guiltie, shal remaine, shal haue ful power and authoritie to giue iudgement of death against such person so found guilty & reprieued, as the same Iustices before whō such person or persons was or were found guilty, might haue done if their Commission of Gaole deliuerie had remained and continued in full force and strength. And ouer that, that no maner of proces or suit made, sued or had, before any Iustices of Assise, of gaole deliuerie, Oier and terminer, Iustice of peace, or other of the kings Commissioners, shall not in any wise be discōtinued by the making & publishing of any new Commission or association, or by altering of the names of the Iustices of the assise, gaole deliuery, Oier & terminer, Iustice of peace or other the kinges Commissioners, but that the new Iustices of assise, gaole deliuerie, & of the peace, and other Commissioners, may procede in euery behalf, as if the old commissions and Iustices, & Commissioners had stil remained and continued not altered. An. 1. E. 6. cap. 7.

Reprieue

Letters P.

Judgement

Proces

Iust. of P.

No discontinue.

Altering

¶ Dispensations.

BE it enacted by authoritie of this present Parliamẽt, that al buls, breues, faculties, dispensations, of what names, natures or qualities soeuer they bee of, heretofore had or obteined of the Bishop of Rome, or of any other his predecessors, or by the authority of the sea of Rome, by or to any subiects reliants, or bodies politike or corporate, of or in this realme, or of, or in any other the kings dominions, shal from henceforth be cleerely void and of no value, force, strength nor vertue, & shal neuer hereafter be vsed, admitted, alowed, pleaded or alleadged in any places or courts of this Realme, or of any other the kings dominions, vpon the paine cōtained in the statute of Prouision & Premunire, made in the 16. yere of the raign of K. Richard the 2. Yet notwithstanding at the moste humble petition and intercession of the Lords spiritual and temporal, and the commons in this present Parliament assembled: It may please the kings Maiestie of his most gracious benignity, gwdnes & blessed disposition, that it may bee enacted by authoritie of this Parliament, that all mariages had & solemnized within this Realme, or in any other the kings dominions, before the third day of Nouember in the 26. yeere of the kinges most gracious raigne, wherof there is no diuorce or separation had, by the ecclesiastical lawes of this realme, and which mariages bee not prohibited by Gods lawes, limitted & declared in the act made in this present Parliament, for the stablishment of the kings succession, or otherwise by holy scripture, shal be by authority of this present Parliament, good, lawful & effectual, and shalbe from the beginning of such mariages, reputed, estéemed, taken, adiudged, receiued, approued & alowed, by the authoritie of this present Parliament, to al and singular purposes, effects and intents, as good, as sufficient, & as vaileable, as though no impediment of matrimony had euer bẽn beewẽn them, that haue contracted and solemnized such mariages. And that all children procreated and to bee procreated, in and vnder such mariages, shall be lawfull to all intents and purposes. And that it may bee also enacted by the authoritie of this present Parliament, that all Archbishops & Bishops of this Realme, or of any the kings dominions, consecrated, and at this present time taken and reputed for Archbishops and Bishops may by authoritie of this present Parliament, and not by vertue of any prouision, or other forreine authority, licence, faculty or dispensatiō, kéepe, inioy and retaine their Archbishoprikes & Bishoprikes, in as large & ample maner, as if they had bẽn promoted, elected, cōfirmed, and consecrated, according to the due course of ỹ lawes of this realm. And that euery Archbishop and Bishop of this realme, and of other the kings dominions, may minister, vse, and exercise all and euery thing and things pertaining to the office or order of an Archbishop & Bishop, with all tokens, insignes and ceremonies thereunto lawfully belonging. And that all ecclesiasticall persons of the kings Realme and dominions, which at this time bee taken, had, and reputed for Abbots, Priors, Abbesses, Prioresses, & other heads of religion (which bee not, neither shal be excluded from their dignities, by the late act of suppression) and the religious

Bulles

Rome

Cloth

Mariages

Diuorce

Children legitimate

Archbishops Bishops

Religious Abbots

religions persons liuing vnder their obedience, & all persons now taken and reputed as Maisters, Presidents, Prouosts, & Wardens of Cathedral Churches & Colledges, with the cõpanies & Felowships of the same, all Priests & Clerkes which haue receiued any of the Ecclesiastical orders, all Archdeacons & Deanes, & others hauing offices, cures and dignities spirituall, may by authoritie of this act, & not by ỹ vertue of anie forreine power or authoritie, administer, vse and exercise all things pertaining to their dignities, offices, orders, cures, religions & felowships, & may lawfully hereafter vse all tokens, insignes & ceremonies, which they haue bin accustomed to vse in time past (so it be not expressly against the lawes of God & this Realme) any thing or things contained in any act or acts, made sithen the beginning of this present parliament to the cõtrarie of anie the premisses in anie wise notwithstanding. And where diuers and manie of the kings said subiects haue purchased and obtained manie dispensations, bulles, breues and faculties of the Bishop of Rome for the time being, or by authoritie of the sea of Rome, as pluralities, vnions, trialities, appropriations, cõmendams, exemptions & other bulles, breues & faculties, of diuers causes and matters, other then be afore expressed, which be of no strength or vertue: It may therefore please the kings Maiestie, that it may be enacted by authoritie aforesaid, that all & euerie his said subiects, during the time of one whole yere, next after the feast of S. Michael the Archãgell next cõming, may inioy, vse, and haue by authoritie of this present act, & not by the vertue of the said buls, breues and faculties, all & euerie the effects contained & specified in such buls, breues and faculties, in all such cases only as may be dispensed with by ỹ Archbishop of Cãterburie, by authoritie of the lawes and statutes of this Realme.

And that it may bee further enacted by authoritie aforesaid, that al and euery the kings said subiectes, bringing, rendring, & deliuering to such persons of his Counsel, or of the Maisters of his Chaũcerie, as the kings highnes shall name & appoint, anie bulles, breues, or any other faculties, cõcerning any the premisses, that then if it shal appeare to such persons as the kings highnesse shal so name and appoint, to receiue such bulles, faculties & breues, after due examination thereof had, ỹ the effects contained & specified in such bulles, faculties & breues, or in any part thereof, may be fully graũted by the said Archbishop of Canterburie by authoritie of the lawes & statutes of this Realme: That then & in euerie such case the kings said subiectes, making hũble sute to haue the effects contained in the said bulles, breues and faculties, to be graũted vnto them, shall haue, receiue and obtaine of the Chancelour of England, or Keeper of the great seale for the time being, by sufficiẽt writing in due forme to be made, & to be sealed vnder the kings great Seale, all and euerie such effects contained & specified in such bulles, breues and faculties, as may be lawfully graunted by the said Archbishop of Canterburie, by authoritie of the lawes & statutes of this Realme, paying only for the sealing of euerie such writing xx.s. iiij.d. and ouer that for the reasonable costes for paines of the writing thereof iij.s. iiij.d. & not aboue, & for the paine taken for due examination of euerie such buls, breues & faculties iij.s.iiij.d and not aboue. And that this present Act shal be sufficient and immediate warrant to the Chancelor or Keeper of the great seale, for thensealing & deliuerie of such licences, faculties, dispẽsations and other writings which shall be made, graunted & sealed vnder the kings great Seale, by vertue and authoritie of this act. And it is also enacted by authoritie aforesaid, that al and euery such licẽce, dispensation, facultie, confirmation or other writing to be had, made or graunted vnder the kings great seale out of the said court of Chauncerie by authoritie of this act, in forme as is aboue rehearsed, shal be good and effectual to the said parties suing for the same, according to the tenor & effects therof, & shalbe admitted, accepted & allowed in all Courts and places of this realme, & in al other the kings dominiõs: any vsage, prescription, forein lawes, customes or ordinance to the contrary therof notwithstanding. An. 28. H. 8. cap. 16.

Maisters of colledges

Priests

Archdeacons Deanes

Ceremonies

Faculties

Rome

Pluralities

Dispence Archbishop of Canterbury

Counsel

M. of the Chancery

¶ Distresses.

VVHereas at the time of a commotiõ late stirred vp within this realm and also sithence, many great men and diuers other refusing to be iustified by the king and his Court, like as they ought & were wont in the time of the kings noble progenitors, and also in his time, but toke great punishmentes and distresses of their neighbours and of other, vntill they had amends and fines at their owne pleasure:

Tõ motion

Sute

Chancelor

Sealing xx.s.iiij.d.

Writing iij.s.iiij.d.

Warrant

Licence

pleaſure: And further ſome of thē would not be iuſtified by the kings Officers, nor would not ſuffer them to make deliuerie of ſuch diſtreſſes, as they had taken of their owne authoritie: It is prouided, agréed & graũted, that all perſons aſwel of high as of low eſtate, ſhal receiue Juſtice in the kings Court. And none frō henceforth ſhall take anie ſuch diſtreſſe of his owne authoritie, without award of our court, though he haue damage or iniury, whereby he ought to haue amends of his neighbour either higher or lower. And vpō the foreſaid article it is prouided and graunted, that if any frō henceforth take ſuch diſtreſſes of his owne authoritie, wō out award of our Court (as before is ſaid) & be conuict therof, he ſhal be puniſhed by fine, & that according to the treſpaſſe. And likewiſe if one neighbour take a diſtreſſe of another, without award of our Court, whereby he hath damage, he ſhall be puniſhed in the ſame wiſe, & that after the quantitie of the treſpaſſe. And neuertheleſſe ſufficient & full amends ſhal be made to them that haue ſuſtained loſſe by ſuch diſtreſſes. Marlb.cap.1.An.52.H.3.

Juſtice

Puniſhed Fine

2 ¶ Moreouer none (of what eſtate ſoeuer he be) ſhal diſtraine any to come to his Court, which is not of his fée, or vpon whom he hath no iuriſdiction, by reaſon of his hundred or bailiwike, nor ſhal take no diſtreſſes out of the fée or place where hée hath no bailiwike or iuriſdiction. And he that offendeth againſt this ſtatute, ſhall be puniſhed in like maner, and that according to the quãtitie of the treſpaſſe. Marl. cap.2.An.52.H.3.

Court

3 ¶ If anie of what eſtate ſoeuer he be will not ſuffer ſuch diſtreſſes, as he hath taken, to be deliuered by the kings officers, after the lawe and cuſtome of the Realme, or will not ſuffer Summons, attachments or executions of iudgements giuen in the kings Court to be done, hée ſhalbe puniſhed in maner aforeſaid, as one that wil not obey the law. And if anie, of what eſtate ſoeuer he be, diſtraine his tenant for ſeruices and cuſtomes being due vnto him, or for anie other thing, wherby the Lord of the fée hath cauſe to diſtraine, and after it is found that the ſame ſeruices are not due, the Lord ſhall not therefore be puniſhed by fine, as in the caſes aforeſaid, if he do ſuffer the diſtreſſes to be deliuered according to the law & cuſtome of the Realme, but ſhalbe amerced, as hitherto hath bēn vſed, and the tenant ſhal recouer his damages againſt him. Mark cap.3.An.52.H.3.

Officers

Amerce

Damages

4 ¶ None from henceforth ſhal cauſe any diſtreſſe that he hath taken to be driuen out of the Countie where it was taken, and if anie neighbor do ſo to another of his owne authoritie and without iudgment, he ſhal make fine (as aboue is ſaid) as for a thing done againſt the peace: Neuertheleſſe, if the Lord preſume ſo to doe againſt his tenant, he ſhalbe grieuouſlie puniſhed by amerciament. Moreouer the diſtreſſes ſhalbe reaſonable and not too great. And he that taketh great and vnreaſonable diſtreſſes, ſhalbe grieuouſlie amerced for the exceſſe of ſuch diſtreſſes. Marleb.cap.4. An.52.H.3.

Out of the Countie

Lord

Puniſhed

5 ¶ It ſhal be lawfull to no man from henceforth for any maner of cauſe to take diſtreſſes out of his fée, nor in the kings high way, nor in the common ſtréete, but only to the king or his officers, hauing ſpeciall authoritie to do the ſame. Marleb. cap.15.An.52.H.3.

Out of his fee

High way

6 ¶ In right of that ỳ diuers perſons take and cauſe to be takē the beaſtes of other, chaſing them out of the ſhire where the beaſts were takē: It is prouided alſo, that if any from henceforth do ſo, he ſhall make a grieuous fine, as is contained in the ſtatute of Marlebridge made in the time of king H. father to ỳ king that now is. And likewiſe it ſhalbe done to them which take beaſts wrōgfullie, & diſtraine out of their fée, & ſhalbe more grieuouſlie puniſhed if the maner of the treſpaſſe do ſo require. Weſt.1.cap.16.An.3.Edw.1.

Out of the ſhire

7 ¶ It is prouided, that if anie from henceforth take the beaſtes of other, and cauſe them to bée driuen into a Caſtle or forteſſe, & there within the cloſe of ſuch caſtle or forteſſe do withhold thē againſt gage & pledges, whereupon the beaſts be ſolemnely demaunded by the Shirife, or by ſome other Bailife of the Kings at the ſuite of the plaintife, and the ſame Shirife or Bailife taking with him the power of the ſhire or bayliwike, doe aſſay to make pleuin of the beaſtes from him that toke them, or from his Lord, or from other being ſeruāts of the Lord (whatſoeuer they be) that are found in the place whereunto the beaſtes were inchaſed: if anie before him of ỳ deliuerance of the beaſts, or that no man be found for the Lorde, or for him that toke them, for to anſwere and make the deliuerance after ſuch time as ỳ Lord or taker ſhal be admoniſhed to make deliverance

Caſtle Forteſſe

Demaund

Shirife Bailife

Pleuin

uerance by the Shirife or bailife, if he be in the Countrey, or nære, or there where as he may be cõuenientlie warned by the taker, or by anie other of his, to make deliuerance, if he were out of the Countrey when the taking was, & did not cause the beasts to be deliuered incontinent: then ẏ King for the trespas & despite, shall cause the said castle or fortresse to be beaten downe without recouerie. And al ẏ damages that ẏ plaintife hath sustained in his beasts or in his ganure, or any otherwise (after the first demaũd made by the shirife or bailife for the beasts) shalbe restored to him double by the Lord or by him ẏ toke the beasts, if he haue whereof, & if he haue not wherof, he shall haue it of the Lord, at what time or in what maner the deliuerãce be made, after that the shirife or bailife shal come to make deliuerance. And it is to wit, that where the Shirife ought to returne the kings writ to the Bailife of ẏ Lord, or of the castle or fortresse, or to any other, to whom the returne belongeth, if the Bailife of the franchise wil not make deliuerance, after that the Shirife hath made his returne vnto him, then shal the Shirife execute and do his office without further delay, and vpõ the forsaid paine, notwithstanding any such libertie. And if that be done in the Marches of Wales, or in anie other place, where the Kings writs be not currant, the King which is chiefe and Soueraigne Lord ouer al, shal do right there, vnto such as wil cõplaine. Westm. 1. cap. 17. Anno 3. Edw. 1.

Castle beaten downe.

Deliuerãce Returne Writ

Bailife

Paine Libertie Marches

8 ¶ It is prouided, that no distresse shal be taken but by Bailifs sworne and known: And if they take distresses otherwise, and thereof be conuict, if the parties grieued will purchase a writ of trespasse, they shalbe restored to their damages, & be grieuouslie punished towardes ẏ king. West. 2. cap. 36. Anno 13. E. 1.

Bailife sworne

Conuict Writ

9 ¶ Also the kings officers as shirifes and other doe enter spirituall fées to take distresses, & sometime they take the Parsons beasts in the kings high way, where they haue nothing but their glebe lande. The answere. The kings pleasure is, that from henceforth such distresses shall neyther be taken in the kings high way, nor in the fées wherwith Churches haue bẽn indowed: Neuertheles he willeth distresses to be taken in possessiõs of the Church newly purchased by the Parson. Articuli cleri cap. 9. An. 9. E. 2.

Officers Shirifes Spiritual fees

10 ¶ For asmuch as the Comminaltie of the Realme hath sustained great losse and damage by wrongfull taking of distresses, which haue bẽne made by Shirifes, and by other the kings Bailifes, for the kings debt, or for any other cause: It is therefore prouided and ordeined, that when a Shirife or anie other man doeth take the beasts of other, they to whom the beasts do belõg, may giue them their fæding without disturbance (so long as they be impounded) without giuing anie thing for their kæping. And that the beasts nor no other distresse takẽ for the kings debt, nor for anie other cause, be giuen ne solde within xv. daies after the taking: and if any bring a taile of a payment made in the Eschequer, the distresses shal cease. And if he bring the taile of any shirife or bailife, of payment made to them of the thing demaunded, and wil find pledges that he appeare in the Eschequer, vpon the next accompt to do as right shal require, then the distresse shall cease. And the shirife or bailife shall cause him to be attached ẏ ought to haue acquited him, that he appeare vpon the same accompt to doe as right shall require, and there shal haue the names of the pledges. Yet it is prouided that no mã of religion nor other shall bẽ distrayned by his beastes that gaine his lande, nor by his shẽpe for the kings debt, nor for anie other man, except they can finde no other distresse or cattels sufficient, wherof they may leue the debte, or that is sufficient for the demaund: except impounding of beastes, that a man findeth in his ground damage fesant, after the vse and custome of the realme. And that such distresses be reasonable, after the value of the debte or demaund, and after conuenient estimation & not outragious: Howbeit the King willeth and commaundeth, that Shirifes or their Bailifes, that haue receiued the Kings debt of the summons of the Eschequer, and haue not acquited the debtors thereof, at the next accompt shall be punished after the statutes made therupon. And the King willeth, that all debtes of summons of the Eschequer, that the Shirife or Bailife confesseth, receipt shall be allowed him forthwith, so that whether he receiued all the debt or part, it shall neuer come more in demaũd nor summons, after the Shirife hath confessed the payment. An. 51. H. 3.

Shirifes

Debt to the king

Impound

Taile Eschequer Shirife Bailife

Sureties Account

Attach

Religious

Plough Beasts Sheepe

Impound Damage fesant

Punish

11 ¶ No distresse of cattel shal be driuen out of the hundred, rape, wapentake, or lathe where such distresse is or shall be taken,

Hundred Rape Wapetake

Pound ouert iij. Miles

taken, except it be to a pound ouert within the said shire, not aboue three miles distaunt from the place where the said distresse is taken. And that no cattel or other goodes distrained or taken by way of distresse for any maner of cause at one time, shalbe impoũded in seueral places, whereby the owner or owners of such distresse, shal be constrained to sue seuerall Repleuies for the deliuerie of the said distresse so taken at one time, vpon paine euerie person offending cõtrarie to this act, shall forfait to the party grieued for euery such offence C.s. and treble damages.

Seuerall pounds

Replenins

Forf.

3. damages

And further be it &c. that after the first day of April, no person or persõs shal take for kéeping in pound, impoũding, or poundage of anie maner of distresse, aboue the summe of iiij.d. for anie whole distres that shalbe so impounded, & where lesse hath bin vsed, there to take lesse, vpon the paine of v li. to be paid to the partie grieued, ouer & besides such money as he shall take aboue ỳ summe of iiij.d. anie vsage or prescription to the contrarie in anie wise notwithstãding. And it is &c. that euery Shirife of shires, being no cities nor townes made shires, shall at his first Coũtie day, or within ij. moneths, next after he hath receiued his Patẽt of his office of shirifewike, depute, appoint, & proclaime in the shire towne within his baliwike, iiij. deputies at the least, dwelling not aboue vij miles one distãt from another, which said deputies so appointed & proclaimed, shall haue authoritie in the Shirifes name to make Repleuies & deliuerance of such distresses, in such maner and forme as the Shirife may or ought to do, vpon paine ỳ euery Shirife for euerie moneth ỳ he shal lacke such deputy or deputies, shal forfait for euery such offence v.li. The one halfe of which forfaitures shalbe to the king &c. the other halfe to him that will sue &c. in which &c. An. 1. & 2. P. and M. cap. 12.

Poundage

Paine

Shirife

County day

Deputies

Replenins

Forf. Portie

¶ Douer.

Constable Pleas

Castle

Distraine v. Portes

Franchises

THe Cõstable of the Castle of Douer, shall not frõ hencefoorth hold anie plee of a forein Coũtie, within the castle gate, except it touch the kéeping of the Castle, nor the said Constable shall not distraine the inhabitants of the v. Portes to plead any other where, nor otherwise, then they ought after the forme of their Charter obtained of kings, for their old franchises cõfirmed by the great Charters. Articuli super chartas cap. 7. An. 28. E. 1.

2 ¶ An. 32. H. 8. ca. 48. It is enacted, that the tenants of the Castle of Douer, that hold by Castle warde, shal pay their rents at the eschequer yérely at the feast of S. Simon & Jude, or within xv. daies after, and for default thereof to double the rent. And that they that hold to repaire houses within the Castle, shall performe ỳ same, & if the lands come into the kings hands, the rent of Castlegarde to be discharged. And the Constable of the Castle to haue yérely C. li. paide at Canterburie, at the dore of the Common hall there. And the said Cõstable, the Warden of fiue Ports, to suruey and controll all the new castles & fortresses in Kent and Suſſer, and to reforme ỳ faults there &c. An. 32. H. 8. ca. 48.

Castleward Rents

Repairs

Cãterbury

Warden of v. ports. Suruey

3 ¶ Whereas the Marchants of this Realme, & other passing through the narrow Seas, sustaine yérely great damages for want of conuenient harbour vpon the coast of the said narrow Seas, whervnto they may enter to auoide imminent daunger of tempest, pirates, or the common enemie in time of warre, her Maiestie minding to prouide for their safetie, vnderstanding by the Lords of her honorable priuie Counsell and other, that Douer was the most conuenient place for harbour: and that skilfull men haue contriued a probable plat, & vndertaken the finishing & perfecting therof, for a competent summe of money, in accomplishing whereof, aswell her Maiestie of her bigheſſe liberalitie, as the inhabitants of the saide Towne of Douer to their abilitie, haue alreadie bestowed great summes of money in and about the same: Now for the better furtherãce and finishing thereof, Bée it enacted by the authority of this present Parliament, that for euery ship, Vessell, or Crayer, whereof anie of her Maiesties subiects shalbe owners or part owners, of the burden of xx. tunnes or vpward, loading or discharging within this Realme, & passing to or fro anie forreine Countrey, during the space of vij yéares next comming, from xl. dayes after the end of this Session of Parliament: there shalbe paied for euerie such voyage, by the Maſter or owner of such Ship, Vessell, or Crayer, the summe of three pence for euerie Tunne of the burden of such ship, vessell, or crayer, (except vessels ladẽ with Sea coale or Grindstones) and for euery chaudrõ of sea coale or grindstone, i.d. ob. The same to be paied vnto such Customer

Ship

Subiects xx. Tunn.

Forreine countrey vij. yeeres

iij.d.

Customer

Custome̅r or Customers, or collector of customes or subsidies, with whom the entrie shalbe made, or their deputies within this realme, from whence such ships shall come, or where such ship or ships, or anie of them shall arriue, before they loade or vnload such goods within the Realme, taking of the said customer, officer, or deputie a writting, testifying ỳ receipt therof to the said vse, for which writting he shal pay nothing. The said summes so to be collected, to be paied ouer by such customer or officer, to the receipt of her Maiesties eschequer, & to be frō thence deliuered to the vse aforesaid, by warrāt of the L. Treasorer or Chancelor of the eschequer, for the time being, without further warrant frō her Maiestie. The accōpt of the nūber of the said tunnes to be made according to ỳ entrie of euery such ship, vessel, or crayer, in the custome house. And that no entry of such vessell shalbe receiued or allowed in any office of her Maiesties customes or subsidies, without true informatiō by the othe of such owner, master, or shipper, cōcerning the burden of such ship, vessell, or crayer, nor without or before paiment of ỳ sums aforesaid, by the shipper, master, or owner of such ship, vessell or crayer, of which paiment the said master, owner, or shipper, shal haue allowance of the Marchāts, according to the rate of the goods in such ship, vessel, or craier, by way of auerage. And that euery customer or officer, in whose wilful default ỳ said sums shal not be truly collected & answered, as is before appointed, shal forfait to the vse aforesaid, x. times as much as so shal not be collected to be answered by his wilful default, to be recouered by the Maior & Iurates of the towne of Douer, to the saide vse, against such customer or officer, by action of debt in any court of Record: In which actiō no essoine, protection, or wager of law shalbe admitted or allowed. An. 23. Eliz. cap. 6.

Writting

Warrant

Entrie

Othe Shipper

Auerage

Forf.

Customer

4 ¶ The said statute (viz. 23. El. ca. 6. before 3.) and all and euery the branches, clauses, & articles therein contained, shalbe reuiued, and haue continuāce from xl. daies after the ende of this session of Parliament, vnto the end of vij yeres then next & immediatly following. And be it also enacted by ỳ authoritie aforesaid, that euerie customer & officer, shall by vertue of this statute, be in all things answerable and chargeable for the wilful default or negligence of his deputie, assignee, or substitute, as farre forth as by the said former statute he was or ought to haue been charged for his owne wilful default, or, or touching anie thing contained in the said former statute. An. 31. El. cap. 13. And after 35. Eliz. cap. 7. this Acte is continued to endure from the ende of the said terme limitted in the said Acte (before 4.) and yet continuing, vntill the ende of the next Parliament then next insuing: with this Prouiso following.

vii. yeres

Customer chargeable

Default Deputie

Prouided alwaies & be it enacted by the authoritie of this present parliamēt, that all shippes, Barkes, Vessels or Crayers, wherof any of her Maiesties subiects shal be owners or part owners of the burthen of xx. Tunne or vpwards, loading or discharging within this Realme, & passing to & fro anie forraine countrey, that are of anie Porte, Hauen, or Crœke in Seuerne, from the lands end in Cornewal to Bristow, & from thence to Glowcester, & from Milford Hauē to Chester, Lyrpoole, & all the Portes and Crœkes to them or either of them belonging in S. Georges Channel, & from the said places backe againe, shall after the eight day of May, which shalbe in the yere of our Lord God, 1596. be discharged of the iij. s. of euerie Tunne, for the reparation of Douer Hauen: The said statutes made for ỳ repairing of Douer Hauen, or either of them, or anie thing therein conteined to the contrarie notwithstanding: Except anie of the said ships, Barkes, Vessels, or Craiers, that shal go for Douer, or to the Eastward. And that aswel the said ships, barks, vessels, & craiers, that shall go for Douer, or to the Eastward, as also all the ships, barks, vessels, & craiers, which shal crosse the narrow seas, shall pay in maner & forme as hereafter is expressed & no more, that is to say, if they goe outward with any maner of loading, not a quarter leaden, then to pay after ỳ rate of a quarter loading, & so ratably vpwards, according to their loading, but homeward to pay according to the full rate of the entrie of their loading of euery Shippe, Barke, Vessel, or Crayer. An. 35. El. ca. 7.

Discharged

Except

¶ Dower.

FIrst of widowes, which after the death of their husbands are deforced of their dowers, & may not haue their dowers or quarentine without plea: We will, that whosoeuer deforce them of their dowers or Quarentine, in the landes whereof their

Widowes

Quarentine

Seisen

their husbands died seised, & that the same widowes haue recouered after by plea, they that be conuict of such wrongful deforcement, shall yeld dammages to the same widowes: that is to say, the value of the whole dower to them belonging, frō the time of the death of their husbandes, vnto the daie that the said widowes by iudgement of our Court haue recouered seisin of their dowers, & the deforcers neuertheleſſe shall be amerced at the Kings pleasure. Merton. cap. 1. Anno 20. H. 3. See the like statute in part, Women 1.

Conuict Dāmages

Amerce

Writ

2 ¶ In a writ of Dower called (Vnde nihil habet) the writ shal not abate by the exception of ỳ tenant, because she hath receiued her dower of another man before her writ purchased, vnles he can shew, ỳ she hath receiued part of her dower of him selfe, & in the same towne, before the writ purchased. W. 1. cap. 48. An. 3. E. 1.

Writ

3 ¶ In case where the husband being impleaded for land, giuing vp the land demaūded vnto his aduersarie by couin, after the death of the husband, the Iusticers shal award the wife of her Dower, if she demaūd it by writ. But in case where the husbād leeseth it by default, the lād being in demaund, & the wife after the death of her husband demaūded her dower, it hath bene seene that some Iusticers haue awarded vnto the woman her dower, notwithstanding the default which her husbande made, other Iusticers being of ỳ contrary opinion, & iudging otherwise. To the intent that from heereforth such ambiguitie shalbe taken away and put in certaine: It is prouided, that in both cases the womā demaūding her dower, shalbe heard. And if it be alleaged against her, that her husbād lost the land, wherof the dower is demaūded by iudgement, wherby she ought not to haue Dower, & then it be inquired by what iudgement, & it bee found that it was by default, whereunto the tenaunt must answere: then it behoueth him to answere further, and to shew that he had right, and hath in the foresaid land, according to the forme of the writ, that the tenant before purchased against the husbād. And if he cā shew, that the husbād of such wife had no right in the landes, nor none other but he, the tenāt shalbe quite, & the wife shal recouer nought of her Dower, which thing if he cannot shew, ỳ wife shal recouer her dower. And so in these cases, and in certaine other following: that is to say, when the wife being indowed leeseth her dower by default, and tenants in frē marriage, by the lawe of England, or for terme of life, or in fē taile, diuers actions doe concurre for such tenants, when they must demaūd the lād lost by default. And when it is come to that point, that the tenant must be cōpelled to shew his right, forasmuch as the law will not cōpel them to make answere without them to whom the reuersion belongeth: therfore they are suffered to vouch to warrantie, according to the tenor of the writte, as if they were tenants. And if they haue a warrantie, when the warranto' hath warrāted, the plea shal passe betweene him that is seised & the warranto', according to the tenour of the writ that the tenant purchased before, & by which he recouered by default, & so from manie actions, at length they shal resort to one iudgement, which is this, that either the demaūdants shall recouer their demaund, or the tenants shall goe quite. And if ỳ action of such tenant, which is compelled to shew his right, be moued by a writ of right, though that the great assise or battaile, cannot be ioyned by ỳ words accustomed, yet it shalbe ioined by words conuenient & vsed: for when the tenant in ỳ that he sheweth his right which belongeth to him by the writ that he before purchased in steed of a demaūdant, the warranto' may well defend the right of the tenant, which cōmeth in place of the demaundant, as before is said, and alledge the seisin of his auncestor, & to defend it by the bodie of a freeman, or put himselfe in the great Assise, & pray recognisance to be made thereof whether he hath more right to the land being in demaund, or els the partie before named: or it may be ioyned otherwise by the great Assise, & so the warrāto' may defend the right, & knowledge the seisin of his auncestor, & put himselfe in the great assise &c. & pray recognisance to be made, whether he hath more right in the foresaid land, as in that wherof he infeffed such a mā, or that such a one released & quite claime &c. or els the aforesaid partie &c. And where sometime it chanceth that a woman which is not endowed of the lād of an heire being within age, doth purchase a writ of dower against a gardein, & the gardein indoweth ỳ womā by fauor, or maketh default, or by collusion defendeth the plea so faintly, wherby the wife is awarded her dower in prejudice of the heire: It is prouided, that the heire, when he commeth to full age, shall haue

Iusticers

Default

Right

Frankmariage

Vouch Warrantie

Iudgement

Action

Graund assise

Women

Gardein

Default Collusion

Heire

Frankmariage Default

Auowtrie

Action Seisin haue an actiõ todemaund the seisin of his aunceſtor against his wife, like as he ſhould haue againſt anie other deforceor. Prouided alwaies that ẏ wife ſhall haue Exception her exception ſaued againſt the demaundant, to ſhew that ſhee had right to her dower, which if ſhe can ſhew, ſhe ſhall go quit & retaine her dower, & the heire ſhalbe grieuouſlie amerced, according to the Amerce diſcretion of ẏ Juſticers: And if not, the heire ſhal recouer his demaund &c. In like maner the wife ſhalbe aided, if the heire or anie other doe implead her for her dower, & if ſhe loſe her dower by default, in which caſe the default ſhall not be ſo preiudiciall to her, but that ſhe ſhal recouer her dower, if ſhe haue right thereto, and ſhe ſhall haue this writ.

Præcipe A. quod iuſtè &c. reddat B. quę fuit vxor F. tantam terram cum pertinẽtijs in C. quam clamat eſſe rationabilem dotem ſuam, vel de rationabili dote ſua, & quod prædictus A. ei deforciat &c. And to this Exception writ the tenant ſhall haue his exception, for to ſhew that ſhe had no right to be endowed, which if he can verifie, he ſhall go quite, and if not, the wife ſhal recouer the lande whereof ſhe was endowed before. And whereas before time, if a man had loſt his land by default, he had none other recouerie then by a writ of Right, which was not mainteinable by anie that could not claime of meere right, neither of tenants for terme of life, in free marriage, nor in taile, in which eſtates a reuerſiõ is reſerued: It is prouided that from henceforth their default ſhal not be preiudicial, but that they may recouer their eſtate by an other writ then by a writ of Right, if Frankmariage Default they haue right. For land in free mariage loſt by default, ſuch a writ ſhalbe made. Præcipe A. quod iuſtè &c. reddat B. maneriũ de D. cum pertinentijs quod clamat eſſe ius & maritagium ſuum, & prædictus A. ei deforciat. Likewiſe of land for terme of life loſt by default, this writ ſhalbe made. Præcipe A. quod iuſtè &c. reddat B. maneriũ de D. cum pertinentijs, quod clamat tenere ad terminũ vitæ ſuæ & quod prædictus A. ei deforciat. Likewiſe, quod clamat tenere ſibi, & hæredibus de corpore ſuo legitimè procreatis, & quod prædictus A. ei deforciat. Weſt. 2. cap. 4. An. 13. E. 1.

Adulterie 4 ¶ See Rape 2. how a wife ſhal loſe her dower for going away vñ her adulterer.

5 ¶ See Forfaiture 5. concerning dower by the Cuſtome of Kent.

6 ¶ Albeit anie perſon or perſons, of what eſtate, cõdition or degree, he or they be, ſhal hereafter fortune to be attainted, Attaint Outlawed Treaſon Murder Felony conuicted or outlawed, of ame Treaſon, petie treaſon, miſpriſion of treaſon, Murder, or Felonie whatſoeuer, yet that notwithſtanding, euery woman that is, or ſhall fortune to be wife of ẏ perſon ſo attainted, conuicted or outlawed, ſhalbe endowable, & enabled to demaund, haue, and enioy her dower, in like maner & forme, as though her huſband had not beene attainted, conuicted, or outlawed: anie ſtatute, law, vſage, or cuſtome, to the cõtrarie in any wiſe notwithſtanding: Sauing to al & euerie other perſon or perſons, bodies politike & corporate, their heires and ſucceſſors, & to euery of them, other then to ſuch offendor & offendors, as ſhalbe attainted, conuicted, or outlawed, all ſuch Leaſes right, title, intereſt, entre, leaſes, poſſeſſion, condition, profit, commoditie, & hereditaments, as they or anie of them had, or ſhould, or of right ought to haue, before, or at the time of the ſaid attainder, cõuiction, or outlagarie. An. 1. E. 6. cap. 12.

See Treaſon 10. This laſt Acte altered in part.

¶ Drapery.

ALL Clothes in ſuch places where they Clothes ſhalbe put to land, ſhalbe meaſured Meaſure by the Kings Aulnegeors, in the preſence Aulnegeors of the Maiors & Bailifes, where there is Maiors a Maior, & where no Maior is, in preſẽce Baylifs of the Bailifes of the ſame places: that is to ſay, the length of euerie cloth of Ray, Length by a line of vij. yards ſower times meaſured by the liſt, & the breedth of euerie Ray Breadth cloth vj. quarters of meaſure by the yard. And of coloured clothes the lẽgth ſhalbe meaſured by ẏ backe by a line of vj. yards & a halfe ſower times meaſured, and the breedth vj. quarters & an halfe meaſured by the yard, without defoyling ẏ clothes. And the Maior & Bailifes, where a Maior is, or the Bailifes where no Maior is, of ẏ townes or places where ſuch clothes ſhall come, ſhall be readie to make proofe what time they ſhalbe required by the meater, without taking anie thing of the Merchants. And clothes which be of the ſaid aſſiſe, ſhalbe marked by the Maior & Marks Bailifs where a Maior is, or by the Bailifes where there is no Maior, aſwell as by the Aulnegeor. And that al the clothes Defectiue which ſhalbe found defectiue of the ſame aſſiſe, ſhall be forfaite to the King, and preiſed at their true value in the preſence of

of the said Maiors and Bailifes, and to remaine with the Aulnegeors by Indēture betwixt them, to answere to the King of the said clothes so forfaited. And that the Maiors and Bailifes shall deliuer the Indentures made of such clothes forfait euerie yéere into the Eschequer, the morrowe after the feast of S. Michaell, for to charge the said Aulnegeor. And at ẏ same time shall the Aulnegeor be put to answere at the Eschequer of the said forfaitures. It is the kings minde & his Counsels, that this act shal extēd to such clothes as shall come into the land after the feast of S. Michael. And this Act shalbe published & proclaimed throughout the realm, so that no Marchant, priuie nor straunger, shall be surprised by this statute. An. 2. E. 3. cap. 14. But see hereafter 3.

Foyf.

Indenture

Eschequer

Marchant

2 ¶ And that in the said lands of England, Ireland, Wales, & Scotland within the kings power, a man may make the clothes as long & as short as a man will. An. 11. E 3. cap. 2. But see this is altered by diuers statutes after.

Scotland Ireland Wales

3 ¶ Item it is accorded & stablished, that no Marchant, forein nor denizen, nor none other after the saide feast of S. Michael, shall bring or cause to be brought priuily nor apertly, by himselfe nor by other, into the said lands of England, Ireland, Wales, and Scotland, within the kings power, any clothes made in any other places, then in the same, vpō the forfaiture of the said clothes, & further to be punished at the kings will. An. 11. E. 3. cap. 3.

Marchant Denizen

Clothes.

Foyf.

4 ¶ All the Clothiworkers of strange landes of whatsoeuer countrey they bee, which will come into England, Ireland, Wales, and Scotland, within the kings power, shall come safely and surely, and shall be in the kings protection and safeconduit, to dwell in the same lands, chusing where they will. And to the intent the said clothiworkers shal haue the greater will to come and dwel here, Our Soueraigne Lord the king will grant them franchises, as many, and such as may suffice them. An. 11. E. 3. cap. 5.

Clothiworkers

Ireland Wales. Scotland

Safeconduit

Franchises

5 ¶ It is accorded and assented in the Parliamēt, that al maner of clothes vendible, which shalbe sold for whole clothes in England, in whole hands, of the Marchants of the Realme of England, or other of the same Realme, they be found, shalbe measured by the Kings Aulnegeor and his deputies, in al Cities, Borroughs, & other townes within franchise or without, aswell in the citie of London, as elswhere. And that al the clothes which shal be found of lesse measure by a yarde, then of the Assise contained in the statute of Northhampton (before 1.) by which it is ordeined, that the length of euerie cloth of Ray, shall be measured by a line of vij. yards iiij. times measured by the list, and ẏ breadth of euerie cloth of Ray vj. quarters of the measure by the yard, and of coloured clothes the lēgth shalbe measured by the backe by a line of vj. yardes and a half, foure times measured, & the breadth vj. quarters and a halfe measured by the yard, without defoiling the clothes, shall be forfaited and arrested to the king. And that the Aulnegeor deliuer the same to the Kings Wardrobe by Indenture, notwithstāding any franchise, vsage, or priuiledge made to the Cities, Borroughs, or to anie person of the Realme of England to the contrarie. And the Kings Aulnegeor shalbe sworne to doe his office well and lawfully. And in case he thereof be found in default, and therof be attainted, before the kéepers of the faires, & Maiors & Bailifes of the places where the cloth shal be bought or before any other, whom our Soueraigne Lorde the King shall thereto assigne, he shall haue imprisonment for one yéere, and raunsome at the Kings will, and put out of his office for euer. And the Aulnegeor shall answere aswell for his deputies as for himselfe. And also it is accorded and stablished that euerie buyer of cloth, or other that will sue, and affirme that the said Aulnegeor hath done anie fraude or deceite in his office, and the falsitie be notoriously proued & knowen, at his suite shall haue the one halfe. And that euery buyer of such cloth, after that hee hath agréed of the price with the seller, may freely measure the cloth at his will, to assay if it be of the assise or not, before he hath paid his money, although the Aulnegeors seale bee put to the same. And if the buyer finde any default after the buying, he shall shew the same default to the Maiors and Bailifes of the place, or to the kéepers of the Faire or Market, and if the default be found notoriously before them, the cloth shall be forfait to the King, and seised in the kings hāds, by the said Maiors and Bailifes, or kéepers of the Faire or Market, and shall remaine in their custodie. And the said Maiors and Bailifes or kéepers, shall

London

Foyf.

Marwode Indenture

Sworne

Attaint Faires Maiors Bailifes

Imprisonment Raunsome Losse of office

Deputie

Moitie

Default

Foyf.

Chancelor shal certifie the Chauncellor of the same forfaiture, at the suite of the buyer or other, which will sue without any thing taking of him. And the Chancelor vpon this certification, shall send a writ to the saide Maiors and Bailifes, or keepers, to deliuer to him, which so hath sued, the one half of the forfaiture, and to saue the other half to the kings vse. And if the Maior, Bailifes or keepers, refuse to doe execution of this accord, in the manet aforesaide, they shalbe punished by fine & raunsome, when they shalbe thereof attainted, aswel at the kings suite as the parties. And that this article beginne to hold place, the first day of September next comming, so that the Marchants and other which haue clothes to sell, may freely deliuer them of ỹ cloths that they haue in their handes in the same time. Anno 25. Ed. 3. cap. 1. Sta. 4. But this is now repealed.

Pottie
Refuse
Punish
Marchants

6 ¶ There shall be no clothes forfaite, although they be not of the same assise, but the kings Aulnegeor shal measure ỹ cloth, & marke the same, by which marke a man may knowe how much the cloth conteineth. And of as much as the cloth, which is bought for cloth of assise, shal be found to be lesse then the assise, allowance or abatement shall be made to the buyer in the paiment which he shall make for the same cloth, after the quantitie of the price for which the cloth was bought, and the Aulnegeor shal take for euery cloth so measured, which is of assise: that is to say, of the seller an halfe penye, and of halfe a cloth a farthing for his office & no more, nor they shall take not hing of the clothes which be lesse then of the halfe cloth. (And for this a Subsidie was graunted vpon euery cloth, as appeareth at large.) And that such maner of clothes which be put to sale before that they be sealed with the saide seale, shall be forfait to the king, and taken into his hand by the saide Collector or Aulnegeor, or by the deputie of one of them, or else by the Bailifes of the Towne where such cloth vendible not sealed shall be found. Anno 27. Ed. 3. cap. 4. Stat. 1.

Aulnegeor Marke
Content
Abatement
Subsidie
Seale Forf.

7 ¶ That all the makers of clothes within the Realme aswel men as wome, shal confirme them to make their clothes according to the price limitted by this ordinance. And that al the Drapers shal buy & purvey their sorts according to the same price. So ỹ so great plentie of such clothes be made and set to sale in euery Citie, borough, and marchant towne, & elsewhere

Clothiers
Price

within the Realme, that for default of such clothes the said ordinance bee in no point broken. And to that shal the said clothmakers and drapers be constrained by any maner way that best shall seeme to the king and his Counsell. An. 37. Ed. 3. ca. 15. See the prices in the Statutes at large, But they be not now in force.

8 ¶ The clothes of Ray to be made in England, shall haue the length of xxviii. yards measured by the list: and the bredth of vi. quarters: And the cloth of colour, of the length of xxvi. yardes measured by the backe, and the bredth of vi. quarters at the least, and that the halfe cloth, be it of colour, or of Ray, shall holde the length and bredth aforesaid, after the rate. And if any cloth be put to sale after the gule of August, that is not of the said assise, it shal be forfait to the king, in whose hands soeuer it be founde: Sauing the clothes which people make for their own vse, or for their mainie, or to sel to poore people which shal not be forfait, although they be not of such measure. Anno 47. Edw. 3. cap. 1. But this is repealed.

Ray Content
Forf.

9 ¶ No wollen Clothes shalbe carried into no partie out of our realm of Englād before they be fulled. Nor that no subsidie be therof demaunded nor paied before that they be fulled. An. 50. Ed. 3. ca. 7.

Carrie out.
Fulled Subsidie

10 ¶ No Subsidie nor aulnage shall be paied, leuied, nor demanded of cloth called frise ware, which be made in Irelande, or otherwise in Englande of Irish wool, brought within the realm of England, because those clothes do not conteine ỹ legth & bredth ordained by the statute, and for so much they ought not to be comprised in ỹ estatutes late made of Ray clothes, & coloured clothes. An. 50. E. 3 ca. 8.

Subsidie Aulnage
Frise
Irish wool

11 ¶ The Statutes made of the saide clothes before this time, and not repealed bee kept and duely put in execution. And moreouer it is assented, that if any the said Aulnegeors or collectors of the Subsidie of the said clothes, doe from henceforth set his seale to any such cloth so fowed in deceit, the same cloth shall be forfait to the king, in whose handes soeuer it bee found, and the Aulnegeor or the collector thereof found guiltie, shall forfait his office. And if he haue put the same seale to any other cloth vendible, that is not of ỹ said assise, the same Aulnegeor or collector shal forfait to the king the value of the same cloth so sealed in disceit of the people, together with his said office. And neuerthe-

Aulnegeors Collectors
Seale Forf.
Forf. Office
Forf.

Imprisl. Raunsome

lesse, for the saide falsitie he shall haue one yeeres imprisonment, & thereof be raunsomed at the kings will. An. 3. R. 2. ca. 2. Stat. 1. Most of this is not in force now.

12 Upon mischiefe which dayly happeneth vpon the falsitie & deceipt which is found in clothes vendible, aswell coloured as Ray clothes, against the assise thereof ordeined before this time, It is ordeined & assented, that all the statutes therof made in times past, with the statutes made of Aulnegeors & collectors of the subsidie of the said clothes, be holden, kept, and put in due & good execution: Joyning to the same, that he which from henceforth shal espie & proue default in any such cloth set to sale, against the assise therof ordained of ỳ saide clothes, and against the forme of the saide statutes, shal haue the third part of euery such cloth defective for his labour, by the deliuerie of the Shirifs, if they be present, or of the Lords of the Faires or markets, & other places where such clothes shall be found defective, or of their Stewardes or Bailifs, or of the Constable of the townes & places aforesaide, by Indenture betwixt them duely to be made: which Indenture shalbe euery yere from the feast of S. Michael, deliuered to the Eschequer, by them which so shal make the said deliuery, to the effect there to charge the Aulnegeors and collectors aforesaid, by whom such defaults ought to haue beene searched, corrected & amended, and be not, but comonly maintained, and concealed in all parties, for which iii. part that pertaineth to the king as his forfaiture, by force of the statutes made in times past, the Aulnegeors and collectors aforesaide in euery Countie and place, where such clothes defective shalbe founde, for the paine against the said offices and concealment, shall make gree of their owne money to our soueraigne Lord the king in his Eschequer, of the valure of the saide thirde part. So that aswell of the same thirde part, as of the remnant of the said cloth, the king shalbe wholly aunswered at his saide Eschequer. An. 7. R. 2. cap. 9 But this concerning the assise is nowe of no force.

Default

iii. part

Shirifes

L. of faires & markets

Stewards Bailifes Constables Indenture

Eschequer

Aulnegeor

13 ¶ Coloured clothes to be made and wrought at Bristowe, & in the Counties there about, shalbe of the measure, an other time ordeined by a Statute made at Westminster the xlvi. yeere of king Edward iii. graundfather to our Soueraigne Lord the king that now is: that is to saye, the clothes of Ray of the length of xxviii yards measured by the list, & fine quarters of breedth, that the coloured cloth be of xxvj yards of length measured by the back, and vi. quarters of breedth at the least, and that the halfe cloth be it of Ray & colour, vpon the paine contained in the same statute. An. 12. R. 2. ca. 14. But this is altered after.

Wistow

Content

14 ¶ From henceforth it shalbe lawful to euery man to make such manner of clothes (s. cogware & kendal) of the length and breedth, as it hath bin vsed before this time, notwithstanding any statute to the contrarie. Prouided alwaies that the makers and workers of such clothes shall not make them of no better wool then they were wont to do. And also it is assented, that al such clothes as be arrested by force or colour of ỳ said statuts, or any of them, shalbe disarrested & redelinered. An. 13. R. 2. cap. 10. But see of this after.

Cogwares Kendall

15 ¶ No plaine cloth tacked nor folded shalbe set to sale within the said Counties, (Somerset, Dorthester, Bristowe, & Glocester) but that they be opened, vpon paine to forfait them, so that the buyers may see them, and know them, as it is vsed in the countie of Esser, & that the workers, weauers and fullers, shall put to their seales to euery cloth that they shal worke, vpon a certaine paine to be limitted by the Iustices of the peace. And that this ordinance begin to holde place at the feast of S. John Baptist next following. Prouided alwaies, that after that the marchãts haue bought the same clothes for to carrie them out of the Realme, they may take them & folde them at their pleasure for the more easier cariage of them. An. 13. R. 2. cap. 11. But see of this after.

Plaine cloth

Foyl.

Weauers

Fullers Seales

Iustices

Marchants

16 ¶ No fuller nor other person whatsoeuer he be, shal buy within ỳ said towns and Counties any cloth, before the same cloth be fulled and fully performed in his nature, & also sealed vnder the seale thereto ordained, vpon paine of forfaiture of the same. An. 15. R. 2. ca. 10.

Fuller Buy

Seales

17 ¶ Euery man of the Realme may make and put to sale and sell clothes, aswel kerseis as other, of such length and breedth, as him please, paying the aulnage, subsidie & other dueties: that is to saye, of euery peece of cloth after ỳ rate, notwithstanding any statute, ordinance, proclamation, restraint, or defence made to the contrary. And that none shall sell nor put to sale any clothe, before that they bee measured by the kings Aulnegeors, and sealed with the seale to that ordained, vpõ the paines

Kerseys

Dueties

Measure

Aulnage Sealed

paines conteined in the statutes thereof made, and that no man shall put, meddle, cause, nor make other deceipt in ẏ clothes of kerseis, vpon paine of forfaiture of the same. An. 17. R. 2. ca. 2. But this is altered againe afterward.

Foyl.

Aulnage

Farme Treasorer

Barons of the Eiche.

18 ¶ The said Aulnage (s. of clothes throughout the Realm) may be set to farm by improuemẽt after the aduise of ẏ Treasorer of England for the time being, & of the Barons of the Eschequer, notwithstãding the said statute (s 17. R. 2. ca. 2.) made to the contrarie. An. 4. H. 4. ca. 24.

Marchants of London

19 ¶ The Marchants of London from henceforth shalbe as free to packe their clothes, and quite for the same packing, as the other Marchants, or other strangers within the same Citie, or within other Cities and boroughes in the Realme, & if any letters Patents be made to the contrary, they shalbe vtterly repealed, adnulled, and holden of no force nor vertue. An. 1. H. 4. cap. 16.

Letters P. Clolde

20 ¶ An. 1. H. 4. cap. 19. It was enacted to endure for three yeeres, that certaine Clothes should not be sealed, nor no subsidie payed for them.

21 ¶ One sufficient man shalbe assigned by the same our Soueraigne Lord the King, to seale the said clothes, which shall be wrought, wouen, and fulled in the said Citie (s. of London) and the suburbs of the same, with a seale of lead, as in olde time was vsed in the same citie and suburbes, & that no such cloth so wrought, wouen, and fulled within the same Citie and suburbs, be in any wise sold or bargained, nor set to sale, vnlesse it be sealed with a seal of lead, as before is said. And the same our Soueraigne Lorde the king, shall haue the forfaiture of the clothes sold contrary to this statute, if any be. An. 4. H. 4. ca. 6.

Seale

Foyl.

22 ¶ The whole coloured cloth shall containe in length xxviii. yardes, and the cloth of Ray as much, measured without defoiling the clothes, and in breadth as before is ordeined by the statute. And if the Clothmakers from henceforth make their clothes of lesse length or breedth: that then the same makers shall forfait the clothes, which by the Aulnegeor shall bee found of lesse length or breedth. And the Aulnegeor take the same & deliuer them to the wardrobe, to the vse of our Soueraigne Lorde the king. An. 7. H. 4. cap. 10.

Content

Clothier

Foyl.

Ward robe

23 ¶ No cloth called Kendall, whereof the dozen passeth not vi. s. viii. d. shall not be sealed with none of the kings seales, nor aulnage great nor little be paied for the same. And that the owners of such clothes may freely sel the same cloths not sealed, without forfaiting any thing to the king for the same, notwithstanding any statute or ordinance made to the contrarie. An. 9. H. 4. ca. 2.

Kendall

24 ¶ The makers of the said clothes of Ray, and the sellers of the same, shal be as free in the making & selling of the same, as they were before the said Parliament holden at Westminster (An. 7. H. 4. ca. 10. before 22.) And that the said statute made in the saide Parliament touching this matter, be wholy adnulled, repealed and of no force nor valure. An. 9. H. 4. ca. 6.

Ray

25 ¶ A new Seale hauing a signe & a mark differing frõ ẏ olde Seale of the said office of Aulnegeor, shalbe made & deliuered to the Aulnegeors, and that, after the same so newly made, to be deliuered to the said Aulnegeors, Proclamation shall be made openly in the West parties, & other places throughout the saide Realme, that no person making such maner of clothes & dozens in the same West parties, nor elswhere within the Realme of England, be so hardie to tack & plite together such maner clothes, before that ẏ Aulnegeor hath duely made his search & surueying of the same clothes, that they holde their length & breadth, ordeined in the statute, vpon pain of forfaiture of the same, and that the saide Aulnegeor after that shall set the newe seale of his office to the said clothes and dozens: sauing alwaies that the clothes and dozens of the colour of Ray, which be inseled with the saide olde seale, after the proclamation made, may haue their course to be solde without any impediment, impeachment, or restraint vpon them to bee made by the said Aulnegeors, or any other officers, betwixt the day of the saide Proclamation, and the feast of S. Peter ad vincula nert comming. And in case that any Aulnegeor in doing his said office doe contrarie to this Statute, and thereof be duely attainted: that hee at the first time that he shall be so attainted, shall lose x. li. and at the second time xx. li. to be leuied & paied to the vse of our said soueraigne Lord the king, of all his landes and tenements, goods and cattels, in whose hands soeuer they be, and at the third time his bodie arrested, and all his goods and cattels at the kings wil. And moreouer the same our soueraigne Lorde the king will, that euery person that wil sue for the king or for himselfe,

Aulnegeors

Proclamation

Westparts

Search

Foyl.

Dozens

Officer

Foyl.

Arrest

selle, shall haue the suite to attaint such Aulnegers, so doing against this statute. And the same partie pursuing shall haue for his labour the fourth part of the paine of x.li. or xx.li. aforesaid, according as the case shal happen: Saving to Lords & other their fráchise, if they haue any in this case. Anno.11.H.4.cap.6.

iiii.part

26 ¶The said statutes (s. Anno.7. H. 4.c.10.and 11.H.4.ca.6.before 22.and 25.) be firmly holden and kept, and put in due execution.An.13.H.4.cap.4.

27 ¶This word(Cloth)in the saide statutes before rehearsed,shal haue relation & shall bee vnderstod of whole cloth called broad clothes,and broad dozens, and not of other clothes,and pieces of clothes called streites now made or to be made. And moreouer hath ordained & established, that euery man may make, set to sale, and sell all maner of clothes called streits,containing in length xiiii.yardes, & in the breedth one yarde vnwatered,or els twelue yards watered,without impeachment of any officer of our soueraigne Lord the king,paying to the king the aulnage, subsidie, customes and other dueties,that is to say, of euery cloth and of euery piece of cloth after the rate contained in the said statutes. And if the makers of the said clothes called streites, make any clothes to sell of lesse length and breedth then next aboue is declared, that then it shal be lawfull to the Aulnegers to cut off the list at the one end of all such streit clothes, not containing the said length,and the same to be solde for a remnant or a piece,& not for a cloth. And that no such cloths be put to sale til ỳ Aulnegers hath measured them,and made his search,& put to them the kings seale thereto ordained,vpon paine of forfaiture of the same. And if any aulnegers enseale any such clothes called streites,not containing the length and breedth of the streits aboue-said,and cut not off the list of al such cloths that do not hold the saide length & breedth of the streites, that then the said Aulnegers shall pay to the king for euery piece of cloth so found defective vi.s. viii.d. An. 11.H.6.ca.9.

Cloth

Broad clothes Broad dozens

Streits Content

Aulnage Customs

Cut

Seale Forf.

Forf.

28 ¶Anno.18. H.6.cap.16. An act was made to indure to the next Parliament,concerning the measuring of cloth.

29 ¶Euery whole woollen cloth called broad cloth, which shalbe made and set to sale after the feast of Saint Peter called ad vincula,which shalbe in the yere of our Lord 1465.after the full watering & racking,straining or tenturing of the same readie to sale,shal hold and containe in length xviiii. yardes,& to euery yard an ynch containing the breedth of a mans ynch, to be measured by the crest of the same cloth. And in breedth ii.yardes or viii. quarters at the least within the lystes, & if the cloth be longer in measure then xviiii. yardes & the ynches, then the buyer therof shall paye to the seller for asmuch as doeth exceede such measure of xviiii.yards, after the rate of ỳ measure aboue ordeined.And it is ordeined and established by authoritie of the saide Lords,that al maner clothes called streits to be made & put to sale after ỳ same feast, after the ful watering & racking,streining or tenturing therof readie to sale,shal hold and containe in length xii. yards and their ynches,after the measure aforesaid,and in breedth one yard within the lystes.And it is ordained and established by authoritie aforesaid, that euery cloth called kersey, to be made and put to sale after the said feast, after the ful watering & racking,straining or tenturing of the same readie to sale, shal hold & containe in length xviii. yardes and their ynches,as is aforesaid, and in breedth one yard & a nayle,or at the least one yard within the list. And also it is ordained and established, that euery halfe cloth of euery of the said whole clothes, streites and kerseies, shal keepe his measures in length & breedth,after the rate,forme,and nature of his whole cloth aforesaid . And no person which shal make or cause to be made any maner woollen cloth to sell after the saide feast, shall medle or put in or vpon ỳ same cloth,nor the wool whereof the saide cloth shalbe made, any lambs wool, flockes or corke in any maner, vpon paine to forfait xx.s for euery cloth or halfe cloth, wherein or whereupon any such lambes wool, flockes or corke shalbe put or medled. The one halfe therof to be to the king, and the other halfe to him that shall seise the same cloth,and duely proue the same to be made contrarie to this ordinance: except that he shal choose to make of lambes wool by him selfe without mingling with any other wool: except also that corke may be vsed in dying vpon woaded wooll, and also in dying of all such cloth that is onely made of woaded wool, so that the same wool and cloth be perfectly boyled and maddered: Except also that corke may be put vpon cloth which is perfectly boiled & maddered. Also it is ordained and enacted, that euery of the said clothes and demy clothes, shall per-

Content

Pay for the ouerplus

Streits

Kersey

Halfe cloth

Lambs wool Flockes Corck Forf.

Mottie

Dying Woaded Wool

Maddered

perfitly & rightfully purſue & follow one order of workmanſhip from one end to the other, without difference in the weaning, fulling, knotting & burling. And in caſe any ſuch difference or raw or ſkaw cockle or ſagge, happen to be in any part of the ſaid clothes, ſtreites or kerſeis, that then a ſeale of leade therefore ordeined, & by the Treaſorer of Englande for the time being prouided, ſhalbe ſet & hanged in the lowell part of the edge of the ſame cloth, ſtrett or kerſey, for perfect knowledge to be had to the buyer therof. And that euery of the ſaid clothes, ſtreite & kerſey, of the length and breedth aforeſaid, alſo of the ſaid perfectiõ, ſhalbe from the feaſt of S. Peter ad vincula, ſealed at the end of the ſame with a double print in lead, deuiſed & ordained by the ſaid Treaſorer, in recorde & witnes of the aforeſaid true length, breedth and making. And if any of the aforeſaid clothes, ſtreites & kerſeis, doe not containe the aforeſaide length and breedth, or be not of the perfect workmanſhip aforeſaid, & the two partes of the ſame clothes, ſtreites or kerſeis, be of the true & perfect workmanſhip aforeſaid, keeping their ſaid length & breedth: that then euery ſuch cloth, ſtreit & kerſey ſhalbe traſled with the ſaid ſeales in the forme aforeſaid. And that euery halfe cloth containing greater length then the halfe cloth, & leſſe length then the whole cloth, of the ſorts of the clothes aforeſaid, being of the ſaid perfect workmanſhip & breedth, ſhalbe ſealed with a ſeal printed in lead, hauing a marke differing from both the ſeales aforeſaide, in recorde & witnes of the true length, breedth and making of the half cloth. And if any woollen cloth of any ſorte of the clothes before recited, perfitly made, & hauing breedth after their ſort before limitted, conteining iij. yardes & demy, or more, leſſe then a halfe cloth, be put to ſale after the ſaid feaſt: the ſame cloth ſhalbe ſealed with a ſeale printed in lead, hauing a marke differing from any of the ſaid ſeales, for a knowledge to be had of that default of the half cloth, the ſaid ſeales to be deuiſed & ordained by the ſaid Treaſorer, & to be put at the ende of euery of the halfe clothes, and clothes leſſe then half clothes. Alſo by the aduiſe, aſſent & authoritie aforeſaid, it is ordeined & eſtabliſhed, that the Treaſorer of England for the time being, ſhall haue power & authoritie to make ſuch ordre many keepers of the ſaid ſeales as he ſhal thinke neceſſary: ſo that no ſtranger borne be made any of the ſaid keepers. And that euery of the ſaid keepers ſo to be made, ſhal accompt yerely of the reuenues of their ſaide offices in the ſaid Eſchequer, before the Treaſorer of England, & the Barons there for the time being, duely ſhewing in the ſame accõpts, the number of the clothes, halfe clothes, ſtreites & kerſies, ſealed by them, with the names of the owners of the ſame. Euery of the ſame keepers to be rewarded yerely at his ſaid accompt for his labor & diligẽce in this behalfe, at the receit of the ſaid Eſchequer, by the diſcretion of the ſaid Treaſorer & Barons, without payment of any thing in the ſaid Eſchequer, in or for the making of his ſaid accompt.

And in caſe any of the ſaide keepers doe ſeale any of the foreſaid clothes with any other ſeale, or any of the ſame clothes, otherwiſe made then after the maner & ordinance aboue ſpecified, & that by ſufficient proofe & examination ſhewed & approued, before the ſaid Treaſorer and Barons, by the depoſition, teſtimonie & record of ſuch ſufficient perſons, of good & due reputatiõ, which haue had prompt experiẽce in weauing, fulling, & making of clothes, or if the ſame keeper do refuſe to ſeal any of the ſaid clothes, made according to the ſaid maner & ordinance, or if any ſuch keeper or Aulneger do take after the ſaid feaſt for the king, of any perſon for the ſealing or meaſuring of any manner cloth, any other ſumme of money then is contained in the ſtatuts and ordinances made before this time & not repealed: Or if any ſuch keeper or Aulneger, after the ſaid feaſt, doe refuſe to ſhewe his Commiſſion of his office to any perſon deſiring the ſame vpon the ſealing or meaſuring of any ſuch clothes before rehearſed, & that examined & duely proued: that then he, as often as he ſhall offend in any of the premiſſes, ſhall forfait the ſumme of xx. s. The one halfe therof to the king, & the other halfe to the partie prouing the ſaid offences, by ſute to be made before the ſaide Treaſorer & Barons, by bill of debt in the ſaid Eſchequer: In which bill ſilke iudgement & execution ſhalbe had, as is accuſtomably had & vſed againſt other accõptants in the ſame Eſchequer: And that theſe ſtatutes & ordinances, & other ſtatutes & ordinances made before this time & not repealed, concerning any of the premiſſes, ſhalbe contained & ſpecified in euery Commiſſion to be made to euery ſuch keeper or Aulneger after the ſaid feaſt. Alſo whereas before this time in the occupatiõs of clothmaking, the laborers therof haue bin vſuf-

to take a great parte of their wages in pinnes, gubles, & other vnprofitable marchandises of vnreasonable prises: And also haue deliuered to them woolles to bee wrought by very excessiue weight, wherby both men & women haue bin discouraged of such labor: Therefore it is ordained, that euery man & woman being clothmakers, from the feast of S. Peter, shall pay to the carders, spinners, & al such other labourers, lawful money for al their lawfull wages & payment of the same: And also to deliuer woolles to be wrought according to the faithful deliuerie and due weight, vpon paine of forfaiture to the same labourer the treble of his said wages so not paied, as often as the saide clothmaker doth refuse to pay the same, in the said maner & forme to any such labourer put by him to the occupation, in any of the saide members of clothmaking: And also to forfait to the same labourer for euery deliuerie of excessiue & vnlawfull weight to him deliuered, to bee wrought vi.d. for euery default. And if it bee ordeined & established by the authority afore said, that euery carder, spinner, weauer, fuller, shereman & dyer, shall duely do his labour in his occupatiõ, vpon pain to yeelde to the party grieued in this behalf his conuenible damage. And that euery fuller for the said feast of S. Peter, in his craft exercise pation of fulling, rowing, or taseling of cloth, shal exercise tasels and no cards, deceitfully impairing the same cloth, vpon paine to yeeld to the partie grieued his conuenible damages. And that euery Justice of peace for the time being of euery Countie of this Realm, throughout the same countie, out of cities, boroughs & townes, where any Maior, Warden, bailife or bailifes is or be, & euery Maior, where there is no Warden, & euery Warden where there is no Maior, and euery Bailif or Bailifes where there is no Maior nor Warden, & euery Portreue, where no Maior, Warden, Bailife or Bailifes is or be, of euery Citie, borough & towne within euery such Counties aforesaid, and euery Constable of hundred where any Constable of hundred is, out of euery citie, borough & towne where any Maior, Warden, Bailife or Bailifes or Portreues is or be. And if euery stewarde keeping or holding inupentake or Lete of any person out of citie or borough, or town where no Maior, Warden, Bailife or Bailifes or Portreues is or be, shall haue power & authoritie by this vnitaker, to heare & determine the complaints of euery such clothmaker & labourer, aswel for nõpaymẽt of the said labourers wages, as of the said forfaiture & damages, by due examination of the parties in this behalf, thereupon for nõpayment of the said duelies & forfaiture, & for the said damages, to commit the saide offenders in this behalfe to the next Gaole within the same Countie, there to remain til the said duelies, forfaitures & damages be duely paide to the same labourer or clothmaker. And also that euery of the said Justices of peace, Maior, Warden, bailife or bailifes, Portreue & Steward of inupentake & Lete, vpon the information or complaint of any other persõ which is not grieued in this behalf, shal haue power by the said authoritie within his iurisdictiõ, to cause the party to come before him against whom such information or complaint shal be made, for offending this ordinance, & to examine them in & vpõ the matter contained in the same information or complaint. And if the partie by examination or other wise proufe, be found guiltie or defective, that then the same partie, as often & for euery time that he is so found guiltie or defective shal forfait to the king or to such person or persõs, which is or be entitled to haue fines or amerciaments for offences done within their iurisdictiõ iii.s. iiii.d. And that euery of the said Justices of peace, and other officers aforesaid, within his iurisdiction, vpõ euery of the said informations or complaints, shal haue full power to make like processe against the partie, vpõ whom any such information or complaint, as before is rehearsed, shalbe made, to cause him personally to appeare before him, thereupon to be examined, as Justices of peace haue vpon information or complaint made to them for suretie of peace, without any fee or reward to be taken or had by any of the said Justices, or any other officer in this partie, for the execution of their offices in this behalf. Also it is ordained & established, that all maner of woollen cloths made in any other region, brought into this realm of England, & set to sale within any place of this realm of England, after the said feast of S. Peter, shalbe forfait to our soueraigne Lorde the king, except clothes made in Wales and Irelande, and clothes taken by any of the kings liege people vpon the sea, without fraud or collusion. And by the authoritie aforesaid, it is ordained & established, that any other act or ordinance, made in this present Parliament concerning clothmaking, or any of the premisses contrary or not accor-

Clothiers Carders Spinners Money Wages Woolles

Forf.

Refuse

Forf.

Weauer Fuller Shereman Dyer Paine ii. damages.

Tasels Carded

ii. damages Iust. of P.

Maiors Bailifes Warden

Portreue

Constable

Steward

Peter & tur.

Impris.

Iust. of P.

Examine

Guiltie

Forf.

Iust. of P. Officers

Proces

Informatiõ

No fee

Woollen clothes brought in. to England

Forf. Wales Ireland

Void

according to this acte, shalbe voide and of none effect. Anno 4. E. 4. cap. 1.

30 ¶ All the saide inhabitants and residents in any place within the saide three hundreds (s. Lestome, Tauestoke & Rowburgh within the countie of Deuon) may make & cause to be made al maner of wollen cloth of the said wooll, and to the same lawfully put & do to be put such quantitie of flockes as shalbe needfull & profitable to the maker & owner of the same cloth. And that all the clothes after such forme to be made with flockes within the saide three hundreds & euery of them, may be bought & sold at al times without any impeaching or dammage of any person, and without forfaiting of any of the saide clothes, notwithstanding the said ordinance aboue rehearsed, that is to say. (An. 4. Ed. 4. before 29.) An. 7 E. 4. ca. 2.

Flockes

Denizen

31 ¶ No person denizen nor stranger, from ỳ feast of Thassumption, which shall be in the yeere of our Lord God 1468. shal cary or cause to bee caried into any partes beyond the sea, any wollen yarne or cloth not fulled, but that the wollē yarne which shalbe made after the same feast in this Realme, shalbe wouen in the same realm. And also all cloth therein made, after the said feast shal be fulled and fully wrought within the saide Realme, before that it be had & caried out of this realme, vpon paine of forfaiture of the verie value of all such yarne vnwouen & cloth not fulled, had or caried out of this realm: The one halfe of the same forfaiture to be leuied to ỳ kings vse, & the other halfe therof to him or them that espieth or maketh proofe of any such vnwouen yarne or cloth not fulled after the said feast to be caried to any place beyond the Sea. An. 7. E. 4. cap. 3.

Carie out wollē yarne Cloth not fulled

Forf.

Moitie

Broad set clothes Streit set clothes

32 ¶ All the said clothes called broad set clothes and streit set clothes, and euery of them, which shalbe made within any of ỳ said counties (s. Norfolke, Suffolke and Essex) after the first day of August, which shalbe in the yeere of our Lord 1468. shal be rightfully made in forme insuing: That is to say, euery of the saide clothes called broad set clothes after they be sufficiently, perfectly and rightfully made, cleane scoured, fulled, searched & readie to sale, shall containe in length 28 yardes, and 28. inches measured by the crest, and in bredth vij. quarters within the liste, directly frō one ende of the saide cloth vnto the other. And euery of the said broad set clothes after all the said sufficient and perfect workmanship, cleane scouring, and full searching, and made readie to sale, shall wey 38 pounds at the least. And also that euery of the said streit set clothes, which shall be made in any of the saide counties after the first day of August, after all manner sufficient, perfect and right workmanship, cleane scouring, and full search, and ready to sale, shall containe in length 14. yards, and 14. ynches measured by the liste, and in bredth iij. quarters and demy quarter of a yard within the listes, directly from one end to another. And euery of the saide streit set clothes, after all the saide sufficient and perfect workmanship, cleane scouring, and full searching, and made readie to sale, shall weigh xx. poundes and demy at the least. And that all the saide clothes called broad set clothes, and streit set clothes, which shalbe made within any of the saide Counties after the saide first day of August of right and perfect workemanship, according to this ordinance, shalbee sealed by the kinges Aulnegeor or sealer, with the seales of the subsidie and Aulnage within euery of the saide Counties therefore ordeined, printed in ware. And that no person or persons after the saide first daye of August, shall offer nor put to sale any of the saide clothes called broad set clothes or streit set clothes not keeping full length, bredth & weight, or not cleane scoured or fully searched, according to this ordinãce, vpon paine of forfaiture of the same: the one half therof to the vse of our said Soueraigne Lord ỳ king, & the other half therof to ỳ party that shall espie & seise the same. And that no person or persons after ỳ saide first day of August shal tack, pack or cary the said clothes called broad set clothes or streit set cloths, out of any of the said counties, vnlesse the same be sealed by ỳ kings Aulneger or sealer, after the maner aboue ordeined by this ordinance, vpon paine of forfaiture of the same. The one half to the king, & the other halfe to the partie which shall espie & seise the same. And if any Aulnegeor or any of his deputies within any of the said counties shal seale any of ỳ saide set clothes, not containing the same lēgth, bredth and weight aforesaide, that then he shal forfait for euery broad cloth so sealed vi.s. and viii. pence; and for euery of the saide streit set clothes so sealed xx.d. The one halfe of the same forfeiture to be paied to the vse of our said soueraigne Lorde the king, and the other half to him that will sue for the same by action of debt, by writ or bill

Scoured Serched Content

Workmanship

Weight

Seale Aulnegeor

Ware

Forf. Moitie

Pack

Sealed

Forf. Moitie

Aulnegeor Deputies

Forf

Moitie

bill in any of ỹ kings courts at his election that will sue in this behalfe. And in the same action to recouer ouer & beside ỹ said forfaiture such costs & damages as be commonly vsed in an action of debt sued at the common law. An. 8. Ed 4. cap. 1.

Costes Damages

Woollen cloth

33 ¶ All the woollen cloths, half clothes, streites & kerseis being of good and perfect making of length & breadth, after the forme of the said act made in the said iiij. yere (5. E. 4. c. 1. before 29) shalbe sealed with ware at both ends, taking no more for the same both seales, then before was taken for the sealing of an whole cloth, half cloth, streit or kersey: except onely that in the citie of London, & in the town of Bristowe, all the clothes that ought to be sealed, shalbe sealed with lead, as hath bin there accustomed. Moreouer it is ordeined, enacted & established &c. that the said Treasorer of Englād for the time being, shall haue power & authoritie to let to farme, the subsidie & Aulnage of clothes, which ought to be sealed, vnto persons willing to haue the same to farme by sufficient mainprise, in the forme as was vsed & done, before the said statute made in the saide fourth yeere. The farmors to haue the one half of the forfaiture of all the clothes & pieces of clothes to be set to sale, not sealed with the said seales, to their own vse, paying therefore and for the said Subsidie & aulnage, to our Soueraigne Lorde the king at his Eschequer such yeerely summes of money, as shalbe agreed betwixt the Treasorer of England & them, & to be accomptants to the king of the other halfe of the said forfaiture at the said Eschequer: The said Statute made in the said fourth yeere notwithstanding. Anno 17. Edw. 4 cap. 15.

Ware seale.

Streit Kersey London Bristowe

Leaden seale

Treasorer

Farme

Mainprise

Moitie

Eschequer

Accōptants

34 ¶ No person whatsoeuer he be clothmaker nor other, shall sell nor put to sale after the feast of S. Michael the archangel next insuing, any maner woollen clothes called broad clothes, vnlesse the same cloth be before fully watered. And that euery whole cloth, & also broad cloth, which shall be made in this Realme of England, after the said feast of S. Michael the archangell next comming, after that it be fully watered readie to sale, shall holde & containe in length xxiiij. yardes, and to euery yard an ynch, containing the breadth of a mans ynch, to be measured by the cresse of the same cloth, & also it shal holde & containe in breadth two yards within the lists by the whole length in the same. Also that euery halfe cloth of the saide whole clothes to be made after the said feast, after his ful watering readie to sale, shal holde & contain xij. yards in length at the least, with the ynches aforesaid, to be measured by the cresse, & two yards in breadth within the lisses: So that alway the same halfe cloth doeth not exceede the length of xvj. yardes, vpon paine of cutting the whole cloth in three pieces, & of cutting the halfe cloth in two pieces. And also to lose for euery whole cloth vi.s viii.d. & for euery half cloth iii.s. iiii.d. made, sold or put to sale after the said feast, not fully watered, or made after the said feast, not keping their measure aboue ordeined. And if the whole cloth be longer in measure then the said xviiii. yardes & the ynches aforesaid, and the halfe cloth of the same be longer then twelue yardes with the said ynches, that then the buyer of the same whole cloth shall pay for as much as it doeth exceede in the measure of xviiii. yards, and the buyer of the same half cloth to pay for as much as it doeth exceede xii. yardes: So that alwayes the saide halfe cloth do not passe the length of xvi. yardes as is aboue saide. Also that all manner of clothes called streites to be made after the said feast, after the full watering ready to sale shal hold & containe xii. yards in lēgth & the ynches after the measure aforesaide, and in breadth one yard within the lisses, & throughout the length of the same, vpon paine of cutting of the saide streit in two pieces, and also to lose for the same streit xx.d. Also that euery cloth called kersey to be made or put to sale after the saide feast, after the ful watering readie to sale, shall hold & containe in lenth xviii. yardes & the ynches as is aforesaide, and in breadth one yard & a nayle at the least within the lists, vpon paine of cutting of the saide kersey in two pieces, and to lose for the same kersey iii.s. viii.d. All the saide paines, forfeitures and losses to runne vpon the sellers of the saide clothes, that shalbee made contrary to this act. And that euery of the saide whole clothes, halfe clothes, streites and kersies be perfectly & duly made throughout from one ende to the other. Also before the saide feast, Seales shall bee prouided and ordained by the Treasorer of Englande to be printed in leade, hauing the kings armes of England in one side, and in the other side the armes, signe, or token of euery Citie, Borough or Towne, within this Realme of Englande, where the cloth is made hauing such armes, signe or token for a marke, or an euident token and know-

Paine of cutting

Fork

Payfor the ouerplus

Streites

Paine of cutting

Kersey

Content

Fork.

Seale

Clothier Put to sale

Content

knowledge of the cloth made within euery such city, borough & towne of this Realm, and besides the seales for euery countie of this Realme, for the sealing of all maner cloth made within euery countie, out of citie, borough or town of the same county, shall haue on the one side ỹ kings armes, & on the other side the name of the county prynted in the same. And that the treasorer of England for the time being, or his deputy, after the said feast, shal make no person or persons to be Aulnegeor, sealer or keeper of ỹ seal, in any part of this Realm, but such as bee expert in making of cloth, of the sufficiencie of one C. li. at the least, at the time of the said deputatiõ. And that no Aulneger, sealer, or kéeper of any seale to to be prouided as is aforesaid, after the said feast shal seale any of the said whole cloths, halfe clothes, streits, or kersies, but such as shall bee onely made after the same feast within the countie, citie, borough or town, where they shalbe deputed Aulnegeor, sealer or keeper, vpon paine to forfait to our Soueraigne Lorde the king for euery such whole cloth contrary sealed, v. Marks, for euery half cloth xxx. s. iiii. d. for euery streit xx. s. & for euery kersey x. s. Also that no person whatsoeuer he bee, after the saide feast, shall set nor drawe, nor cause to be set nor drawen in length or bredth, within this Realme of England, any maner wollen clothes, after that it be fully watered, by tentering or otherwise, vpon paine to forfait the same cloth: Also that no man of what condition soeuer he bee, within this Realm after the saide feast, shal set, cast or put vpon any maner of cloth any flockes, or any other deceitful thing like, vpon paine of xl. s. for euery cloth, whereupon any such person shall cast any flocks or such other thing. Also that no cloth-maker nor other person whatsoeuer he bee, within the saide Realme after the said feast, shal set or cast vpon any white cloth or kersey any chalke vpon paine. Also that no shereman or other perso after the said feast, shal shere nor cancel any clothes within this realme, except such cloth bee before fully watered vppon paine to forfaite xl s for euery cloth as oftẽ as he shall so doe. And that no person stranger nor other, shal send nor cõuey any wollen cloth ouer the sea, after ỹ said feast vnles the same cloth be before fully watered. And after that ỹ same cloth be so fully watered, that then it shall in no wise, be set nor drawen in length nor bredth, vpon pain of xl. s. for euery cloth conueied or sent ouer the sea cõtrary to this act. Also that no maner person within this realme, after ỹ said feast, retaile any wollen cloth or clothes, lining nor other, except it be fully watered before, & after that it bee fully watered, it shal in no wise be set nor drawẽ in length or bredth, vpon paine to forfaite the same cloth or the value thereof. The same pain to run vpon the seller of all such clothes. And our said soueraigne Lord the king, in the eschewing of great falsitie and deceit, which hath growen & dayly doth grow by meane of tentors, by the assent & authority aforesaid hath ordained & enacted, that no perso whatsoeuer he be, shal kéep, haue or occupie any tentor, or any other thing in his owne house or place of his inhabiting, whereby wollen clothes may be in any wise drawen out in length or bredth, vpon paine to forfait xx. li. as often as he shal do contrary to this act, but that all tẽtors which hereafter shalbe died or occupied for due stretching of cloth only, after that it cõmeth from the mil, & before it bee rowẽ, & for none other cause, aswel within the citie of Lond. as other cities, boroughs or townes of this realm, shalbe set in open places. And that euery Maior of London for the time being, & al other Maiors and bailifs, and other gouernors of cities, boroughs, townes and villages of this saide realm, shal diligẽtly survey & ouersée that al cloths, which shalbe put vpon tentors, shal not be drawen out in length, & bredth otherwise then is before rehearsed. Also that after the said feast no straunger shall buy any wool, which shalbe sent or shall passe through the streits of Marroke, by galleis, caracks, or ships, or other vessels sorted, clacked or barked: Nor no wool whereof any lockes or refuse shalbe made but that the same wool be as it is clipped & purely wound without deceit, & marchandisable after the growing of the countrey, without any sorting, berding, clacking of lockes or refuse thereof to be made, as afore is said, vpon paine to forfeit the same wool & the double value therof. Moreouer our said soueraigne Lord the K. hath ordeined & enacted by authoritie aforesaid, ỹ no dyer nor none other perso, shal dye or cause to be died within this realm, after the said feast, any woollẽ cloth with orchel or cork called iarroke, vpon paine to forfait & lose xl. s. for euery cloth that hee or any other for him or to his vse, shall dye or cause to be dyed. Nor that no person after the sayd feast shall sel or put to sale within the said

Realme,

Citie

Treasorer

Aulnegeor

Seals

Forf.

Drawe in length

Tentering Forf.

Flocks Payne

Chalke Paine Shereman

Watered

Forf. Stranger

Ouersea

Drawne Paine.

Retaile

Forf.

Seller.

Tentor

Forf.

Maior London

Survey

Stranger Wooll

Marroke

Lockes

Forf.

Dyer

Orchell Corke

Forf.

Realme, any such cloth which after ỳ said feast shalbe died with orchale, or cork called iarroke vpõ paine of forfaiture of such cloth so died or put to sale contrary to this act. These paines & losses alwaies to run vpon the seller, except that corke made wỉn this realme of England may be vsed in dying vpon woolwards, & also in dying of al such cloth which is made onely of woolwards, so that ỳ same wool & cloth be perfectly boyled & maddered. Also that corke made in this realm may be put vpon cloth that is perfectly boyled & maddered. Also ỳ no dier after the saide feast shall dye any cloth within this saide realme, except the same dyer do die the said cloth & the list of ỳ same with one color, without tacking or sowing of any bulrushes, or such like thing vpon the lists of the same, vpõ paine to forfait xl.s. for euery cloth that he shall so die contrary to this act. And that no manerperso whatsoeuer he be, shal put to sale within the said realme, after the said feast any maner of cloth, which after the same feast shalbe deceitfully dyed, vpon paine to forfait the same cloth or the value thereof. The same forfaiture & paine alwaies to run vpõ the seller. Also if any of the kings subiects, or any other hereafter happen to seise any woollen cloth, otherwise made or died thẽ afore is said, then ỳ same subiect or other shal bring al the same cloth or cloths so by him seised, before the Maior, bailifes or other gouernor of the cities, bouroughs townes or villages where any such seising shal happen to be made of the same cloth or clothes, there to iudge by the discretion of the said Maior, bailife or other gouernor, calling to him or them such persons, as by his or their discretions shall seeme conuenient, whether the same cloth be otherwise made, wrought or died, then is according with the actes before recited. And if it be iudged by the saide Maior, bailife or other gouernour, or other persõs, called to them or any of thẽ, as afore is saide, that ỳ same cloth is made or died & put to sale contrary to the foresaid acts, then the same cloths so seised, & by thẽ iudged, as is aforesaid, shal be cut in three pieces in the presence of the said Maior, bailife or other gouernor: the one part therof to be delinered in ỳ Escheq. by him or thẽ ỳ so shal seise the same cloth or cloths to the kings vse: And the seconde part thereof to be delinered to the seisor of the same cloth or clothes, & the third parte thereof to be delinered to the saide Maior, bailife or gouernor, to the vse of the Cominaltie, where they or any of them bee Maior, bailif or gouernour: The one half of all the other fines, forfaitures & penalties aforesaide, & of euery of them to be to our soueraigne Lord ỳ K. & the other halfe to him or them of the K. subiects that shall seise the same, or sue for the same, by action of debt, by writ at the common law, or by bil or plaint, after the custome of the citie, town or port, wher such fines, forfaitures & penalties shal happen to fal or be. And ỳ the defendant in any such action be not admitted to wage or doe his lawe: Nor that any protection or essoin in the K. seruice be allowed for any such defendant.

Prouided alwaies that this act, nor any thing therin cõtained, shal not extend nor be preiudicial to ỳ making of any woollen cloth called Ray, nor to any cloth made in Winchester or Salisbury, vsed to be put & ioyned with ray. The cloth therof commonly vsed to be sold at xl.s. or within, nor to the making of any cloth called veruse, otherwise called plõkets, turkens, or celestrings, with laised lilkes. Nor any cloths called packing whites, nor to the making of any clothes called vesses, cogware or worsteades, not to ỳ making of any cloths called florees with cremillists, nor to the making of any woollen clothes called bastards, nor of any clothes called kendales nor to clothes called sayling ware, with cremillists, laised lists, or smal lists, nor to any cloth called frise ware, nor to any of them, nor to the maker or seller of them, So that the same clothes & euery of them, for the K. honor & profite of his Realme, be truly, duely & perfectly made, according to the nature and making of euery of the said cloths. An. 1. R. 3. ca. 8. See inf. 37. how this statute is suspended for certaine times.

35 ¶ No stranger nor denizen cary nor make to be caried out of this Realm any woollen clothes, but they before be barbed rowed, & shorne, within the same Realme, for the releise & setting on worke of the poore cõmons, vpon paine of the forfaiture limitted in the statut of K. Edward (s. An. 7. E. 4. ca. 3. before 30.) made vpon cloth caried out of this Realme, not fulled, to be deuided in maner and forme as in the same statute it is contained.

Prouided alwaies, that clothes called vesses, rayes, sayling clothes, & al other cloths cõmõly sold at xl s. or under, be not cõprised in this present act. An 3. H. 7 ca. 11

36 ¶ No person sel within this Realm at retaile, a brood yard of woollen cloth of the

Fork. Woollen

Woolwards

Boyled Maddered

Lyst

Fork. Bell

Fork. Bell

Maiors Bailifes

Iuryes Cut iii. parts

Eschequer

Cõminalty

Ray Winchester Salisburie

Plonkets

Packing whites Vesses Cogware Worsteds

Stranger Denizen Cary out Barbed Rowed Shorne

Fork.

Retaile

Scarlet

Prices

Russet

Foyl.

Action

Moitie

Suspens

Sus. Action of debt.

Cheefe vnder Sea

Streits

the finest making, scarlet, grained or other cloth grained, what colour soeuer it be, to any of the kings subiects, aboue the price of xvi. s. a broade yard. And a broade yard of woollen cloth of any other colour out of graine, or any manner of russet of the finest, not aboue the price of ii. s. vpon paine of forfaiture for euery such yard sold to any of the kings subiects aboue the said price xi. s. & of euery other cloth what colour soeuer it be, that is vnder the sayde price, a broad yard to be sold to the kings subiects after the rate of the goodnes therof. And he that will sue for any such forfaiture, haue an action of debt therof, against him that so doth forfait: In which action none essoine, ne protection be allowable. And the defendant not to bee admitted to wage his law. The king to haue the execution of the one halfe thereof, and the partie that shall sue the other halfe. An. 4. H. 7. cap. 8.

37 ¶ The acte made An. 1. R. 3. cap. 8. is by 32. H. 7. cap. 4. suspended to the beginning of the next Parliament. And after An. 1. H. 8. cap. 2. it is suspended to the beginning of the next Parliament.

38 ¶ The same Actes and ordinances (1. An. 7. E. 4. cap. 3. & An. 3. H. 7. cap. 11 before 30. & 34.) may stand and continue in their full strength and vertue. And that they from henceforth be duly put in execution according to the tenor, purport and effect of the same and of either of them. And that euery person that will sue for the same forfaitures be admitted to his action of debt, by bill or information in any of the kings courts of record, where the same may be determined after the course of the common lawe, and that the defendant in such behalfe in no wise bee admitted to wage his law, nor that any protection or essoine bee in the same allowable: Neuertheles &c. Be it &c. that clothes called besses, raies, sailing clothes, & other clothes now commonly sold at iiii. markes or vnder, be not comprised in this or any of the said actes, but may be caried & conueyed out of this realm, into the partes beyond the seas, not barbed, rowed nor shorne, this or any the saide actes notwithstanding. An. 3 H. 8. cap. 7. See this statute altered here following 39.

Streits

39 ¶ No person make such clothes (called white straites) to sell, without that it bee when it is raw ready to bee tucked, of the breadth of a yard and halfe a quarter, and of length fifteene yardes. And that no person make such clothes, but bee set his speciall marke vpon euery of the said clothes so by him or them made. And that no person vse no marke on his clothes such as any other person doth and hath vsed before him, vpon paine of forfaiture of euery of the saide clothes, the one halfe to the king, & the other halfe to him that so selleth the saide clothes so made or marked, contrary to the forme and effect afore expressed. And this act to endure to the next Parliament. An. 5. H. 8. cap. 2. this act is made perpetual here following 41.

Content Marke

Foyl.

Moitie

White

Duerse

Vnrowed

Vnrowed

Foyl.

Moitie

White straits

Russet streits

Weyghe Foyl.

Moitie

40 ¶ Euery white woollen cloth solde at v. markes and vnder, may be caried and conueyed into the parties beyond the sea, there to be sold at the pleasure of the buyers of the said cloth, vnbarbed, vnshorne, and vnrowed: any acte or actes to the contrary made notwithstanding. And ouer this bee it enacted &c. that if any person or persons conuey, or cause to be conueyed into the parties beyond the sea, any white woollen cloth, vnrowed, vnbarbed and vnshorne, aboue the value of v. markes, in other forme then is aforesaid, that then the person or persons so offending, shall forfeit the value of the said cloth or cloths so caried or conueied into the parties beyond the sea: The one moitie &c. to be to our said soueraigne Lord the K. & the other moitie to any person &c. wherein &c. An. 5. H. 8. ca. 3. This act is altered here following 46.

41 ¶ The said Act (1. An. 5. H. 8. ca. 2. before 39.) concerning making of clothes (called white straits) & euery thing therin contained, stand & bee in his full strength, vertue, & effect. And ouer yt it is ordained by the said authoritie, yt no person nor persons from the feast of S. John Bap. next comming, shall make any such cloths (called whit straits) ne any cloths of the making of russet colour (called russed straits) without that they & euery of them (being raw) be of the breadth and length before rehearsed, & marked in maner & forme before expressed, & so being raw to weigh fiftie li. by true weight at least, vpō paine of forfaiture of euery of the saide cloths, made, & being lesse in length, or else in breadth, or marked cōtrary to the forme & effect before rehearsed, or else being of weight contrary to the forme before expressed: The one half of ỳ said forfaiture to be to the king, & the other halfe to him that so selleth the same cloths so made, & being of weight, contrary to the forme & effect aforesaid. And this act to endure for euer. An. 6. H. 8. cap. 8.

42 ¶ The

Wool

42 ¶ The wool which shalbe deliuered, for or by the clothier, to any person or persons, for breaking, hebing, carding, or spinning of the same, the deliuery therof therfore shall be by euen full, & true poys and weight of habercdepoys, sealed by authoritie, not exceeding in waight after ꝑ rate of xii. li. of kemed wool, aboue one quarter of a pounde for the waft of the same wool, & in none other maner. And that the breaker or kember do deliuer again to ꝑ same clothier, the same wooll so broken & kempt, & the carder & spinner to deliuer againe to ꝑ said clothier yarne of the same wool by the same euen, waft and true poys and weight (the waft therof except) without any part therof concealing, or any moyste oyle, water, or other thing put therunto deceiuably, upon the paine to forfait to the Lord of the Leet, within the precinct wher such default is don, for euery such default xij. d. upon due proofe of such deceit afore: & by the discretion of the Maior, Bailife, or other head officer of the citie, borough or towne where the deceit shall appeare, the same Maior, bailife, or head officer, taking to him such persons as shall seme to him conuenient for the proofe of such deceit.

Waft

Clothier

Broken Kempt

Yarne

Deceit Forf. L. of Leete

Item that the weauer which shall haue ꝑ weauing of any woollen yarne to be webbed into cloth, shal weaue, fowle, & put in to the webbe for cloth to be made therof, asmuch & al the same yarne, as the clothier, or any other person for him shal deliuer to the same weauer, with his vsed marke put to the same, without chaūging any parcel therof, or leauing out of ꝑ same webbe, and to restore to the same clothier the surplus of the same yarne, if any shal be left not put into ꝑ same webbe, & without any more Oyle, byrne, moysture, dust, sand, or other thing deceiuable putting or casting to ꝑ same webbe, upon paine to forfait for euery default iii.s. iiii.d. Item that no maner person buy any colored wooll, or coloured yarne of any carder, spinner, or weauer, but only in open market, upon paine of forfeiture of such wooll & yarne so bought.

Weauer

Marke

Surplus

Deceit

Forf.

Buy Coloured wool Yarne Marke Forf. Fuller

Item that the walker & fuller shal truely walke, ful, thick, & worke euery webbe of woollen yarn, which he shal haue to walk, ful, thick, & worke wout any slacking, or any other manner deceit to be vsed in ꝑ same, and shall not so lowse nor washe any cloth or webb with any cards on the right side nor the wrong side, upon paine to forfait for euery such default vi.s. viii.d. Item that the clothier nor other person whatsoeuer he bee, shall not put any cloth to full, which when it shalbe ful wette, shal shrink more then one yard in al the length, & one quarter of a yard in ꝑ breath, for the more part thereof, & cloths called narrowes or Kerseis after the rate, upon paine to forfait for euery cloth other wise put to fulle vi.s. viii.d. And beside to defend of his price for ꝑ same to bee rebated to the buyer therof asmuch after the rate, as ꝑ same cloth so otherwise put to fulle, being ful wet, shalbe shronke more then one yard of that it was in length time of the same fulle, and as it shall (being wet) want of the breath of one yard, & iii. quarters of a yard. Item that the buyer of woollen clothes, denizens, or aliens, after the buying therof, shal not draw nor cause to be drawen in length, nor straine, nor cause to be strained in breath the same cloths, or any of them, by tete or otherwise, or by any other meane, upon paine of forfaiture for euery of the same cloths so to be drawen or strained C.s. Prouided alway, that if such buyer of woollen clothes for proofe, cause the same to be wet, he may draw & straine them for viewing of them onely, so that he exceed not one yard in length more then it shall be when it shalbe ful wet. Item that no maner of person work or put upon any woollen cloths any flore, or other deceiuable thing, upon paine to forfait for euery cloth so wrought deceiuably with flore, or other deceiuable thing vi.s. Item that no maner person buy or sel any woollē cloths by other measure more or lesse, then after the true content therof, to be meaten and measured by the yard, allowing to euery yard one inch of the rule, upon paine to forfait for euery cloth to the contrary measured C.s. The one moitie &c. to bee to our soueraigne L. the king, & the other moitie to the person which shal sue &c. wherein &c.

Buyer Denizen Alyen

Straine Tenter Wrinch. Forf.

Weauing

Flore Forf.

Buy

Measure

Forf.

Moitie

Prouided alway, that this act extend not to woollen clothes called kendales, nor clothes called tapetrial whites, commonly made for lyning for hosk, nor to any clothes called Manchesters, made in the county of Worcestershire, nor to any woollē cloth made in ꝑ countie of Cornewal, nor for any cottons or plaine pinings, or frize made or to be made in Wales, Lancashire, and Cheshire, or any of them. An. 6. H. 8. cap. 9.

Tapetrial Cottons Frize. Wales Lancashire Cheshire

Note that Anno. 7. H. 8. cap. 6. an Acte was made to endure to the next Parliament almost word for word like this former act of An. 6. H. 8. cap. 9. with an article, that none should take aduantage of any forfeiture or penalty made by 7. H. 4. ca. 8. concerning cloths.

Broade clothes

43 ¶ Anno. 14. H. 8. cap. 1. An acte was made, cõcerning broad wollen cloths, to endure to the last day of the nert Parliament.

Set clothes

44 ¶ All Clothes called vesses, otherwise called set clothes, what colour soeuer they be of, not being aboue the value of xl.s. a cloth, shal not be forfait for that they lacke in length and bredth when they be ful wet, after the sale of them before this time made or hereafter to be made: The said act made in the vi. yeere of king H. the viii. (s. cap. 9. before 41.) or any other acte heretofore made to the cõtrary notwithstanding. An. 14. H. 8. cap. 11.

Worcester

45 ¶ No manner person ne persons, of what degree or condition soeuer they be of, shall make, or cause to be made within the said shire of Worcester, any maner wollen clothes to bee sold, except onely such person or persons, as after the said last day of September shalbe dwelling & inhabiting within the said citie of Worcester, the boroughs & townes of Euesham, Dorwich, Badderminster, and Bromesgroue, within the said countie of Worcester, or in any one of them vpon pain of forfaiture for euery such broad cloth made after the said day, by any person or persons, contrary to the true meaning of this act xl.s. And further it is &c. that the Lordes and owners of the meales, tenements, or cottages within the said city, or any of the townes and boroughes aforesaid, shall at no time hereafter dimit, set, or let any meale, tenement, or cottage, sufficiently repaired within the said citie, borough, or townes before limitted, to any person or persons, y hereafter shall inhabite in the saide citie, boroughs or townes, and exercising any of the saide mysteries or craft, at any higher rent, imposition, or charge, then was giuen for the same at any time within xx. yeeres next before the making of this act onely except.

Forf.

Lords of tenements

Rent

Prouided alway that this acte bee not hurtfull nor preiudiciall to any person or persons, for making any clothes for their owne wearing, their children or seruants wearing. Also prouided, that in the said city and towne, and euery borough aforesaide, there shall bee due search made of euery such cloth beforesaide there made, and that they bee meated both length and bredth being wet from the mil, and before they bee set vpon the racke and dried. And that they shalbe sealed with the seale of the searcher of the same city, towne, or borough, which seale shall haue a stampe, containing the true numbers for the length and bredth of the same cloth being wet, in pain of forfaiting for euery cloth put to sale not hauing the said seale of the searcher, xx.s. And the sealer to forfait for euery cloth by him searched, & sealed cõtrary to the true meaning of this act, vi.s. viii.d. The one half of the saide forfaits to be to the K. &c. and the other half to y party that will sue &c. wherein &c. And the searcher shal haue for the searching and sealing of euery cloth, a peny, & not aboue. An. 25. H. 8. cap. 18, See the statute next following.

Husbandes clothes

Search

Measure

Sealed

Forf.

Moitie

46 ¶ All and euery Clothier within this realme, shal weaue, or cause to be wouen his or their seueral token or marke in al & euery cloth, kersey, and other clothes whatsoeuer they be, made & wrought, to be vttered and sold. And when any such cloth shall be ready made and dressed to be put to sale, euery of the same clothiers shall set his seale of lead vnto euery of the same his or their clothes and kerseis, in which seale of lead shalbe contained the true and iust length of euery of the same clothes or kerseis, as it shalbe duly found by euery buyer of the same, vpon due proofe thereof to bee tried by the water. And in case vpon any such proofe to be made by any buyer of thẽ at the water, ther shalbe foũd lesse or smaller cõtent in lẽgth, then is contained & specified in euery of their said seales: thẽ euery of y said clothiers making such default, shal lose & forfait vnto euery such buyer of y same, y double value of so much cloth as shal want & lack of his said cõtẽt in lẽgth at the only sight & iudgment of any two indifferent persons that shal measure y same cloths & kerseis. And euery clothier seding or putting any of their clothes to sale, before such time as all and euery of the same clothes shalbe sealed by the Aulnegor of the same counties, where it shal chance any of the same cloths so to be made, & also to be ordred & sealed by euery of the saide clothiers in forme aforesaid, shal lose & forfait his cloth or clothes, whatsoeuer they bee: The one half &c. to the king &c. and the other halfe to him that will sue &c. wherein &c. And it is &c y after y said feast of S. Michael tharchangel, euery broad cloth shall containe in bredth vii. quarters of a yarde within y list at the least, & to hold the same content alwaies, if it be proued at the water. The acte made in the first yere of the raigne of our Soueraigne L. that euery broad cloth should containe ii. yardes in breadth, within the list, or any other thing therin contained, touching y keping

Warke Kerley

Lead seale

Content

Forf.

Put to sale

Aulnegor

Forf.

Moitie

Bredth

of

of the same breadth of xl. yards, in any wise notwithstanding. And euery kersey shall containe in breadth one yarde within the list at the least, if it be proued in the water, vpon paine to forfeite for euery such brode cloth iii.s iiii.d. & for euery such kersey xx.d. to be recouered to the vse of the K. highnes, & of any other that will sue for ỳ same, in maner & forme before declared.

Kersey

Breadth

Forf.

Moitie

Prouided alway, that this present acte extend not to any cloths called set cloths, of al sorts made in the county of Suff. not exceading the price of xl vi.s. viii.d. ỳ cloth, nor to any cloths called Tauelocks, western dozēs, frises, kendales, cottons, & al maner of course cloths made for lynnings.

Set clothes

Suffolke

Course clothes

And bee it &c. that the Aulnegor of any county shal not seale any of the said cloths with the K. seale, until such time as they & euery of them shalbe first ordered & sealed with their content, according to ỳ true meaning of this present act, in forme aforesaide, vpon pain of leesing of his office. And that no buyer of any of the saide clothes or kerseys marked & sealed, in forme aforesaide, presume by any manner of sleight, means or engins, to draw, pul or to stretch out, any of ỳ same cloths or kerseis, otherwise then to make thē euen after they be wet, & to agrée with the contents specified & contained in the seale of euery of ỳ same cloths & kerseis, as nére as they can, vpō paine to forfait the double value of euery cloth or kersey so misused, contrary to the true intent & meaning of this present acte to be leuied to the vse of the K. highnes, & of any other that will sue for the same, in like maner & forme, as is before declared.

Aulnegor Seale

Forf. Office Buyer

Stretch

Forf.

Prouided alway, ỳ al cloth hereafter made to bee sold wǐn the citie of Worcester, the townes of Dortwich, Euelhā, Kedermin-ster, & Bromesgroue, in ỳ couṫy of Worc. shalbe sealed with the seale of ỳ searchers there, according to an act of Parl. in that behalf prouided & made the xvi. yere of our said soueraigne L. (s.ca. 18 before 44.) & ỳ the owners of the cloths made within the said city & townes, shall not be compelled by this act, to put their own seales to any cloths there made, or hereafter to be made. An. 27. H. 8. cap. 12. See this statute altered in part here following 48.

Worcester

Seale

Owners

47 ¶ Euery white woollen cloth, solde for iiii.li. & vnder, & euery coloured cloth sold for iii.li. and vnder, may be caried and conueyed into the parties of beyonde the Sea, there to be sold at the pleasure of the buyers of the saide cloth or clothes, vnbarbed, vnshorne, and vnrowed: any acte or actes to the contrary made notwithstanding. And ouer this bee it &c. that if any person or persons, sende or conuey or cause to be sent or conueyed into the parts beyond the sea, any white wollen cloth, aboue the value of iiij. pound, or any coloured cloth aboue the price of iij. pound, vnrowed, vnbarbed, and vnshorne, in other forme then is aforesaide, that then the person or persons so offending shall forfait the value of the said cloths so caried & conueied into the parties beyond the sea: The one moitie &c. to be to the king, & ỳ other moitie to him that will sue &c. wherein &c. An. 27. H. 8. cap. 13.

White Coloured cloth

Vnbarbed

Ouer Sea

Coloured cloth

Forf.

Moitie.

48 ¶ Where a certaine kind and sorte of Welsh clothes, called whites, russets and kenets, made and wrought in North-wales and Worcester hundred, adioyning to North-wales, of long time haue bin, and be so craftily & hard rolled together, that the buyer thereof cannot perceiue, nor discerne the vntrue making & breadth thereof, to the great hurt, deceit, & impouerishing of the kings true and louing subiects: For remedy whereof, Be it &c. that all and euery the saide clothes, from and after the feast of the Natiuitie of S. John Baptist next comming, that shall be brought to any common Markets or Faires, to bee vttered and solde, shall be solded either in pleits or cuttel, as the clothes of all other countreys of this Realme cōmonly haue bene vsed, & be vsed, to the intent that the buyers thereof may plainely sée & perceiue the breadth & goodnes of such cloth & clothes that he shall buy. And that euery price of the said clothes, which after the said feast shalbe brought to any markets or faires to be vttered & sold, contrary to the forme aboue said, shalbe forfaited: that is to saye, the one moitie thereof &c. to the king, and the other moitie to him that will sue &c. wherein &c. An. 33. H. 8. cap. 3.

Whites Russets Kenets

Markets Faires

Breadth

Forf. Moitie

49 ¶ It shall and may be lawful to all and euery of the kinges subiects, to make, worke, & put to sale at their libertie & pleasure, al maner of such coloured kersey and kerseis, which shalbe sold at or for xx.d. or xxii.d. the yard or vnder, & not aboue of such lengthes & breadthes as they did, might, or were wont to do before the making of the said act, made in the said xxvii. yere of king H. the 8. (s. cap. 12. before 45.) or any other act, without incurring or running into any dāger or penaltie for the same, the saide act made in the said 27. yeere, or any thing therein

Kersey

Price

therein contained, or any other act or statute made to the cõtrary notwithstãding: Prouided alway, that all maner of kerseis to bee made, wrought, and put to sale within this realm, of the colours of black, marble, russet, & white, which said colors be commonly sold and retailed within this Realme, shall be made of such content in breadth, as is limited in the said former act, vpon pain in the said former act contained: any thing in this present act contained to the contrary notwithstanding.

Blacke
Marble
Russet
White
Retaile

Make Kerseis

And it is &c. that al & euery person & persõs, which shal make or worke any kerseis of the prices aboue rehersed, or vndet, shal at all times hereafter from time to time, make the same kerseis truly wõut deceit, & ỳ they or any of them doe, not shal fallly or vntruely make or stop any manner of kerseis wt flore, thrums, or other deceiuable thing or things, to ỳ deceit of any person or persons, nor shal by colour of any libertie to them giuen, or other matter comprised in this statute, make, worke, & put to sale, any coloured kersey or kerseis of the prices a boue rehearsed, which shal cõteine any lesse in breadth then iii. quarters of a yard, & one nayle, win ỳ list, to be tried at ỳ water, vpõ pain to forfait for euery kersey so fallly made or stopped wt flore, thrums, or other deceinable thing or things, to the deceit of any person or persons xx.s. & vpon pain to forfait for euery such coloured kersey of ỳ price aboue rehearsed, to be made & put to sale, not containing 3. quarters of a yard & one nayle in breadth within the list, to be tried at the water, as is afore said, xx.d. The one half &c. to be to the K. & the other half to him that wil sue &c. wherin &c. Prouided alway, that the said former act, made in the said xxvii. yere (s. ca. 12. before 45.) & al clauses & articles in the same contained (other then concerning ỳ breadth of coloured kerseis, of ỳ prices afore rehearsed) shal stand & be in their ful strẽgth & effect, & be kept & obserued, according to the tenor & purport of the same act. Prouided also & be it &c. that the Aulnegeor of euery county, shal & may lawfully seale euery of the same coloured kerseis of ỳ prices aboue said, in like manner & forme, as he or they should or might haue done, if the saide former act had neuer bene had nor made.

Flore Thrumes

Breadth

Fork.

Fork.

Poitie

Aulnegeor

Seale

Prouided also that none of the said kerseys of the prices afore limitted, nor any other kersey or brod cloth, made within this Realm to be vttered and sold, shalbe put to sale, before that they and euery of them shal be sealed by the Aulnegeor with the kinges Seale, as hath bene accustomed. An. 33. H. 8. cap. 18.

50 ¶ No person or persons from hencefoorth shall cary or ship, or cause to bee shipped in any ship, boate, cray, or vessel, any white woollen cloth aboue the value of iiii.li. or any coloured cloth aboue the value of iii.li. vnrowed, vnbarbed, or vnshorne, to the intent to be conueyed vnto the parties beyond the Sea, vpon paine of forfaiture of the same cloth or clothes, or the value thereof, the same forfaiture to be recouered in such manner and forme, as is afore mentioned. (s. Anno. 27. H. 8. cap. 13. before 46.) Anno 33. H 8. cap. 19.

Shipping

White clothes

Vnshorne
Ouer Sea

Fork.

51 ¶ No manner of person within the saide iii. shires of Carmarthen, Cardigan, and Penbroke, doe make any rawe friles, called Welsh Frize, or any Cottõs called Welsh Cottons, to be solde in any faire, or market, or elswhere, in any other place, vnlesse euery piece of frise called a high frise rawe, bee made of cleane wooll, without flore or thrum, weying in yarne liiii. pound of haberdepoys at the least, and containing in length xl vi. yards raw, and in breadth one yard & one quarter. And that euery halfe piece frisehigh, shall weigh xxvii. li. and containe in length xxiii. yards & in breadth one yard one quarter. And that euery piece cotten raw, shal weigh xl viii. li. of yarne at the least, without flore or thrum, & containe in length xl viii. yards, & in breadth on yard and one quarter, and one nalle. And that euery half piece cotten shal weigh xxviii. li. of yarne, without flore or thrum, & containe in length xxiii. yards, and in breadth fiue quarters & one naile, vpon paine to forfait euery piece & half piece frice, & euery piece cotten, & half piece cotton so put to sale, cõtrary to the true meaning, intent & purport of this present acte: The one halfe &c. to the king, & the other halfe to him that will sue &c. wherein &c. An. 34. H. 8. cap. 11.

Carmarthõ
Cardigan
Penbroke
Friles
Cotten

High frise
Flore
Thrumes
Yarne
Weyght
Content

Content

Fork.

Poitie

52 ¶ Forasmuch as by subtill making of clothes and colours, great slaunder hath growen to the realm, & great losse ensued to the K. subiects, by the vse & wearing of the same: Be it &c. That euery Clothier & clothmaker, shall from the feast of the Annunciatiõ of our Lady nert cõming, set his seale of lead to his cloth, declaring thereby the iuste length thereof, to bee tried by the water. And that no person shal from ỳ said feast, straine, or stretch any set clothes, or any other cloth aboue one yard, & a halfe

Clothier

Seale

Stretch

in

Forf. in length, & a quarter of a yard in bredth, vpon pain to forfait xl.s. for euery default. And that no person or persons shal from ỳ said feast, vpon paine last before remembred, put to sale any cloth, which when it Sell shall bee wet shall shrinke more then one Shrinke yard and a halfe in al the length, & a quarter of a yarde in the bredth, & that narrow streites & kerseis shall not from the saide Kerseis feast be stretched aboue a yard in length, & Paine half a quarter of a yard in bredth, vpō pain for euery default therin xx.s. Nor shal put to sale any cloth, narrow streit, or kersey, Shrink the pieces whereof being wet, shal shrinke more then after the same seuerall rates in Forf. the whole piece, vpon pain to forfait for euery such offēce xx.s. And further, that no Dyers person or persons occupying the feat of dying, shall dye or alter into colors, or cause to be died or altered into colors, any wollē cloths, as brown, blew, piewkes, tawnies or violets, except the same wollen clothes be perfectly boyled, grained or maddered vpon the woade, & shotte with good & sufficient corke or orchal, after a due, substantial, & sufficient manner of workmanship Workmanship. according to the ancient workmanship in time past vsed, vpon pain for euery default Forf. to forfait xx.s. Nor that any person shall from the said feast, dye any wool to be conuerted into cloth called russets, mussers, Dying of Woll marbles, grays, rates, & such like colors, or to be cōuerted & made into hats or caps, Hattes Capps vnlesse ỳ same woll be perfectly woaded, boiled, & maddered, according to the true & Forf. ancient vsage: vpon the pain of forfaiture for the false dying of euery such cloth, or of asmuch woll as shal serue for the making of euery cloth, contrary to the true meaning therof xl.s. Nor shal dye with brasel, Brasell to the intēt to make a false colour in cloth False colours nor woll, hats nor caps, vpō pain for euery Forf. default to forfait. xx. s. And ỳ no persō or persons shall after the saide feast, put any flockes, chalke, flower, or sterch, or any Flocks Chalke Sterch other deceiuable thing vpon any set cloth, or vpon any other cloth or clothes, coloured or vncoloured, (but see after ỳ 5. some exception) vpon paine to forfait for euery Forf. such offence xl.s. And that no person shall Iron cards Picards from the said feast occupy any Iron cards or picards, in rowing of any set cloth, or any maner of woollen cloth, vpon pain to Forf. forfait aswel ỳ said iron cards, or picards, as also the sūme of xx.s. for euery such offence. Nor that any person shal from the Measure saide feast sell any cloth by any lesse measure then after ỳ true cōtent therof to be meaten & measured by the yard, adding to euery yard an ynch of the Rule, according to ỳ statute made in the vi. yere of ỳ raigne of the most worthy prince of most famous memorie king H. the viii. (s. cap. 9. before 41.) vpon paine to forfait for euery yard of cloth so put to sale by any other lesse measure vi.s. viii.d. And ỳ no person shal from the saide feast put to sale here within the realm, either by retaile, or otherwise, any cloth being prested, to be occupied & wore here within the Realme of England, Wales, or Irreland, vpon paine of forfaiture of the same cloth or the value therof, that haue bene so prested and put to sale, as is last before remembred. And for the better executing of this statute: Be it &c. that in euery towne, village, or hamlet being not corporate, where any cloth shalbe made or solde: the Justices of peace of the same shire where any such towne, village or hamlet is, or ii. of them at the least, & in euery city, borough or towne corporat, the head officer or officers of euery of the same city, borough, or towne corporate, together with the wardēs of ỳ Clothworkers, or ii. of them at the least, shall haue ful power & authoritie by vertue of ths act, once euery yere, to conuent and call before them by their precept, or otherwise, ii. iiii. vi. viii. or more, as they shall think good by their discretiō, of the most honest, discrete, and indifferēt men of euery such citie, borough towne, village, or hamlet, wher any cloth shalbe made or sold, & then shal constitute ordein & appoint to bee ouerseers for one whole yere then next following, within ỳ citie, borough, towne, village or hālet wher ỳ same ouerseers shal be dwelling, charging them all vpon their othes, & as they do tender the honor of the realme, and the common wealth of the same, that they do endeuour themselues for that yeere, asmuch as in them shall lie, to see that this statute be truly obserued & kept within the limits of their charge, in euery part therof. And ỳ of the same Ouerseers, or ii. of them, shall euery quarter of the said yeere at the least, or so often as neede shall require, by their discretiōs, by force hereof, visite, & go into euery clothiers, drapers, clothworkers, dyers and prestters houses, shops, & other places, where cloth or died woll shalbe, & there to make due search and to view the cloths & wolls, made or died or remaining to bee sold, and to search & trie aswel whether the said cloths be drawen or strained or falsely dyed, as also of all other the defaultes

Fforf. Retaile Prested Forf. ii. Iust of p. Officers Wardens Once euery yere, Ouerseers Othes Ouerseers Euery quarter Sheared Wools Forf.

faults before ſpecified, committed or done contrarie to the true meaning of this acte. And if vpō the ſearch the clothes be found drawen or ſtrained, or the cloth or welles falſely dyed, or coloured, or any other of the ſaid faults committed or don, contrary to the true meaning of this ſtatute: That then the ſaid ſeural forfaitures to incurre vpon the partie or parties which ſhall offend in the ſame, or in any of them: The one halfe of all which forfaitures to be vnto the king, his heires or ſucceſſors, and the other halfe to ſuch of the ſaid ouerſeers as doth find the ſaid defaults or cauſes of forfaitures, and that will ſue for the ſame in any of the Kings Court of Recorde, or before the Juſtices of peace, within any ſuch Citie, Borough, or Towne corporat, or before the Juſtices of peace within any ſhire where any ſuch forfaitures ſhalbe had out of any Citie or Towne corporat, the ſame ſuite to be purſued by bill, plaint, action of debt, information, or otherwiſe: In which ſuite, no wager of lawe, eſſoine, or protection ſhalbe allowed for the defendant. And if the ſaid Ouerſeers ſhalbe negligent, and will not ſue for the ſame forfaitures, by the ſpace of one halfe yeere, next after the cauſe of the ſame forfaitures committed & done: that then the one halfe of the ſame forfaitures, to be vnto the king, his heires or ſucceſſors, & the other halfe to them which will ſue for the ſame, as is aforeſaid, within one other halfe yeere next after ſuch default be had by the ſaid Ouerſeers. And if any of the ſaid perſons ſo commaunded to appeare to be made Ouerſeers, as is aforeſaid, and having no reaſonable excuſe, do refuſe to come and take vpon him or them to be an Ouerſeer, as is aforeſaide: that then euery ſuch perſon ſo refuſing, and having no reaſonable excuſe ſo to doe, to forfait for euery ſuch refuſing xl. s. The one halfe thereof to be to the king, and the other halfe to the Juſtics of peace, or other head Officer or Officers, by whoſe commaundement he was commaunded to appeare, or to be an Ouerſeer. And the ſame Ouerſeer ſo offending, to remaine in the ward of the Shirife, vntill ſuch time as he hath made payment of the ſaid forfaiture, or otherwiſe put in ſufficient bond for the ſatisfaction of the ſame. And if the ſame Ouerſeers, or ii. of them at the leaſt, doe not once euery quarter of the yeere, make due ſearch for ỳ true executing of this ſtatute: that then euery of the ſaide Ouerſeers to forfait for euery ſuch default x.li. The one halfe to be to the king &c. and the other halfe to him that will ſue &c. wherein &c. And if the ſaid Ouerſeers ſhalbe interrupted and not ſuffered to enter into the ſaid houſes, ſhops & other place where any ſuch clothes or wools ſhalbe made or dyed, or any other of the ſaid defaults ſhall happen to be don, or committed, there to make ſearch for the better executing of this ſtatute: that then euery one that ſo ſhall make any ſuch interruption, ſhal forfait xx. pound. The one halfe of which forfaiture to be to the king, and the other halfe to the ſaide Ouerſeers, to whome any ſuch interruption ſhal bee made, and the ſame to be obtained & purſued for, in ſuch manner and forme, as before in this act is expreſſed for the recouery of other of the ſaide forfaitures Prouided alſo that no maner of perſon ſhal take any aduantage of any the ſaide forfaitures, by reaſon of this ſtatut, vnleſſe the ſame perſon doth commence his ſuite within one yeere next after the ſaide offences and forfaitures committed.

And to the intent that al ſuch clothes as ſhalbe made within this Realme, or any other the kings Dominions, after the ſaid feaſt, ſhalbe the better knowen from other clothes, made before the ſame time: Be it &c. that euery Clothier ſhall before ſuch time as he ſhall put his cloth to ſale, being made after the ſaid feaſt, cauſe euery cloth to be marked with a letter E. crowned, wrought in the cloth, vpon paine of forfaiture for euery cloth ſo being ſolde & not marked with the ſaid letter E. by any ſuch Clothier xx. s. The one halfe to the king &c. and the other halfe to him that will ſue for the ſame, in maner & forme before rehearſed. Anno 3. & 4. E. 6. ca. 2.

53 ¶ Where diuers good ſtatuts haue beene made for the true making of Cloth within this Realme, which notwithſtanding Clothiers for their gaine do ſtil daily practiſe ſleight and ſlender making therof, ſome by mingling of yarns of diuers ſpinnings in one Cloth, ſome by mingling fell wool and lambs wool, or either of them with fleece wool, ſome by putting too litle ſtuffe, ſome by taking them out of the mill before they be full thicked, ſome by ouer ſtretching them vpon the tentor, and then ſtopping with ſtockes ſuch brackes as ſhal be made by meanes thereof: finally, by vſing ſo many ſubtill ſleightes and vntruthes, as when the Clothes be put in water, they riſe neither in length nor in breadth as they ought to doe, beſides cock-

ling, bauding, and diuers other notable faultes, And do not onely procure the Aulneger to set the Kings Seale to such false and faultie cloth, but doe weaue into the same the likenesse of the kings Imperiall Crowne, and also the first letter of his name, which shoulde be testimonies of trueth, to the great slaunder of the King, and the shame of this lande, and to the vtter destruction of so notable a commodity, as the like is not in any forreine Nation. The King therefore minding to aduaunce trueth, and also to prouide for the continuance of the said commoditie to his honour, and the common profite of the Realme, hath by the aduise &c. caused aswell diuers honest Clothiers, as also diuers Drapers, Marchant Taylers, Clothworkers, Sheremen, and other Artificers, to whom it appertaineth, to be examined by certaine sage Knightes and Burgesses of this present Parliament, by whose declaration, consent, and aduise, after diuers meetings, and great deliberate aduise taken in the premisses: It is enacted as hereafter followeth, to remaine firme and perfect, notwithstanding any suggestions hereafter to be made to the contrary: that is to say, that euery Cloth, Kersey, peece of frize and Cotton, shalbe made in such sort & forme, & shal conteine in length, bredth, & weight, as is herein hereafter particularly mentioned, vpon such paines, penalties and forfaitures, as be hereafter expressed and appointed.

Broad cloth

All and euery brode Cloth and clothes, which shall bee made after the feast of Saint Michael the Archangel next comming, within the Shires of Kent and Sussex, or at the Towne of Redding, or any of them, or elsewhere of like making, as the Clothes there made shall bee of, shall conteyne in length at the water, euery peece being through wett, betwixt xxviii. and xxx. yardes of measure, that is nowe customably vsed, and in bredth vii. quarters at the least within the lystes, by the whole length of the same Cloth, the lists of the same Clothes to be of like making & assise as they haue here before time been vsed to be made. And that euery peece of the saide Clothes being well scoured, thicked, milled, and fully dryed, shal bee in weight, & weigh lxxxx. pound at the least. (See this weight altered after 60.) And that all and euery white Cloth and clothes, which shalbe made within the Citie of Worcester, commonly called long Worcesters, and all like Clothes of like making made within the Citie of Couentrie, or elsewhere, after the said feast, shal conteine in length being wette, as is aforesaide, betwixt xxix. and xxxi. yardes the peece, and euery yarde one ynche of the Standerd, and shall be of the bredth aboue specified, throughout and by all the length of the whole Cloth, and listed as hath beene accustomed, and being well scoured, thicked, milled, and fully dryed, shall weigh lxxviii. pound the peece at the least. (See this weight altered after 60.) And all coloured Clothes made in the said Cities of Couentrie and Worcester, or elsewhere of like making after the said feast, shall conteine and be of length and bredth, as is last before mentioned, and be listed as aforesaide, and being well scoured, thicked, and fully dryed, shall weigh lxxx pound the peece at the least. And that all and euery white cloth and clothes, commonly called short Worcesters, which shall bee made within the saide Citie or Countie, or elsewhere of the same sort after the saide feast, shall conteine in length being wette, betwixt xxviii. and xxv. yardes, yarde and ynch of the rule, and shalbe of bredth as is aforesaide, throughout and by all the whole cloth, and listed according to the auncient custome, and being well scoured, thicked, and fully dryed, shall weigh three score pounde the peece at the least. And that all coloured long Clothes, which after the said feast shall be made within the Shires of Suffolke, Norffolke, and Esser, or any of them, or elsewhere of like sort, shall conteyne in length wette, as is aforesaide, betwixt xxviii. and xxx yardes, yarde and ynche of the rule, and shall be in bredth vii. quarters of the yarde within the list at the least, throughout and by all the whole Cloth, and listed as hath beene accustomed, and being well scoured, thicked, milled, and fully dryed, shall weigh lxxx. pound the peece at the least. And that all and euery short cloth and clothes coloured, which after the saide feast shalbe made within the said Shires last remembred, or of any of them, or elsewhere of like sort, shall conteine wette, as is aforesaide, betwixt xxiii. and xxv. yardes, yarde and ynch of the rule, and shal be in bredth as last is remembred, throughout and by the whole Cloth, (See this bredth altered after 60.) and listed as is aforesaide, and being fully scoured, thicked, milled, and fully dried,

Couentrie
Content
Lift
Weight
Content
Weight
Suffolk Norffolke Esser
Content
Lift
Weight
Content

Kent Sussex Redding
Content
Scoured
Weight
Worcester

wied, shal weigh lxiiij. pounde the peece at the least. And that all and euery coloured cloth and clothes, which after the said feast shall be made within the saide Shires last remembred, or elsewhere, of like sortes, commonly called handy warpes, of what length they shall happen to be, shall bee in bredth out of the water throughout, and by all the whole cloth, as is last remembred, and lysted as they haue bene accustomed, and being well scoured, thicked, milled, and fully dryed, euery yard of euery such cloth shall weigh three pound at the least (See this weight altered after 60.) And that all whites which after the saide feast shall bee made in the saide Shires or elsewhere, as Cockfall whites, Glanford, and other being handy warpes, of what lengths soeuer they shalbee, shall conteine in bredth as is afore remembred, and be lysted as is aforesaide, and being well scoured, thicked, milled, and fully dryed, shall weigh by the yarde iii. pounde at the least, of such measure as hath bene before vsed. And that all whites and reddes which after the saide feast shalbe made in the Shires or Counties of Wiltshire, Glouceſter and Somerset, or any of them, or elsewhere of like making, and all other whites which shall be made in any other partes of this Realme, and not afore remembred, shall conteine in length being through wette betwirt sixe and twentie and eight and twentie yardes, and shall be seuen quarters of the yard in bredth within the listes at the least, and lysted according to the auncient custome, and being well scoured, thicked, milled, and fully dryed, shall weigh euery peece threescore and foure poundes being white, (See this altered after 60.) and threescore being coloured at the least. And that all broad plonkets, azures, blewes and other colonred cloth, which after the saide feast shalbe made within the saide Shires of Wiltshire, Glocester or Somerset, or elsewhere of like making, shall conteine being wett as is aforesaide, betwirt fiue and twentie and eight and twentie yardes, yarde and ynch of the rule, and shall be seuen quarters of a yard within the listes at the least, and lysted according to the auncient custome, and being well scoured, thicked, milled and fully dryed, shall weigh foure score & eight pound the peece at the least. And that all kersies, called ordinaries, shall conteine in length betwirt seuentéen and eighteene yardes, yard and ynch, as is aforesaid. See this length altered after 60.) and being well scoured, thicked, milled, dressed and fully dryed, shall weigh twentie pounds at the least, (See this weight altered after 60.) And all kersies called sorting kersies, which after the said feast shal be made in any part of England, shal conteine in length at the water, betwirt xxij. and xviij. yards, yard and ynch, as is aforesaid, and being well scoured, thicked, milled, dressed and fully dryed, ready to be shewed, shal weigh xxiiij. pounds the peece at the least. And that all Deuonshire kersies called dozens, which shalbe made after the said feast, shal conteine in length at the water betweene xij. & xiij. yardes, and ynch of the rule, & being fully scoured, thicked, milled & fully dryed, shall weigh xiiij. pounds the peece at the least. (See this weight altered after 60.) And that all and euery broad cloth & clothes called Taunton clothes, Bridgewaters, & other cloths which shal be made after the said feasts in Taunton, Bridgewater, or other places of like sort, shall conteine at the water in length betwirt xii. and xiij. yardes, yarde and ynch of the rule, and in bredth seuen quarters of a yard. And euery narrowe cloth made after the saide feast in the saide Townes or elsewhere of like sortes, shall conteine in the water in length betwirt xxiiij and xxv. yards, yard and ynche, as is aforesaide, and in bredth one yarde of like measure, and euery such cloth both broad and narrow, being well scoured, thicked, milled, and fully dryed, shal weigh foure & thirtie pounds the peece at the least. And that all clothes named checke kersies and streites, which shalbe made after the saide feast, shal conteine in length being wet, betwirt xvii. and xviii. yardes with the ynches as is aforesaid, and in bredth one yard at the least at the water, and being well scoured, thicked, milled and fully dryed, shall weigh xxiiij. pounds the peece at the least. And that all and euery Welsh cotten and cottens, which after the saide feast shalbe made and wrought, readie to be sold for a whole peece, shall not be stretched on the tenter, nor otherwise, a nayle of a yard in bredth, and shall be in length xxxij goades in the water at the most, and in bredth iii. quarters of a yarde at the water at the least, and being so fully wrought, euery whole peece therof shal weigh xlvi. pounds at the least, and euery halfe peece of Welsh cotten, being fully wrought, as is aforesaid, shal contein in length, weight

Handy warpes

Weight

Whites Cockfall Glanford

Weight

Whites Reddes

Wiltshire Glocester Somerset

Content

List

Weight

Plonkets Azures Blewes

Content

Weight Kersey

Weight

Sorting Kersies

Content

Weight Deuonshire kersies Content

Weight

Taunton clothes Bridgewaters

Content

Weight

Check kersey Streites Content

Weight Welsh cottons

Content

Weight

and bredth after the same rate. (See this altered both for length & weight after 60.)

Frizes

Cardigan Carmardē Pembrooke

And that all Welsh frizes, which after the feast aforesaid, shal be made and wrought within the shires of Cardigan, Carmarden and Pembrooke, or any of them, or elsewhere of like making, readie to bee solde for a whole peece, shall containe in

Content

length at the water xxxvi. yardes at the least, yarde & ynch of the rule, & in bredth iii. quarters of a yarde: and being so fully

Weight

wrought, shall weigh euery whole peece xlviii. pound at the least, and euery halfe peece of welsh frizes, being fully wrought as is aforesaid, shall containe in length, bredth & weight after the same rate. And

Northerne clothes Content

that all & euery Northerne clothes which after the said feast shall be made, shal conteine betwixt xxiii. & xxv. yardes in length yard & ynch of the rule, and in bredth being through wette, vii. quarters of a yard within the lists at the least, and being wel scoured, thicked, milled, and fully dryed,

Weight

shal weigh lxvi. poundes the peece at the least. And euery halfe peece called douzen, made after the saide feast, shal conteine in length betwixt xii. and xiii. yardes of measure aforesaid, & vii. quarters of a yarde in bredth as afore within the lists, and being wel scoured, thicked, milled & fully dryed, shal weigh xxxiii. pounds at the least. And that al cloth commonly called Penistones

Penistones Forest Whites Content

or forest whites, which shalbe made after the feast aforesaid, shal conteine in length being wette, betwixt xii. and xiiii. yardes, yard and ynch as is aforesaide, & in bredth vi quarters and a halfe quarter out of the water at the least, and being well scoured, thicked, milled and fully dryed, shall

Weight

weigh xxviii. pounds the peece at the least. And that all & euery cottons called Manchester, Lancaster shire and Cheshire cottons, which shalbe made after ẏ said feast,

Cottons of Lancaster Cheshire Manchetts Content

full wrought to the sale, shal be in length xxii. goades, and containe in bredth three quarters of a yarde in the water, and shall

Weight

weigh xxx. pounde the peece at the least. And that all clothes called Manchester

Rugges Frizes

rugges, otherwise named Manchester frizes, which shall be made after the saide feast, and fully wrought to sale, shal con-

Content

teine in length xxxvi. yards, and in bredth three quarters of a yarde comming out of the water, and shall not be stretched on the tentor, or otherwise, aboue a nayle of a yard in bredth, & being so fully wrought

Weight

and well dryed, shall weigh euery peece xlviii. pound at the least. (See alteration of the length & weight of certein of these cottons & Rugges after 60. and 64.

And be it further enacted, that all & euery person & persons, which after the saide feast of S. Michael Tharchangel next cōming, shall make or cause to be made any of the seuerall kinds of broad clothes aboue rehearsed, of any shorter or longer measure then is aboue specified and appointed for euery Countrey, or seuerall kind of clothes to bee made, or make any such cloth or clothes of lesse bredth or weight, being wel scoured, thicked, milled & fully dryed, then is aboue specified & appointed for euery seuerall Countrey, or kindes of clothes, Forf. and shal put the same to sale, shall forfait & lose for euery such default of euery cloth sold or offered to be sold, in legth or bredth xl. s. & for euery pound weight, which any cloth so made and sold, or offered to be sold shal lacke, exceeding not aboue iiii. pound in weight, shall also forfait ii. s. for euery Forf. pound, the same forfaiture to go to the finder thereof. And that if any such cloth lacke aboue iiii. li. weight of the seuerall weightes aboue mentioned, that euery owner thereof shal then forfait xl. s. for e-

Forf.

uery such cloth so lacking of his weight, as is aforesaid.

Prouided alwayes, that if any broad cloth shal exceed the seuerall length before appointed for euery Countrey, or kinde of making, by meanes of the finenesse of the good, perfect and stiffe making of ẏ same cloth: that then the maker therof shal not incurre any losse or penaltie for the ouer length of any such fine cloth: any thing herein to the contrary in any wise notwithstanding.

And be it further enacted, that al & euery person or persons, which after ẏ saide feast shal make or cause to bee made any of the seuerall kindes of kerseis, narrow clothes, streites, dozens, frizes or cottens aboue mentioned, which shal not be made in such maner & forme, as is abouesaid, nor cōteine and haue in length, bredth & weight seuerally appointed & limitted as is aboue specified, shall lose and forfait for euery peece Forf. of cloth called streit or dozen, and for euery peece of narrow cloth, kersey, frize or cotten so to be made and solde, or offered to be solde xl. s.

And be it further enacted, that from and after the said feaste, no person or persons shal put any haire, flockes or any yarne made of lambes wool, into any cloth, kersey, frize or cotten so made or solde, or

Haire Flockes Lambs wol

offered

offered to be sold, vpō paine to forfait euery such cloth, kersey, frize & cotten, wherin any such yarne, haire, or flocks, shalbe put, or the value of such cloth, kersey or frize. See this article repealed for some places here following 55. And it is wholly repealed here following. 69.

Forf.

And be it further enacted, that if at any time after the said feast, any cloth through the default or negligēce of ỹ carders, spinners or weauers, or any of them, shal or do procure either pursey, baudie, squally by warpe or woofe, or else shall happen to be euil buried or wasted in the mil, or els thorough the default or negligence of the milman, or otherwise to be full of holes, milbracks, or to be holely, that then the seale of the Aulnegeor shal not be fixed or set to any such Cloth: any lawe, statut, or vsage to the contrary notwithstanding. But the accustomable fee & allowance to the Aulnegeor shall neuertheles bee payed, vpon paine of forfaiture of such whole Cloth or the value therof. And be it further enacted, that if any Clothier or Clothmaker do after the said feast put any cloth or kersey to sale, before he shall haue payed to the Aulnegeor or his deputie the accustomable fee, or agree for the same, as hee, shee or they haue been accustomed, shall lose and forfait for euery default xx.s. And be it further enacted, that no person or persons, English, denizen, alien or stranger, shall after the saide feast carrie or transport, or cause to be carried or transported into any of the parties beyond the Sea, any Cloth, Kersey, Frize or Cotten, of the seuerall sortes aboue recited, vnlesse the kinges seale, or Aulnegeors seale of this Realme, & the seale of the owner or maker of the Cloth (declaring therein the length of the cloth as it shalbe in the water) be set vpon euery such cloth, vpon paine to forfait euery such Cloth lacking ỹ same seales or any of them, or the value therof. And be it &c. that no Draper, Marchant Tayler, clothworker, or other person, which shall retaile any of the Clothes or Kerseys, Frizes, Rugges or Cottens, of the seuerall makings aforesaide, shall after the saide feast put to sale any of the Clothes aforementioned, wherupon the Aulnegeor shal haue set to the kings seale, and the owner his seale, till such time as he or they haue made tryal, aswell by the water as by the weight and measure, whether they and euery of them shalbe made, according to ỹ purport & true meaning of this act or no.

Burley Baudy

Buried Wool

Aulnegeor

Forf.

Clothier Put to sale

Forf.

Alien Denizen Transport

Seale

Forf.

Draper Marchant tayler Clothworker Retaile Put to sale

Triall

And if any person or persons shal find any defective or faultie cloth in length, weight or measure, made contrary to the orders aforesaid: that then he or they shal present euery such Cloth to euery Maior, Bailife, or other head officer or officers of euery Citie, Borough or towne corporate, or to the two Justices of Peace nert adioyning out of a City, borough or towne corporat, where such cloth shall be found faulty, as is aforesaid: to the intent the same cloth may be cut in three equall parts & peces. The one pieece thereof to bee forfaited to our Soueraigne Lord the king, another peece to be to the presenter thereof, and the third part residue to such perso or persons, as it shall then be presented to, vpon pain that euery such person as shall not so search euery of the cloths, kersies, cottons or frizes aforesaide, so by him to be bought and sold, and shal not seise and present such cloth or clothes as he or they shall find defective, as is aforesaid, shall forfait & lose the double value of euery such Cloth. And be it further enacted, that euery Clothier or other person whatsoeuer, which so shall sell any such faulty kersey, cotten or frize, whereunto the Aulnegeor and the owner shall haue set to their seales, & shall so bee sealed, as is aforesaid, shall within xiiij. dayes nert after request made by writing, message or otherwise: by such person which shal so buy such cloth, make paimēt of such summes of money as bee receiued for the same, or shal otherwise satisfie discharge & acquite him for so much money as he shall or should haue receiued for the same, vpon pain of forfaiture to the party grieued for euery nonpayment or not acquitall, as is aforesaid, the double value of the money so receiued, or to bee receiued, the same to bee recouered by bill, plaint, &c. wherein &c. And for the further auoyding of much vntrueth practised by stretching of cloths: Be it enacted, that no person or persons shall after the said feast straine or stretch, or cause to be strained or stretched, any cloth aboue one yarde in length and one halfe quarter in breadth, vpon paine to forfait for euery such default x li. And be it further enacted, that no person, which shal after the said feast keepe, haue, vse or occupie any tentor, shall haue, vse or occupie wrinch, rope, or ring with the same tentor, or shall vse any other engine vnlawfully to streine or stretch any cloth or clothes, vpon paine that euery offendour that shall vse or occupie any Tentor

Defective

Present Maior Bailife Iust. of P.

Cut Forf.

Search

Forf.

Clothier

Aulnegeor

Forf.

Forf.

Straine

Forf.

Tentor Wrinch

Forf. Marchant Transport

or other engin to the contrary, shal forfait xx.li. And be it &c. that if any Marchãt shal by any meanes transport or carie ouer into the partes beyond the sea any cloth, kersey, frize or cotten, which shalbe found defective or faulty, either in length, bredth or weight, or els shal haue any of the faultes aforesaid: that then the Marchant or other person which shall so transport the same, shal returne againe ỹ same cloth so founde defective into England, at the costes and charges of the clothier or clothmaker that sold the same cloth, the same costs & things to be recouered against such clothmaker or clothier, by action of debt, bill, plaint or information, in any of the kings Courtes, any promise or bargaine to the contrary notwithstanding: vpon paine that euery Marchant or other person which shall not so returne such faultie or defective cloth (if through misfortune by tempest, pirates or enimies he be not letted) shall forfait and lose the value of the cloth so shipped and transported & not returned, as is aforesaid: The one moitie thereof to the king, & the other moitie to him that will sue &c. wherin &c. And to the intent that it may perfectly be knowen which clothes are perfectly dressed, dyed and pressed with the colde presse, without fraud, couine and disceit aswell within the citie of London as elsewhere, and haue sufficient workmanship: Be it further enacted, that aswel the Maior of the Citie of London and Aldermen, or the most part of them, for the time being, as all and euery other Maior, Bailife, and other head officer or officers of euery citie, borough or towne corporate within this Realme, shall haue full power & authoritie by vertue of this act, to nominate, depute and appoint from time to time, as occasion shall serue, and shall so from time to time nominate, depute and appoint two or moe honest, discreete and expert persons, which shall from time to time vpon their othes, view and search all and euery cloth and clothes that shall be dressed, died or pressed with the cold presse, within euery such Citie, Borough, Towne corporate, or Port towne, and view and search whether the same cloth or clothes be well and sufficiently dressed and pressed with the cold presse, without putting thereto flockes, sollace, chalke, flower, or any other deceitfull thing, and also whether the same shalbe wel and substantially died with good and perfect colours, without any deceiuable thing, or whether it shall be stretched or strained any more then is aboue specified, and shall haue full power & authoritie by vertue of this acte to enter into all and euery persons house or houses, where they shal think meete to search and seise all and euery such cloth & clothes, as they shall finde defective in the premisses as forfaited, in whose hands soeuer they shalbe found. The moitie of which forfait shalbe to the king, and the other moity to the Maior and Comminaltie of the Citie of London, or to the vse of euery citie, borough towne corporate, Port towne, or Market towne, where the same shalbee seised. And that euery person or persons in whose hands or possession such defective or faultie cloth, either by euil or deceiuable dying, dressing or pressing, as is aforesaid, shall be found and seised, as is aforesaide, shal haue his, her, or their remedie by action of debt, bil, &c. wherein &c. against all & euery such person or persons, by whose defaults or negligence such cloth shalbe so found faultie, and shall thereby recouer al such costes, losses and dammages, as hee shall sustaine by occasion thereof. And be it &c. that aswell the said Maior of the citie of London, as euery other Maior, Bailife, Portreue, or other head officer of euery citie, Borough, Towne corporate, or Port towne, shal on this side the said feast, cause to be prepared a seale of lead, wherein as well the Armes, as the name of euery such Citie, Borough, Town corporate or Port towne, shall be grauen, which the same searchers shall cause to bee fixed to euery cloth that they shall finde after the saide feast, wel and sufficiently dressed, died and pressed with the colde presse, without any of the disceits aforesaid, and shall haue for their paines and trauailes therein to be taken by the owner thereof for the sealing of euery cloth ii.d. And if any searcher or searchers so to be appointed, doe after the said feast finde any of the clothes being coloured or died, so made after the said feast, either cockly, pursey, bandie, squally, or rowp, or euill burled, or walked in the mil, or full of holes or brackes: that then the same searcher or searchers shal besides the seale of the citie, borough, or towne corporate, where the same cloth shalbe founde, put another seale of lead, at euery end of ỹ said cloth wherin shalbe grauen the letter F. & shall also set a marke in the list, right against such place where any of the faults aforesaid shal be, with the print of a letter or marke of an ynch compasse at the least, where by

Defective

Returne

Action

Forf.

Moitie

London Workmanship

Maior Bailife

Search

Flockes Sollace Chalke Flower Good colours

Search Seise

Forf.

Moitie

Maior

Remedy

Maior London Bailife Portreue

Seale of lead

Aninegroats fee

Defective

Another seale

Marke

whereby euery buyer may wel know what & where the fault is. And further if any of the Searchers. searchers aforesaid shall set the seale of any Citie, borough, town corporat, or port town, to any coloured cloth, which shall not be sufficiently dressed, died, pressed and wrought as is aforesaid: that then ẏ Maior, & Comminaltie, or Bailifes or Comminaltie, or other corporation of ẏ township, by whatsoeuer name or names they shalbe incorporated, where such cloth shal so be sealed, shal forfait & lose the whole value of the cloth so sealed. And be it &c. that Forf. if any of the searchers aforesaide, after the said feast do set to the seale of the Citie, borough or towne corporate, within the limits of their search, to any cloth which Seale Defective shall be cockly, pursey, baudie, squally, rowy, euil burled, walked in the mill or full of holes, as is aforesaid, and not set at any end of the clothes one seale with the letter F. as is aforesaid, and also declare by the listes as is aforesaide, what and where the faults of the cloth be: that then ẏ Maior and Comminaltie, or other the corporation of euery such borough, citie or town corporate, where such searcher shalbee appointed, shall forfait & lose for euery such omission or not setting to of any such seale as is aforesaid v.li. And be it further enacted, that no person or persons whatsoeuer they be, which commonly vse to retaile cloth or kersey, shal put to sale in grosse, or by retail, to any maner of person, any maner of cloth which shalbe made after ẏ said feast, being dressed, dried & pressed, as is aforesaid, except there be fired thereunto at euery ende of the same cloth, the seale of such citie, borough or town corporat, whet the same cloth shalbee so died, dressed, or pressed, or the seueral seale of euery such citie, borough or towne corporat, where it shalbe died, dressed or pressed, to remaine at the last end of euery of the saide clothes which shalbe solde, during and by all the time that any peece or remnant of such Forf. cloth is to be sold, vpon paine of forfaiture of the whole value of such cloth.

And be it further enacted, that euery Maior, bailife or other head officer of any Maior Bailife citie, borough or town corporate, in which any such cloth or clothes after ẏ said feast shalbe made, died, dressed or pressed with the cold presse, as is aforesaid, which doeth not, or shal not after the said feast of Saint Michael, nominate and appoint from time Searchers. to time so many searchers, as shalbee requisite to viewe and search clothes, vpon their othes, as is aforesaid, shall lose & forfait for euery default x.li. And be it further Forf. enacted, that if any of the said searchers so to be appointed by the said Maior, being a freeman of the saide Citie, or by the Maior Maior Bailife or other head officer of any Citie, Bailife Borough or Town corporate, as is aforesaid, hauing no reasonable excuse do refuse to take vpon him to be a searcher, & do not vse the office of a searcher as is aforesaide, shall forfait and lose for euery such refu- Refuse sall, and not executing of his office so to him appointed, v.li. The one halfe thereof to be to the king, and the other halfe to the Forf. vse of the comminaltie of euery citie, bo- Portie rough or towne corporat, where he shall so be alligned, and to remaine in warde till Imprif. such time as he hath made payment of the said forfaiture, or otherwise put in sufficient bond for the satisfaction of the same. Bond And forasmuch as there bee nowe in this time many false and deceiuable colours False co- made in diuers places of this realm, wher- lours by many of the kings louing subiectes are deceiued: Be it enacted that from and after the said feast of S. Michaell Tharchangel next comming, no person or per- Put to sale sons shal put to sale by retaile within this Retaile Realme, any cloth or clothes which shalbe made after the saide feast, of any other colour or colours, then is hereafter expressed: that is to saye, scarlet, reede, crimson, Colours murrey, violet, puke, browne blewe, blackes, greene, yallowes, blewes, orenge tawny, russet, marble, graye, sad newe colour, azure, watchet, sheepes colour, lion colour, motley, or vpon gray, vpon paine that euery person so offending to the contrary, shall lose and forfait the value of the Forf. cloth solde by retaile which shalbee of any other colour. And that no person or persons after the saide feast of Saint Michael Tharchangel, shall presse any kinde of cloth with the hoate presse or in any other deceiuable maner, but onely with the cold Presse presse, as is aboue specified, vpon paine of Forf. forfaiture of the whole cloth so pressed contrarie to the meaning of this statute, or the value thereof. And further if any person or persons (but such as are appointed, alligned and permitted by this act) doe at any time after the saide feast counterfait, set to, or take away from any of the Counterfait clothes, kerseis, frizes, rugs, or cottons aforesaide, any of the seales so to be fired, as Seale is aboue recited: that then euery person so offending, shall for the first offence (being thereof duely conuicted by verdict of xii.

Conuict Clergy Confession Forf.

men, by two sufficient witnesses, or by confession of the partie) forfait & lose x.li. And for the second offence (being likewise therof conuicted) shall be set on the pillorie, & lose & forfait to our Soueraigne Lorde the king all such his goods and cattels, (his debts being duely and truely paid without fraud or couine) as he had or shall haue at the time of his conuiction. And be it further enacted, that if betweene the first day of May next comming, and the feast of S. Michael Tharchangel then next cõming, any person or persons which now doth vse the art or mysterie of Draperie or clothmaking, shall giue ouer draping or clothmaking, except he be licenced so to do by iij Justices of peace at the least, of the Citie, Countie, Borough or Towne corporate, where he dwelleth, vpon some reasonable cause shewed vnto the said Justices, shall neuer after take vpon him to make or cause to be made any kinde of cloth or kersey, to sell the same againe, vpon paine of forfaiture of euery such cloth or kersey y he shal so sell. And be it further enacted, that all & euery article, clause or sentence in any acte of Parliament heretofore made, concerning making, dying, dressing, pressing, searching or sealing any of the kindes of clothes broad or narrow, white or coloured kersies, frizes, rugges, or cottons heretofore in this act mentioned, & being repugnant or contrariant to any article or sentence in this statute, shall frõ the feast of Saint Michael the Archangel next, be vtterly void & of none effect.

Pillorie Forf.

Cloth making Licence Iust. of P.

Forf.

Repeale

Repugnant

Cloth

And to the intent that al such clothes as shalbe made within this Realm, or any other the kings Dominions, after the saide feast, shalbe the better knowen from the other clothes made before the same time: Be it &c. that from and after the said feast, the letter E. crowned, shal not be wrought into the cloth, for and by the space of two yeeres then next ensuing, vpon paine of forfaiture of xx. shillings for euery Cloth or Kersey, wherein the said letter E. shall so be wrought: The mottie of all which forfaiture, and of all other forfaitures before expressed, and not otherwise appointed by this present act: shalbe to the king &c. and the other mottie to him that wil sue &c. wherein &c.

Letter E.

Forf.

Mottie

Prouided also and be it &c. that it shall not be lawfull to any person or persons, at any time after the feast of Saint Michael the Archangel next comming, to boyle or cause to be boyled any kinde of wools, to be conuerted into any kinde of broade cloth or kersey, with any kinde of gales, rynes, barkes of trees or sawdust: vpon paine to forfait all such wool, or the value therof, to be recouered and had in such forme and sort, as in the foresaid acte is limitted & appointed.

Woolle Woolles.

Gales Rynes Barkes Sawdust Forf.

Prouided alway, that this acte or any thing therein contained, shall not in any wise extend to any cloth or clothes made in the towne of Tauestoke in the Countie of Deuonshire, or elsewhere within the saide Countie comonly called Tauestoke clothes, but that it shalbe lawful to all and euery inhabitants of the said town or makers of the saide clothes commonly called Tauestokes, to make and seale the same with the accustomed seale, as they haue heretofore beene accustomed: any thing in this acte to the contrarie in any wise notwithstanding. An. 5. E. 6. ca. 6.

Tauestoke

Seale

54 ¶ In An. 5. E. 6. ca. 8. it was enacted, that none should weaue or make, or put to weauing or making any broad woollen cloth to be solde, vnlesse such person haue been prentice to the occupation of broad woollen cloth making or weauing, or haue been exercised therein by vii. yeres before: vpon paine of forfaiture of such cloth. But this acte is repealed by 1. Mar. as appeareth hereafter 56.

55 ¶ An. 7. Ed. 6. ca. 9. An act was made for the making of plaine White Strettes and pinned White Streites in Deuon and Cornewall: But it was repealed by 27. Elizabeth. cap. 18. as appeareth hereafter. 69.

56 ¶ Euery person or persons inhabiting in any of the saide cities, boroughes, or towne corporate, or in any market townes within the Realme of Englande where cloth making at any time before the making of the saide act hath been vsed, shall, or may from henceforth lawfully make all maner of broad clothes aforesaid, and put them to weauing, walking, fulling, dying and shering, without any impediment, so the same clothes be substantially made, bearing lawfull length, breedth and weight, according to the statute for good and true cloth making, made in the fifth yere of the reigne of our said late Soueraigne Lord king Ed. 6. (5. cap. 6. before 52.) any article or clause in the saide former estatute (5. Anno 5. Ed. 6. cap. 8. before 54.) or any other estatute made to the contrarie, in any wise notwithstanding. 1. M. cap. 7.

Broad cloth

57 ¶ No person vsing the feate or mystery of clothmaking, & dwelling out of a citie, borough, market towne, or corporate towne, shall from the feast of S. Michael tharchangel, now next insuing, keepe, retein or haue in his or their house or possession, any more or aboue one wollen loome at one time, nor shal by any meanes directly or indirectly, receiue or take any maner profit, gain or comodity, by letting or setting any loome, or any house wherin any loome is, or shalbe vsed & occupied, which shalbe together by him set or let, vpō pain of forfeiture for euery weeke that any person shall doe contrary to the tenour & true meaning thereof xx.s. And bee it &c. that no wollen weauer vsing or exercising the feat or mysterie of weauing, and dwelling out of a citie, borough, market towne, or towne corporate shall after the said feast haue or keepe at any one time aboue the number of two wollen loomes, or receiue any profit, gaine or commodity, bee it directly or indirectly, as is aforesaid, by any more then two loomes at one time, vpon paine to forfeit for euery weeke that any person shall offend or doe to the contrary xx.s. And it is &c. that no person which shal after the said feast vse, exercise or occupy only the feate or mystery of a weauer & not cloth making, shall during the time that he shal vse the feate or misterie of a weauer, keepe or haue any tucking mill, or shall vse or exercise the feate or mystery of a tucker, fuller or dyer vpon paine to forfeit for euery weeke that hee shall so do xx.s. And it is &c. that no person which after the said feast shall vse, exercise or occupy the feate or mystery of a tucker, or fuller, shall during the time that he shal so vse the saide feate or mysterie, keepe or haue any loome in his house or possession, or shall directly or indirectly take any profit or commoditie by the same, vpon paine to forfeit for euery weeke xx.s. And it is &c. that no person whatsoeuer, which heretofore hath not vsed or exercised the feate, mysterie or art of cloth making, shall after the said feast make or weaue, or cause to bee made or wouen any kinde of broade white wollen clothes, but onely in a citye, borough, towne corporate, or market towne, or els in such place or places where such clothes hath bin vsed to bee commonly made by the space of ten yeeres, next before the making of this acte, vpon paine of forfeiture of euery cloth otherwise made v.li. Prouided alwayes and bee it &c. that it shall not bee lawfull to any person or persons being a weauer, or that doth or shal vse the art or mistery of a weauer, weauing or dwelling out of a city, borough, towne corporate, or market towne, to haue in his and their seruice any more or aboue the number of two apprentices at one time, vpon paine to forfeit for euery time that he shall offend or do contrarie to this branch or article, the summe of x.li. And further bee it &c. that it shall not bee lawful to or for any person or persons, to set vp the art or mystery of weauing after the said feast of S. Michael, vnlesse y same person or persons so setting vp the same art or mysterie of weauing, haue bin apprentice to the same art or mysterie, or exercised the same by y space of vij. yeres at the least: vpon pain of xx.li. to be forfeited to the K. &c. the one moitie of all which forfeitures shall be to the king &c. and the other moitie to him that wil sue &c. wherein &c. Prouided alwayes and be it &c. that this act or any thing therin conteined, shal not in any wise extend or be preiudicial to any person or persons, that doth or shall dwell in the Counties of Yorke, Cumberland, Northumberland and Westmerland, but that they and euery of them, shal and may haue and keepe loomes in their houses, and doe and exercise all and euery thing and thinges, for or concerning spinning, weauing, clothworking, & cloth making in the saide Counties, as they or any of them might haue done or exercised lawfully before the making of this estatute, any thing conteined in this statute to the contrary in any wise notwithstanding. An. 2. 3. P. & M. cap. 11.

One wollen loome

Letting of loomes

Forf.

Woollen weauer

Two woll loomes

Forf

Weauer

Tucking mill Fuller Dyer Forf.

Loome

Forf.

Citie

Forf.

Apprentices

Forf.

Weauer

Apprentice

Forf.

Moitie

Spinning

58 ¶ No person whatsoeuer, inhabiting, or which shall hereafter inhabit win the said countie (s. of Somerset) shall after the feast of the Purification of our Ladie next comming, commonly called Candlemasse, put to sale any kinde of such cloths, as is aforesayde, or clothes of like nature, making & sort, made or to be made within the said countie, except such cloth be first viewed, searched & seene in one of the boroughs or townes aforesaid (s. Bridgewater Taunton and Chard) whether the same be perfectly & truely made, according to the statute, & also that the same be sealed with the Seale of one of the saide boroughs or townes in such sort, maner & forme, as in the statute made in the fift yere of king E. vi. intituled, An act for the true making of woollen cloth, is for sealing of cloths prouided

Put to sale

Bridgwater Taunton Chard

Seale

uided and enacted: vpon paine that euery person offending or doing contrary to the true meaning of this acte, shall forfeit the cloth solde or the value thereof: the moitie of all which forfeitures shalbe to the king and Quene &c. and the other halfe to him that will sue &c. An. 2. & 3. P. & M. cap. 12.

Foyl. Moitie

59 ¶ Anno 24. H. 8. cap. 2. An act was made concerning true dying of cloth, hats and caps, to indure to the last daye of the next Parliament.

Dying Hattes Cappes

60 ¶ Where in the parliament holden at Westminster, in the v. and vi. yeere of the reigne of our late Soueraigne Lorde King Edward the first (before 52.) there was by great deliberation and aduise, one good act made for ỳ true & perfect making of wollen cloth wtin this Realm, sithence the making whereof, dyuers clothiers found them selues agrieued, alleaging that it is impossible for them to obserue the same act in all points, and haue in this present Parliament prayed some mitigation thereof: It is therefore at their speciall instance & request ordered, established, enacted and prouided in maner and forme following. In primis that euery white cloth and clothes commonly, called long Worcesters, & al like cloth of like making, mentioned in the saide acte which by the same was limitted to weigh lxx.lib. pounds, being well scoured, thicked, milled and fully dried, shal weigh lxx.lb. pound at the leaste: Item euery white cloth which shall bee made in the Counties of Wiltshire, Glocester, and Somerset, or any of them, or elsewhere, of like making, being appointed by the saide acte to weigh lxiij. poundes, shall weigh being well scoured, thicked, milled, and fully dried lxi. pounds at the leaste. This is altered in part after 68. Item euery broad cloth made in the shires of Kent and Suffer, or at the towne of Redding, or any of them, or elswhere, of like making, mentioned in the saide acte, which by the same was limitted to weigh lxx. pounds at the leaste, shall wey being well scoured, thicked, milled, and fully dried lxx.vj. pound at the lest. Item that euery course short cloth made in the shires of Suff. Norff. & Esser, or any of the, or elswhere of like sort, and euery course cloth to bee made within the shire of Kent, not exceeding the price of vi. li. all which by the saide acte are appointed to conteine seuen quarters of a yarde at the leaste in bredth, shal conteine and be at the water, being thorow wet, fiue quarters and a half within the list, thorow and by al the whole cloth at the leaste. Item euery yard of cloth commonly called handy warpe, being wel scoured, thicked, milled & fully dried, shall conteine the bredth specified in the said act, and shal weigh two pounds and a halfe at the leaste. And forasmuch, as many persons doe counterfeite the making of Cockshall, Bocking & Braintree clothes, commonly called handwarps, adding thereunto such like list, as the makers of such cloths do, to the great deceit of the king & Quenes maiesties subiects. Be it therefore enacted, that no person or persons from the first day of May next comming, shal adde vnto any cloth or clothes any such like list or lists, except the warpe thereof be spunne vpon the rocke or distaffe, vpon paine of forfeiture of the same cloth or clothes, or the very value thereof. Prouided alwayes that the cloth makers within the citie of Worcester, may make such lists as they haue done heretofore. Item that no person or persons inhabiting within the West ryding, in the county of Yorke, shal make or cause to be made, any brod cloth or clothes, called perwins, tawnies, violets, or grenes, except the wool therof before it be conuerted into yarne, be first dried, litted & coloured with the colour blew, of the value of ii. d. a pound, vpon paine of forfeiture of euery such coloured cloth, or the value therof, whereof the woll shall not be first died, litted & coloured with the colour blew of ii. d. a pound as is aforesaid. Item that euery ordinary kersey mentioned in the said act, shall conteine in length in the water betwixt xxj. & xxij. yards, yard and inch, and being well scoured, thicked, milled, dressed and fully dried, shall weigh xii. pounds the piece at the leaste. And euery kersey called sorting kersey, mentioned in the sayde act, being wel scoured, thicked, milled, dressed, & fully dried, to be shewed, shal weigh xii. pounds at the leaste. Item that euery Deuonshire kersey, called dozens, the which is appoynted by the same statute to weigh being drie xiii. pond at the leaste, shal weigh being wel scoured, thicked, milled & fully dried, after the rate of euery yard one pond at the leaste. Item that one article mentioned in the said statute concerning Welsh cottons, touching the length & weight, shalbe clerely voide: & euery goad of Welsh lining shall conteine & be three quarters of a yard in bredth in the water, and shal weigh one pound and a halfe quarter, and euery yard of cotton being fully wrought & cottoned, shall

White cloth long worcesters Weight

Wiltshire Somerset Glocester Weight

Kent Suffer Redding

Weight

Suffolke Norfolke Esser.

Bredth

Bredth Weight

Counterfait

Lists

Foyl.

Worcester

west riding

Brod cloths

Yarne

Foyl.

Kersey

Lengty

Weight Kerseys

Dozens

Welsh cottons

Cloth

Bredth Weight

shall weigh one pound at the least. And be it further enacted, that no person or persons which shal buy to sell againe by way of retaile, or otherwise, any of the sayde Welsh linings, shall dresse or worke, or cause to be dressed or wrought within his or their dwelling house or houses, or in any other place, by himselfe, or his seruant or seruants, any of the saide Welsh linings, but shall put the same to some such person or persons, as shall be of the art or science of Sheremen, Cottoners, or Frisers, to be by them wrought and dressed, vpon paine of forfeiture for euery Welsh cotton or lining, frised or cottoned to the contrary vj. s. viij. d. (See some addition to this Article after 63.) Item that all and euery cotton or cottons, called Manchester, Lancashire, and Cheshire cottons & all clothes called Manchester rugges, or Manchester frises, may bee deuided into two halfe pieces, and shall conteine and bee after the rate of such bredth and weight, as in the said acte is limited & appointed to a whole piece of euery of the seuerall piece of cottons and rugges aforesaid: any thing in the saide former statute to the contrary in any wise notwithstanding. And if any cloth or kersey, of the seuerall kindes of makings, mentioned in the saide former acte, or this estatute, doe exceede the seuerall length mentioned in the same: that then euery yard so exceeding, shall weigh after such rate as euery yard of such cloth or kerseys conteinyng the saide seuerall lengths, shal or ought to weigh, vpon pain of forfeiture for euery yard not weighing after such rate v. s. And if any such cloth or kersey shall lacke of such weight, as by the said statute, or this acte it ought, and is appointed to haue, then the maker therof or other person in whose hands or possessions the same be found, shall forfeit for euery pound lacking aboue iiii. pound v. s and also for euery pound exceeding not aboue iiii. pound ii. s. in manner and forme, as in the said former act is appointed. Item one Article mentioned in the sayde Statute, wherein the Aulnegers is prohibited to set his seale to any cloth or kersey which shall proue pursy, baudy, squally, in, or by warp or woofe, or else shal happen to be euil burled, or walked in the mill, or otherwise to be ful of holes, milbracks, or to be holely shall be voide and of none effect. Item it is enacted, that if at any time after the first day of May, any cloth or kersey through y default or negligence of the carders, spinners, or weauers, or any of them, shall or doe proue either pursey, cockly, baudy, squally, or rowy, by warp or woofe, or els shal happen to be euill burled or walked in the mill, or els through the default or negligence of the mill man, or otherwise to be full of holes, milbracks, or to bee holely: that then the maker of euery such cloth or kersey so being defective or faultie, as is aforesaid, shal fixe vnto euery end of the said cloth or kersey so being defective and faulty, and offered to be sold, one seale of lead, in the which seale shall bee ingraued this word (faultie) vpon paine of forfeiture of such cloth or kersey, or the value thereof so offered to be solde, whereunto such seale shall not bee set. Item the Article mentioned in the saide former acte of returning of defective cloths, kerseis, friseis, or cottons, being transported ouer the Seas by the Marchants, shall be vtterly voyd. But neuertheleese be it enacted by the authority aforesaid, that if it shall fortune hereafter any Marchāt or Marchants, to transport any cloth or clothes, kerseys, frises, or cottons, where vnto the seale with this worde (faultie) was not annexed at the time of the sale thereof by the Clothier, & the same clothes, kerseys, tryzes, or cottons so transported, or any of them to bee found faultie or defective, and the same Marchant or Marchants thereof, within two yeres after such sale, to bring a certificate, sealed with the seale of any Towne or Companie in the parties beyond the Seas, or assigned by a Notorie there, after the accustomed manner, certifying & declaring thereby the losse and dammage which the marchant shal haue sustained by such defective & faulty cloth or clothes so transported: that then the Clothier or clothiers, or other person, of whom the cloth or clothes were bought, their executors or administrators shall within fiue weekes next after request made by the sayd Marchant, his executors, administrators, or assignes, wel & truly satisfie, content & pay to such Marchant, his executors, administrators, or assignes, al & euery such sum & and summes of money, as shalbe so mentioned, expressed, & declared in the said certificat, vpon pain of forfeiture to the party grieued, for euery non payment vpon such request, double the value of such summe or summes mentioned in the same certificate.

Prouided alwaies, that such Marchant shall not in any wise haue by vertue of this act, any recompence for lack of length bredth

Retaile

Dzelle

Sheremen

Forf.

Manchester Lancashire Cheshire Cottons Rugges Frizes

Exceede in length

Lacke of length

Forf.

Aulnegers Seale

Void

Negligence

Faultie

Seale

Faultie Forf.

Transport

Voyde

Marchants

Transport

Seale Certificate Towne Companey Notorie Losse

Clothier

Executors Administrators

Forf.

bredth or weight, of, or for any cloth, whereunto the seale of any city, borough, or towne corporate shalbe fixed. Item if any person shall by himselfe, or by any other person by him procured, counterfeit, set to, or take away from any cloth, kersey, frise, rugge, or cotten, any seale appoynted to bee fixed to any cloth, kersey, frise, rugge, or cotten, either by this act, or by the said former statute: that then euery such person so offending shall incurre & haue like penalties, forfeitures, & punishments, as in the said former act is appointed and limitted for the like offence. And for the better execution aswell of this present act, as of the said former statute, & to the intent that all kind of kerseis, cottons, frises, rugges, & other wollen cloth made in any towne shall be the better knowen: It is further enacted, that the seale of euery borough or towne corporate, appoynted, or to bee appoynted for the sealing of any such kinde of cloth, shal be fixed to al & euery such kind of cloth, being wel & substantially made within such citie, borough or towne corporate: which cloth so sealed with the seale of any citie, borough, or towne corporate, shall not be searched, tried, or viewed by any searcher or sealer of any other citie, borough, or town corporat, by vertue of his saide office: any thing in this act, or in the said former statute to the contrary notwithstanding. Item bee it further enacted by the authoritie aforesaid, that euery person & persons not dwelling & inhabiting within any citie, borough, or towne corporate, and making any of the clothes or kerseis aforesaid, may lawfully bring the same to the nert citie, borough, or towne corporate, where any such kinde of cloth or kerseis be or shalbe commonly made, there to bee sealed, in manner and forme as is before expressed. Item if any searcher or sealer, appoynted or to bee appoynted by vertue of this present act, or of the said former statute, shall set the seale of any citie, borough, or towne corporate, to any cloth which shall not conteine such length, weight and bredth, as in the saide former statute, or in this present acte is appointed: that thē the Maior & Cominalty, or Bailife and Comminaltie, or other corporation of the township, by whatsoeuer name or names, it, or they shall bee incorporated, where such cloth, kersey, frise, cotten, or rugge, shalbe so sealed, shall forfeit and lose the whole value of the cloth so sealed. It is also enacted by the authority of this present Parliament, that the saide searchers or sealers, & euery one of them, shal haue ful power and authoritie by vertue of this act, in the day time to enter into all & euery house and houses of euery person or persons, wher he or they shal thinke meete, to search and to trie all and euery kinde of clothes, kerseis, frises, & rugges, as they shal find defective, either in length, bredth, or weight, and the same to trie by water and weight, and also to search & seise as forfeit all and euery cloth and clothes made of other colours, then in the said former act is appointed, friers gray, craine colour, purple, & olde medley colours, most commonly vsed to be made before xx. yeres last past, onely excepted. And if any maner of person or persons, at any time after the first daye of May nert cōming, shal denie, withstand, or withhold any cloth or cloths, kerseis, frises, rugges, or any of them, from the said sealers or searchers or any of them, or will not suffer them to enter into their shoppes, ware houses, houses, or places, where their cloths, kerseis, frises, or rugs shalbe, the same to bee searched and tried as is aforesaide: that then euery such person or persons so denying or withstanding for euery such withstāding, withholding, or deniall, to forfeit & lose x.li. Be it likewise further enacted, that it shall not bee lawfull for any the saide searchers or sealers, or any other person, to search any maner of wollen cloth or kersey whereunto the seale of a citie, borough, or towne corporate, shall bee fixed within the common cloth market of London, commonly called Blackwel hall, or in any common cloth Faire, or cloth Market, of any other citie, borough, or towne corporate, in, & during the time of the Faire or Market: any acte or statute to the contrary notwithstanding. Be it further enacted, that all and euery article, clause, and sentence in the said former statute, made in the fift and first yeere of the reigne of our said souereigne Lord king Edward the first, being not repugnant or contrary to any article, clause or sentence conteined in this present acte, shall stand in ful force and effect. Prouided alwaies, that no person or persons shal incurre the danger, penaltie or forfeiture, limitted and appoynted for any offence in the saide former act, the which is already mitigated, or otherwise appoynted by this present acte.

And be it further enacted by the authorite aforesayde, that euery Clothier shall

Counterfeit

Seale

Tried Searchers

Searcher Sealer

Maior Comminaltie

Forf.

Search

Except

Withstand

Forf.

Blackwel-hall

Faire Market

Penalty

Clothier

cause

cause euery cloth which he shal put to sale, from and after the feast of the Nativity of S. J. Baptist next comming, to be marked with the letter M. crowned, wrought in cloth, vpon paine to forfeit xx.s. for euery cloth being sold or put to sale by any such clothier, after the saide feast not marked with the said letter M. as is aforesaid. And moreouer bee it enacted by the authoritie aforesaide, that no person or persons after the said feast of the Nativitie of Saint J. Baptist, shal set or put to sale within the Realm of England, any coloured cloth, of any other colour or colours, then are hereafter in this act mentioned: that is to say, Scarlet, Red, Crimson, Murrey, Ayolet, Pinke, Browne blew, Black, Greene, Yellow, Blew, Orenge tawne, Russet, Marble, Grey, Sad new colour, Azure, Watched, Sheeps colour, Lion colour, Motley, Iron gray, Friers gray, Crane colour, Purple, & olde medley colour, most commonly vsed to be made, aboue & before xx. yeres last past. And for the maintenãce of diuers auncient cities, boroughs, and townes corporate, which begin to decay by reason that clothiers doe giue ouer dwelling there: Be it &c. that from and after the first daye of May next comming, no person or persons whatsoeuer, shal vse or exercise the feate or mysterie of making, weaning, or rowing of woollen cloths long or short, or kerseys, pinned whites, or plain streits, to the intẽt to put the same to sale, but onely in a market towne, where cloth hath commonly bin vsed to be made by the space of x. yeres last past, or in a citie, borough, or towne corporate, vpon paine of forfeiture for euery such woollen cloth or kersey made, wouen, or rowed, out of such Citie, Borough, towne corporate, or market towne v.li. And it is further enacted, that from and after the first day of May, no person whatsoeuer shal weane or make, or put to weauing or making, any woollen clothes or kerseis last rehearsed to be sold, vnlesse such person shal haue bene apprentice to the occupation of making, weauing and rowing of cloth and kerseis, or haue bin exercised therein by the space of seuen yeres before, vpon paine of forfeiture of such cloth, or the value thereof. And be it further enacted by the authoritie aforsaid, that all and euery paines, penalties, and forfeitures to bee due by force of this statute, or of the said former acte, being not otherwise appoynted, shal be deuided equally into two parts: whereof the one shal be to the Quenes highnes, her heires & successors, & the other vnto him that wil seise, (in cases where seisure is limitted or appointed) or els to him or them that wil sue for the same pains, penalties & forfeitures or any of them, by action, bill, plaint, information, or otherwise, in any court of Record, wherein no essoine, protection, wager of lawe, or iniunction shal be admitted or allowed, or obeyed. Prouided alwaies, that it shall be lawfull to any person, now vsing or exercising the feate or Misterie of making, weauing, or rowing of cloth or kersey, to inhabite and dwel where he now doth, & there to vse ẏ making, weauing, or rowing of cloth or kersey, as he hath done heretofore: any thing in this act to the contrary notwithstanding. Prouided alwaies that it shal be lawfull to all & euery person or persõs, which now do, or hereafter shall inhabite or dwell, in any of the Shires of Northwales, or Southwales, Cheshire, or Lancaster, Westmerlande, Cumberland, Northumberland, Bishoprike of Durham, Cornewall, Suffolke, Kent, the towne of Goddalming in the Countie of Surrey, or Yorkshire, being not vpon xij. miles of the Citie of Yorke, or in any the Townes or Villages nere adioyning the water of Strond in the Countie of Glocester, where clothes haue bin vsually made by the space of xx. yeres last past, & hauing ben prentice to the occupation of clothmaking, or exercised in the same by the space of vij. yeres, to set vp, vse, & exercise ẏ feate or mysterie of making, weauing, or rowing of cloth, out of a Citie, Borough, or Market towne, as heretofore they might haue done: Any thing in this act to the contrary notwithstanding. This last branch touching the making and dressing of cloth but only in Townes, Cities, and Boroughs, and the forfeitures by reason of the saide branch against such persons onely, as shall vse the same within the Counties of Somerset, Wiltshire and Glocester, is repealed by Anno 18. Eliz. cap. 16. hereafter 66. Prouyded also that it shall bee lawfull to any person nowe vsyng or exercising, or that hath vsed or exercysed the feate or mysterie of clothmaking, the same to cõtinue, vse and exercise, although he hath not beene thereunto apprentice, or haue exercised the same by the space of vij. yers. any thing in this acte to the contrary notwithstanding. Prouided alwaies & bee it further enacted by ẏ authoritie aforesaid, that it shal be lawful to any person or persons

Marke

M. crowned Forf.

Put to sale

Colours

Inhabite

Clothier Weauer Cloth making

Market towne

Forf.

Prentice

Weane

Apprentice

Continue

Forf.

Moitie

Retaile

sons to sell and put to sale by retaile or otherwise all and every such coloured cloth & clothes, as he or they now have, as freely as he or they may lawfully sell any cloths of the colours of this present acte allowed to bee solde, vntill the feast of S. Michaell the archangell next insuing: This act, or the said former Statute in any wise notwithstanding. An. 4. & 5. P. & M. cap. 5.

See some alteration for some speciall places here next following 61. and likewise hereafter 70.

61 ¶ Because the Townes hereafter mentioned bee well planted for cloth making, & have bin long inhabited with good clothmakers: Be it ordeined and enacted that it shalbe lawfull to al and every such person & persons, which now doe inhabite or dwell, or hereafter shall dwel in the said towns or villages of Working, Westbarsold, Cockshall and Dedham, or in any of them, now vsing or exercising, or that here after shal vse or exercise the feat or misterie of making, weauing, or rowing of cloth or kerseis by the space of seuen yeeres at the least, or have bin apprentice therto by the said space of seuen yeres, to inhabit & dwel in the said townes or villages of Working, Westbarsold, Cockshal & Dedham, and in every or any of them, & to vse the making, weauing, or rowing of cloth or kerseis, as before this time they might have done, if the said act had never bin made: any thing in the said act to the contrary therof made, or any other acte, Statute or law heretofore made, or hereafter to be made to the cõtrarie hereof in any wise notwithstanding An. 1. El. cap. 14.

Working Cockshall Dedham

Apprentice

62 ¶ For the better relefe of such as vse the art and labor of clothworking: Be it enacted by the authoritie of this present Parliament, that from henceforth for euery nine clothes vnwrought, hereafter to bee shipped or caried into any parts beyond the Seas, contrary to the forme of any Statute heretofore made, and now remaining in strength, by force of any licence hereafter to be graunted, the partie that shall shippe or carrie ouer the same, shal ship & cary ouer also one like woollen cloth, of like sort, length, bredth, and goodnesse, ready wrought and dressed: that is to say, rowed, barbed, first coursed and shorne, from the one end to the other, so that euery tenth cloth passing ouer the Seas, in forme aforesaid, may and shall be dressed within this Realme, before the same shall be shipped or transported ouer, vpon paine to forfeit for euery such nine cloths so to be shipped or transported, contrary to the meaning of this act, xl. Prouided alway, that euery such x. cloth so to be transported ready wrought, shal not be accounted any of the cloths, permitted to be transported by force of such licence, but that such person as shall haue such licence, may transport, according to such licence, y full number of clothes vnwrought, mẽtioned in the same licence, ouer & above the number of such tenth clothes, which they shalbe compelled to ship and carrie ouer by force of this statute. And be it further enacted by authoritie aforesaid, that from the last day of Februarie now next comming, no person shall ship or carrie into the parties beyond the seas, contrary to the forme of any Statute heretofore made, now remayning in force, any cloth cõmonly called Kentish cloth, or Suffolke cloth, made or to bee made in the Counties of Kent or Suffolke, vnwrought & vndressed, within this Realm: that is to say, not rayed, barbed, first coursed & shorne, vpon paine to forfeit for euery such cloth, commonly called Kentish or Suffolke cloth, made or to be made in either of the said counties, so to bee shipped or transported contrary to the forme of this statute xl. s. And that no licence for trãsporting of any cloth or cloths shalbe construed or expounded to extend to any such Kentish or Suffolke cloth, made or to be made in either of the said counties, to bee from henceforth transported. And that all the forfeitures appointed by this statute, for transporting of clothes, shalbe the one halfe to the Queenes Maiestie, her heires & successors: the other moitie to the Maister and Wardens of the said Company of Clothworkers, to the relefe of the powre of the said Company, to be recouered in any Court of record, by action of debt, bill, plaint, or information, wherein no essoine, protection, or wager of Lawe for the defendant shalbe admitted or allowed. An. 8. Eliz cap. 6.

Transport

Licence

Ready wrought

Tenth cloth

Fort.

Transport

Licence

Vnwrought

Shipping

Fort.

Licence

Kentish cloth Suffolke

Moitie

Wardens

Poore

63 ¶ Be it enacted by the authoritie of this present parliament, that from & after the feast of Easter next insuing, no maner of person or persons whatsoeuer, inhabiting and dwelling within the said town of Shrewesbury, or the liberties & franchises of the same towne, other then such as haue or shall haue serued as apprentices in the said occupation & science of Drapers, or be or shalbe free of the said science or misterie, shal occupie, vse, or exercise, or frequẽt the said

Shrewesbury

Apprentice

said trade, arte, mysterie, or science of buying of the saide Welsh cloth, or lyning, cottons, frises, & plaines, nor haue any factor or doer for him in the same, nor by any colour, engin, or fraud, be any occupier of the said frizes, cottons, and plaines, vpon paine that euery person & persons, inhabiting as it is aforesaid, & occupying, vsing, or exercising the said trade, occupation, or science of buying of Welsh cloth & lining, and not authorised by this present act, shal lose and forfeit for euery piece of the same cloths so bought vi.s. viij.d. And ouer that be it further enacted, that no person dwelling and inhabiting, as is aforesaid, & vsing or occupying the saide trade of buying of Frises, cottons, or plaines, shall vse or exercise the faculty of frising or cottoning, vpon paine to incurre such like forfeitures for euery offence, as is aboue mentioned: The moitie of all which paines and forfeitures aboue mentioned, shall be to our soueraigne Lady the Queene, her heires & successors, and the other moitie to such person and persons, as will sue for the same in any court of record, by action, bil, or playnt of debt, wherein no protection, essoine, or iniunction, or wager of lawe shall bee allowed or admitted.

Buying
Factors
Occupier
Fort.
Buying
Fort.
Moitie

Prouided alwaies, & be it further enacted by the authoritie aforesaid, that this present act, or any thing, sentence or matter therein conteined, shall not extend, or be in any wise preiudicial or hurtful to any such person or persons, as haue heretofore vsed, occupied, or frequented the said trade, art, mysterie, or science of buying or selling of Welsh clothes and linings aforesaid, but that euery such person and persons, which hath or haue vsed the said trade or sycence, as is aforesaid, shall & may haue and enioy the like benefit, commodity, & aduantage, aswell in buying & selling the said Welsh clothes & lining, as otherwise, in as large, free, and ample maner and forme, as if this act had neuer bene made.

And further, to the intent the said poore Sheeremen, Frisers, and Cottoners may be the better relieued and maintained: Be it enacted by the authoritie aforesaid, that all and euery person & persons, occupying and vsing, or which hereafter at any time shall occupy or vse the said trade, science or art of buying & selling of Welsh cloth and linings aforesaid, and shall from the feast of Easter next insuing, deliuer any Welsh cloth or linings aforesaid, to bee cottoned, frised, dressed, or wrought, to any Sheereman, cottoner, or friser, shal deliuer, content, & pay to the said shereman, cottoner, or friser, readie & present money for all his saide worke, without any colour, fraud or engin whatsoeuer, & shall not deliuer any ware, or other thing whatsoeuer, in contentation or satisfaction of his said worke, or any part thereof, vpon paine that euery person offending in this behalfe, shal forthwith lose all such liberties, freedomes, and priuiledges, which he hath or shal haue, as one of the said Companie, Fraternitie, or guild of the said art & mysterie of Drapers and also shal for euer after be vtterly disabled & excluded, to vse, occupie, or enioy by himself, or by any other for him, or to his vse, the saide trade, art, mysterie, or science of buying or selling of Welsh clothes or linings: this acte, or any other matter or thing whatsoeuer, to the contrarie in any wise notwithstanding. An. 8. Eliz. cap. 7.

Poore shere men
Buying and selling
Ready money
Ware
Losse of freedome
Disabled

64 Be it enacted by the authoritie of this present parliament, that no person or persons, from & after the first day of April next comming, shal sel or put to sale within the said County of Lancaster, or conuey or carrie, or cause to be conueyed & carryed out of the saide countie of Lancaster, any kinde of clothes, cottons, frises, or rugges, hereafter to be made within the said countie Palantine of Lancaster, to be solde, before such time that the owner or maker of euery such cloth, cotte, frise or rugge, shall fire and put to, or cause to be fired and put to euery such cloth, frise, cotten or rugge, one Seale of Lead, hauing the marke of euery such owner or clothier, ingraued on the one side thereof, and the true length of euery such cloth, frises, cotten, or ruggs as it is found being wette, to be ingraued on the other side of the said seale. And also the Quenes highnes Aulnegeor of the sayde Countie Palantine for the time being, vpon triall of the weight of euery such Cotton, Frise, and Rugge, shall fire and put, or cause to bee fired and put to euery such Cotton, Frise and Rugge, the Queenes Highnesse Seale of lead, hauing the Portcullets crowned, ingraued on the other side thereof, & the true weight of euerie such Cotten, Frise or Rugge, to bee ingraued on the other side of the sayde Seale, vpon paine of forfeiture of all and euery such, Clothes, Cottons, Frises and Rugges conueyed, carried, sent, solde and put to sale, or to the intent to be sold beeing vnsealed, contrary to the meaning of this present act: The one moitie thereof to bee

Put to sale Lancaster
Cottons Frises Rugges
Seale
Length
Aulnegeor
Seales Portcullis
Weight
Fort.

to

to the vse of the Queenes Highnesse, her heires and successors: and the other moitie thereof to such person or persons that shall seise the same cloth, cotton, fryse or rugge, or will sue for the same, to bee recouered in any of the Quéenes Highnes courts of Record, by bill, playnt, information, or otherwise, wherein no essoune, protection, or wager of Lawe shal be allowed to the defendant.

Aulnegeor

And be it further enacted by the authoritie of this present Parliament, that the said Aulnegeor, after the said first day of Aprill, shall appoynt and haue his lawfull

Deputie

deputie within euery of the saide seuerall Townes of Manchester, Rochdale, Bolton, Blackborne, and Berry, in the saide Countie, where the said Aulnegeor hath bene accustomed to haue his deputie heretofore, there to be ready vpon a lawful request vnto him made without delay, to

Weighe

weigh euery of the said cottons, frizes and rugges, as shalbe brought vnto euery such deputie, & sealed with the seale of the owner or maker of euery of the same clothes, in forme aforesaide, and to fixe and set to euery of the saide clothes, cottons, frises, &

Sealed

rugges, the Quéenes highnes Seale beforesaid, to be ingrauen in maner & forme

Fork.

before mentioned, vpon pain of forfeiture of xx.s. for euery packe of cottons, frizes, or rugges, sealed by the said Aulnegeor, or any of his saide Deputies, before the same be weighed, in forme aforesaid: The one

Moitie

moitie thereof to be to the vse of ỳ Quéens highnesse, her heires, & successors, & the other moitie thereof, to him or them that will sue for the same in any of the Quéens Maiesties courts of record, by bill, playnt, information, accion of debt, or other wise, wherein no wager of lawe, protection, or essoine shalbe allowed.

Aulnegeor

Prouyded alwaies, and be it enacted by the authority aforesaid, that it shalbe lawfull to the said Aulnegeor or his deputy, to haue and take of the owner or maker of euery of the said clothes, cottons, frises or rugges, for the weighing and sealing of euery packe of the said clothes, cottons, frises & rugges iij.d. And for euery piece of such course cloths, cottons, frises & rugges not amounting to a whole packe, one half

Fork.

penie, and the same to be payed by the owner or bringer of the saide clothes, at the weighing and sealing of the same: any custome, vse, or prescription, to the contrary in any wise notwithstanding.

And forasmuch as such persons as commonly do vse to vtter and sel the said seuerall kindes of cottons, frises and rugges, haue bin and are daily molested, vexed and troubled, to their great losse & hinderance, by meanes of the cruelty of informers and searchers, seeking continually their owne priuate gaine, by finding of the saide cottons, frises and rugges, at no time made according to such forme of weight, lengths and bredths, as by the former statutes of this Realme lately made for the true making of wollen cloth is limitted & appointed (before 50. & 60.) And for that the same persons doe alleage that the makers of the saide cottons, frizes and rugges, can by no means be reduced to obserue the said weights, lengths, and bredths, in making of the saide cottons, frises and rugges, according to the forme of the said former statute, without the vtter vndoing of great numbers of poore people, that are commonly the makers of such kinde of cloths, and that by meanes hereof the said cottons frises and rugges, sithence the making of the saide estatutes haue bene and are more scarce and dere, then they were before the making of the said estatutes, & nothing at all mended in substance and forme of making. For reformation whereof, be it enacted, that from and after the first daye of Aprill next comming, euery of the said cottons, being sufficiently milled or thicked, cleane scoured, wel wrought, & fully dried, shall weigh xxj. pound at the least, and shal conteine in length xxj. goads, or xx. goads at the least, and in bredth at the most three quarters of a yard, or within one nayle of three quarters of a yarde at the least. And that euery of the sayde Fryzes or rugges, being thicked and fully dryed, shall weigh xliij. pounde at the least, and shall conteine in length betwixt xxxvj. yardes and xxxvij. yards, and shal conteine in bredth at the most three quarters of the yarde, or within one naile of three quarters at the least, and not to be streined vpon the Mentours aboue one nayle in bredth. And also if any of the sayde cottons frises or rugges, shall bee of any greater length, then is before seuerally expressed: that then euery goade or yard so exceeding the saide seuerall lengthes, shall weigh after such rate as euery goade or yarde of such cottons, frises or rugges, conteining the said seuerall lengthes, shall or ought to weighe, vpon paine of forfeiture for euery goad or yard not weighing after such rate xij.d. And also if any of the sayde cottons,

Cottons

Thicked Cleane scoured Weighe Content

Frises Rugges Weight

Content

Greater length

cottons, frizes and rugges, shalbe of any lesse weight then is before severally limitted & appointed: that then all & every such person or persons, that shal so sell or offer to be solde any such cotton, frize, or rugge, shal forfait & lose for every pound lacking under iii. pounds, xii.d. and for every pound weight lacking aboue three pounds, 6 s. The one halfe of which forfaiture shalbee to our Soueraigne Lady the Queenes highnesse, her heires & successors, and the other halfe thereof to such person or persons, that shall sue for the same, by action of debt, bill, plaint, or information, in any of the Queenes Maiesties courts of Record, wherein no essoine, protection or wager of law shalbe admitted or allowed for the defendant.

Fosf.

Moitie

And further be it enacted by the authoritie aforesaid, that all and every branch, clause, sentence, and article, specified and contained in any other actes of Parliament before this time made, concerning the sealing and making of the saide Cottons, frizes & rugges, shalbe from henceforth vtterly repealed, voide, and of none effect: any thing in the saide actes contained to the contrary in any wise notwithstanding.

Repealed Lloyd

Prouided alwayes, that this act shall not in any wise extend to be preiudiciall or hurtful vnto any Charter or Libertie of any Borough or towne corporate, within the said countie Palantine of Lancaster, concerning the making & putting to sale of any woollen Cloth: any thing therein contained to the contrary notwithstanding. An. 8. Eliz. cap. 12.

Charter Libertie

65 ¶ Be it enacted, that from and after the feast of Saint Bartholomew the Apostle next insuing, it shall not be lawfull for any person or persons, vsing, or that shall vse the trade of making of kerseys, to make, or cause to be made any kerseis, of the sort called ordinarie kerseis, or any sorting kerseis, or any other kerseis, by what name or names soeuer they be called, aboue the length of xviii. yards at y most, to be measured by yarde and yrth, being readie made, but that al kerseis shal bee made of the saide vsuall lengths, and according to the proportion of weight, limitted by the statute in that behalfe made and prouided the fourth & fifth yeres of the raignes of the late king Philip and Quethe Mary, vpon paine that euery person or persons that shall make, or cause to be made, any such kerseys or kerseys, of more or greater length then xviii. yardes, shal forfait for euery such kerseis xl.s. The one moitie whereof shalbee to the Queenes Maiestie, her heires and successors, and the other moitie to him or them that will sue for the same, by bill, plaint, or information, in any of the Queenes Maiesties Courts of Record, wherein no essoine, protection, or wager of law for the defendant shall bee admitted or allowed.

Kerseys

Ordinary kerseys Sorting kerseys

Content

Fosf. Moitie

Prouided, that if any kerseys or kerseis being purposely made to containe xviii. yards in length, & no more, shal by occasion happen to contain aboue xviii. yards, & being vnder xix. yardes in length, that the maker or makers of any such kerseys or kerseis shal not incurre the penaltie aboue contained: any thing before mentioned to the contrarie notwithstanding. An. 14. Eliz. ca. 10.

66 ¶ Wheras in the Parliament holden at Westminster, in the 4. & 5. yeres of the raignes of our late Soueraigne Lord & Lady, king Philip and Queene Mary, one Statute was made, intituled, An Act touching the making of wollen clothes (before 60) wherby (among other things) it was ordained & enacted, by the authoritie of the said Parliament, that from and after the first day of May then next comming, no person or persons whatsoeuer, should vse or exercise the feate or Misterie of making, weauing, or rowing of wollen cloth long or short, or kerseys, pinned whites, or plaine streits, to the intent to put the same to sale, but onely in a Market towne, where cloth commonly hath bene vsed to be made by the space of v. yeres then last past, or in a Citie, Borough, or towne corporate, vpon paine of forfaiture for euery such wollen cloth or kersey made, wouen or rowed, out of such citie, borough, towne corporate, or Market towne v.li. as by the said act amongst diuers clauses, articles and prouisoes contained in the same, more plainly is expressed. And forasmuch, as diuers and sundrie persons, haue heretofore of long time vsed and exercised, and at this present do vse & exercise the feate and misterie of clothmaking in the Counties of Somerset, Wiltshire, and Glouceſter, & haue to their great costs & charges, planted themselues & their dwelling houses dispersedly throughout the saide Counties, & neither in cities, boroughs, townes corporate, or Market townes, as might & may serue

Somerset Wiltshire Glouceſter

moſt conuenientlie for the vſe & exercise of ỳ ſaid feat & myſterie, as namelie about ỳ Riuers riuers of Froomwater, Kingſwood water, the riuers of Auen, Willibourne, & Salisburie bourns, & Stroud water, in ỳ ſaid counties of Somerſet, Wiltſhire, & Glouceſter, and the branches of the ſame waters, & alſo for that the ſaide places & waters are verie good & apt for clothing, together with the great number of fulling mils, & other worke houſes thereunto Fulling milles adioyning, maintained only by the clothmaking in the villages & parishes thereabout: And forasmuch alſo as a great multitude of poore people, as weauers, tuckers, ſpinſters, & ſuch like, haue of lõg time heretofore, & at this preſent do inhabite & dwell nere vnto the ſaide places & waters, by meanes of the great clothmaking there, heretofore & now vſed, and haue bin only relieued & ſuſtained by the ſame, & alſo for that great inconuenience might inſue, within the ſaide counties of Somerſet, Wiltſhire, & Glouceſter, in removing & placing of ſuch a multitude, in, or within any citie, borough, towne corporate, or Market towne, according to the meaning of this ſaid act: Be it therefore enacted, that the ſaid branch & clauſe of ỳ ſaid ſtatute, as touching only ỳ vſe or exercise of the feate or myſterie of making, weauing, or rowing of any woll'e cloths, to the intent to put the ſame to ſale, but only in a market towne, citie, borough, or towne corporate, & all & euery the penalties & forfaitures, by reaſon of the ſaide branch only, as againſt any ſuch perſons, as hath vſed, or hereafter ſhal vſe & exerciſe the ſaide feate & myſterie of making, weauing or rowing of any woollen cloth wiin ỳ ſaid counties of Somerſet, Wiltſhire & Glouceſter, or any of thẽ, ſhalbe frõ Repealed henceforth repealed and made void: any thing contained in the ſaid act, or in any other act heretofore made to the contrary thereof in any wiſe not withſtanding.

And further be it, &c. that no perſon or perſons, nowe dwelling or abiding, or which hereafter ſhal dwel or abide with- Somerſet Wiltſhire Glouceſter. in the ſaid counties of Somerſet, Wiltſhire & Glouceſter, or any of them, ſhall from henceforth vſe or exercise the ſaide feate or myſterie of making, weauing, or rowing of any woollen cloth or clothes, out of any citie, borough, towne corporate, or market towne, except onely wiin ſuch houſes and places in the ſaide counties of Somerſet, Wiltſhire, and Glouceſter, or any of them, as ſuch woollen clothes haue bin moſt commonly vſed to be made, woouen, or rowed, by the ſpace of x. yeres, next before the making of this act, vpõ paine of forfaiture for euery ſuch cloth made, woouen, or rowed, contrary Foꝛf. to this preſent act, x.li. The one moitie of Moitie which forfaiture ſhalbe to our ſoueraigne Lady the Queenes Maieſtie, her heires & ſucceſſors, and the other moitie to him or them that will ſue for the ſame.

And be it further enacted &c. that ſuch perſon or perſons as after the feaſt of S. Michael the Archangell next comming, ſhal vſe or exercise the trade or myſterie of clothmaking, in any of the ſaid houſes & places, out of a citie, borough, towne Market towne corporate, or Market towne within the ſaid Counties, or any of thẽ, which now doth not vſe & exercise the ſame trade or myſterie, ſhall not keepe in his or their occupatiõ or manurance, aboue xx. acres xx acres of land of lande, meadowe and paſture at ỳ moſt. Meadow Paſture And that euery perſon nowe vſing or exerciſing the ſaid trade or myſterie out of a citie, borough, towne corporate, or market towne within the ſaid counties, or any of them, ſhall not haue nor take in, or into his or their occupatiõ or manurance, any lande, meadow or paſture, but that Land which he or they now haue, or as much only in lieu thereof, vpon paine to forfait Foꝛf. for euery acre of land, meadow & paſture, by ſuch perſõ or perſons, occupied or manured, contrarie to the tenor of this act, for euery yeere that he ſhal ſo occupie the ſame, & ſo vſe the trade of clothmaking xl.s. viii.d. And that all & euery ſuch forfaitures hereafter to bee due by force of this ſtatute, ſhalbe deuided equally into two parts, whereof ỳ one ſhalbe to the Q. Moitie bighnes, her heires & ſucceſſors, & ỳ other to him or them that wil ſue for the ſame.

Prouided alwaies, & be it &c. that euery perſon or perſons, being by this ſtatute allowed to vſe or exercise ỳ feat or myſterie of making, weauing, or rowing of woollen cloth, long or ſhort, or kerſies, pinned whites, or plaine ſtraites, not being by the former ſtatute allowed thereunto, ſhalbe ſubiect to ſuch ſearch, forf. & Search other orders, as other perſons dwelling out of boroughes & townes corporate, allowed of by the ſaid former ſtatut or any other ſtatutes, were ſubiect or bound vnto before ỳ making of this act: any thing in this act contained to the contrary notwithſtanding. An. 18. Elizabeth. cap. 16.

67 ¶ Wheras of late yeres there hath bene brought into this Realm, a certain kinde of stuffe called logwood alias blockwood, wherewith diuers do die daily diuers things: For asmuch as the colour made with the said stuffe is false & deceitful: Be it &c that all such logwood alias blockwood in whose hands soeuer ẏ same shalbe found, after the feast of S. Michael the Archangel nert ensuing, shalbe forfaited & openly burned by authoritie of ẏ Maior, or other head officer of the citie or towne corporate, or of two Justices of peace of ẏ countie where it shalbe found, & that from & after xx. daies after the ende of this Session of Parliament, no person of what degree soeuer he be, shall dye or cause to be died any cloth, wool, or any other of the premisses aboue mẽtioned, or any other thing whatsoeuer, with any of the saide ware or stuffe called logwood, alias blockwood, vpon paine that the diar of euery such seuerall thing so dyed, shall forfait the value of ẏ same thing so died: The one moitie to the vse of the Q. Maiestie, her heires or successors, & the other moitie to him that wil sue for the same by action of debt, bill, plaint or information, in any court of record, in which sute no essoine, protection, wager of law, nor writ of priuiledge for the defendant shalbe admitted or allowed, & the partie offending being therof conuicted, to remaine in prison without bail or mainprise, til he haue satisfied the same value. And where clothes, kersies & hosen haue bin died wᵗ a colour which is cõmonly called a galled & mathered blacke, or with a colour commonly called a shomacke and mathered black, which colours although they carie a shewe of a good, true & perfect colour of woaded & mathered black (and of such as do buy the saide colours, either in cloth, kersies or hose, taken so to be) notwithstanding in proofe & wearing prooue contrarie: to the great deceit of the Quẽnes subiects, & discrediting of the cloth, & other things so died: For ẏ reformation wherof, be it enacted, that no kinde of cloth or clothes, kersies, baies, frizadowes, broad or narrow hosen, or other things, being in ẏ nature of cloth, shal from henceforth be mathered for a blacke, except the same be first grounded with Woad onely, or with Woad & Anele alias blew Inde, vnlesse the mather be put in with shomacke or gallis. And that from & after xx. daies after the end of this Session of Parliament, no person of what degree soeuer he be, shal die or cause to be died any cloth or clothes, or other things abouesaid, of what kinde or nature soeuer, mathered for a black, not hauing a ground of woad only, or of woad & anele, alias blew Inde, vnles the mather be put in with shomacke or gallis, vpon paine that the diar of euery such seueral thing so died, shall forfait the value of the same thing so died: The one moitie therof to the vse of the Q. Maiestie, her heires or successors, & the other moity to him that wil sue for the same by action of debt, bil, plaint or information, in any court of Record, in which sute no essoin, protection, wager of lawe, nor writ of priuiledge for the defendant, shalbe admitted or allowed, & the partie offending being therof conuicted, to remaine in prison, without baile or mainprise, till hee haue satisfied the same value. Prouided alwaies, that it shal & may be lawfull to die al maner of gal black, shomack black alias plaine black, wherin no mather shal be vsed, as heretofore lawfully hath bene done: This act or any thing therein contained to the contrarie notwithstanding.

Prouided also that euery diar that shal after the feast of Pentecost next ensuing the end of this Session of Parliamẽt, die any of the saide blacke clothes, kersies or frizadowes, mathered & not woaded, shal before he deliuer any of the same forth of his hands, fire a seale of lead to euery of them, in which the letter M. signifying mathered shalbee contained, vpon paine that euery dyar offending to the contrary shall forfait for euery yarde of the said cloth, kersies, baies, or frizadowes, the summe of three shillings & foure pence. And that if any person shal sel any cloth, kersies, baies or frizadowes, mathered & not woaded, after the saide feast of Pentecost, & shall not first giue notice to the buyer thereof, that the same is not woaded, shall forfait also the double value of all such cloth, kersies, baies & frizadowes, as he shal so sell, which forfaitures shalbe to the partie that shall sue for the same in any court of Recorde, by action of debt, bill, plaint or information, wherein no essoine, protection, or wager of law shall lie. An. 23. Elizabeth. cap. 9.

68 ¶ Whereas in the Parliamẽt holden at Westminster in the fifty and sixth yeres of the raigne of our late soueraigne Lord king Edward ẏ vi. one statute was made intituled, An act for ẏ true making

Woad

Burned

ii. Iust. of p

None die

Forf. Moitie

Imprison

Shomake

Forf. Moitie

Seale Letter M.

Forf.

Woad

of wollen Cloth, whereby (amongst other things) it was enacted, that all whites & reds, which after the feast of S. Michael the Archangel then next cõming, should bee made in the Shires or Counties of Wiltshire, Glouceſter and Somerſet, or any of them, or elſewhere, of like making, and all other whites which ſhoulde bee made in any other partes of this Realme of Englande, and not before in the ſame Statute remembred, ſhoulde containe in length being throughwett, betweene xxvi. & xxviii. yardes, & ſhould be vii. quarters of the yarde in breadth within the liſtes at the leaſt, and liſted according to the auncient cuſtome, and being well ſcoured, thicked, milled and fully dried, ſhoulde weigh euery peece lxiiii. pound being white, and lx. pounde being coloured at the leaſt, as by the ſaid Act among diuers clauſes, articles and prouiſions contained in the ſame, more plainly is expreſſed. And whereas alſo in the Parliament holden at Weſtminſter in the fourth & fifth yeeres of the raignes of our late ſoueraigne Lorde and Lady king Philip and Queene Marie, one other ſtatute was made, intituled, An act touching the making of wollen clothes, wherby alſo (among other things) it was ordained, eſtabliſhed, enacted, and prouided, that euery white cloth which ſhould be made in the Counties of Wiltſhire, Glouceſter, & Somerſet, or any of them, or elſwhere, of like making, appointed by the ſaid act, made in the ſaid fifth & ſixth yéres of king E. 6. to weigh lxiiii. pouds, ſhould weigh being wel ſcoured, thicked, milled & fully dried, lxi. pound at the leaſt, with a prouiſion in the ſame laſt recited act contained, that no perſon or perſons ſhould incurre the danger, penalty or forfaiture limitted & appointed for any offéce in the ſaid former recited act, which was mitigated or otherwiſe appointed by the ſaid act, made in the iiij. and v. yeeres of King Philip and Queene Mary, as by the ſame act made in the iiij. and v. yeres of king Philip & Quéene Mary, amongſt diuers clauſes, articles & prouiſoes therin contained, more plainely is expreſſed: Sithence the making of which ſaid ſeueral Statutes, although the makers of the ſaid clothes haue indeuoured themſelues according to their beſt ſkill and induſtry to performe and fulfill the ſaid recited ſtatutes in euery of their clothes, as much as in them did lie, as touching the breadth of clothes, & to that ende & purpoſe haue allowed & do allow ſo much yarn & ſtuffe to euery ſuch cloth as might ſufficiently ſerue to make al the ſaide clothes full out in length & breadth, according to the ſaide former Statute made in the fifth & ſixth yeres of king Edward the vi. & in weight according to the ſaide branch of the ſaide ſtatute, made in the fourth & fifth yeres of the raignes of the late king Philip & Quéene Mary: Yet notwithſtanding manie times by reaſon of the diuers natures in the wools, & by the great diuerſities in the ſpinning, carding & milling, manie of the ſaide clothes made within ẏ ſaid counties of Wiltſhire, Glouceſter & Somerſet & Dꝛon, & elſwhere of like making, do not containe full vii. quarters in breadth, according to the ſaide Statute made in the fifth & ſixth yeres of king Ed. the vi. and yet do hold their ful weight or more, according to the former ſtatute made in the time of the ſaid king Philip & Queene Mary, and no default touching the breadth can iuſtly be imputed to ẏ maker therof, for that the ſaid Clothmakers (as experience daily ſheweth) cannot obſerue the ſaide former ſtatutes in all the ſaid Clothes as touching the breadth, although they indeuour themſelues neuer ſo much thereunto: which clothes not containing their full Aſſiſe in breadth, as is aforeſaid, are manie times taken & ſeiſed by the Searchers of London, when they come to their market at Blackwell hall, to the great loſſe & damage of ẏ ſaide Clothmakers, and to ẏ great hinderance of clothmaking within the ſaid counties: In conſideration whereof, albeit it is not hereby intended to repeale or make voide the ſaide former recited eſtatutes, or either of them, otherwiſe then is hereafter expreſſed: Yet neuertheleſſe bee it enacted by the Queenes moſt excellent Maieſtie, with the aſſent of the Lordes ſpirituall and temporall, and the Commons &c. That no perſon or perſons ſhall bee hereafter charged for any ſuch defaulte which hereafter ſhal be in any of the ſaid clothes mentioned in this act for want of breadth of ſeuen quarters, ſo that ẏ ſame cloth do contain in breadth being throughly wett vi. quarters and a halfe at ẏ leaſt within the liſtes vnwrought, and liſted, according to the auncient cuſtome: any thing in any of the ſaide former ſtatutes mentioned to the contrarie in any wiſe notwithſtanding.

vii. quarteres

Breadth vi quarteres & a halfe

Breadth

Prouided

Prouided alway, and be it &c. that if any of the saide clothes shall not conteine vi. quarters and a halfe at the least within the lystes, as aforesaid, that then euery person offending in that behalfe, shall for euery such cloth bee subiect to such paines, penalties, and forfaitures, as were by force of the former recited Statute of the fifth and sixth yeeres of king Edward the sixth, to haue beene forfaited for want of breedth of vii. quarters within the lystes.

And be it neuertheleſſe enacted by the authoritie aforesaide, that if any cloth to be made within any of the said Counties or elsewhere of like making, called narrow listed whites, being well scoured, thicked, milled & fully dyed, shal contein in weight any lesse then lxi. poundes at ỳ least, or if any cloth to be made within any of the said counties or elsewhere of like making, called broad listed whits, being wel scoured, thicked, milled & fully dyed, shal cõteine in weight any lesse then lxiij pounds at the least, or if any of the saide clothes called narrow listed or broad listed whites, shall conteine in length any more then xxviii. yards at the most: that then euery of the saide Clothiers therein offending, shall incurre double such penalties & forfaitures for euery pounde so wanting of the seuerall weights aboue limitted, & for euery yard so exceeding in length, & not weighing after such rate, as is before expressed, as by the said statut of the iiii. & v. yere of king Philip & Quéene Mary is prouided & appointed: This act to endure & continue for the space of fiue yéres next after thẽ ende of this Session of this present parliament, and from the end of the said fiue yæres, vntil the end of the nert Session of Parliamẽt then next ensuing. An. 27. Elizabeth ca. 17. And after, An. 35. Elizabeth cap. 7. This Act is made perpetuall.

Weight

Fast.

69 ¶ Where in the Parliament vpõ Prorogation holden at Westminster the xviii. of Januarie in the fifth yeere of the raigne of the late king of famous memorie Edward the sixth, one Act was made for true making of wollen clothes: by which Act amongest other things it was enacted, that from and after the feast of Saint Michael the Archangell nert ensuing the making of the saide Act, no person or persons should put any haire, flore or any yarne of lambes Wool into any cloth, kersey, frize or cotton, made & sold, or offered to be solde, as in the saide Act is expressed, vpon paine to forfait euery cloth, kersey, frize and cotton, wherein any such yarn, haire or flore should be put, or the value of such cloth, kersey, frize or cotton, as by the said Act it doth and may appeare. And whereas by another act made in the Parliament holden at Westminster in the vii. yeere of the raigne of the said late king, intituled, An act for the making of plaine white streites, & pinned white straites in Deuon and Cornewal, the saide former acte was altered, and libertie giuen to the makers of the saide clothes called plaine white straites and pinned white streites, to vse in making of the said clothes, flore, haire or yarne made of lambes wool, and by the saide statute diuers rules and orders were appointed for making of the saide clothes called plaine white straites, and pinned white straites, as by the said statute doth appeare: Now for that the orders and rules both by the said statute made in the said fift yeere, as also in the saide seuenth yeere of the saide late king Edwarde the sixth, tend to the vtter vndoing and decay of great numbers and multitudes of people which liue by the trade of clothing, & are not profitable any longer to be kept in these Countries and places, where the said clothes called plaine white straites and pinned white straites are vsually made, the same clothes being but a base and course kinde of clothes, vsually made for ỳ vse of poore people beyond ỳ Seas, and most commonly shipped into Britaine, and there vttered for a Marchandise to serue the vse of ỳ poore sort there: And especially for that sithence the making of the said statutes, the yarn wherwith the said clothes called plaine white straites and pinned white straites are vsually made to the great benefite of the poore people where the same are made, is growen smaller and finer, whereby many more poore people are set on worke with spinning of the same, then eyther at or before the making of any the saide seuerall statutes they were, so that the weight, length and breedth cannot agree, as before it did in making of the saide clothes.

Bee it therefore enacted, &c. that the branch made in the said fifth yeere, which prohibiteth putting of haire, flore or yarn made of lambes wool into any cloth or frize, hauing regard vnto the said clothes

Repealed

called plaine white ſtraites and pinned white ſtraites, bee vtterly repealed and made voide. And that the ſaid ſtatut alſo made in ỳ ſaid ſeuenth yere of the raigne of the ſaide late king, and euery branche, article and clauſe therein, be from henceforth vtterly repealed and voide for euer: And that be it further enacted, that from henceforth it ſhalbe lawful to all & euery the Queenes Maieſties ſubiectes inhabiting, or which hereafter ſhall inhabite within the ſaid Counties of Deuon and Cornewall, as well in townes corporat, Market townes or elſewhere, to weaue and make the ſaid Clothes called plaine white ſtraites & pinned white ſtraites, & to vſe and occupie in making of the ſaide clothes called plaine white ſtraites, and pinned white ſtraites, ſoyre, haire & yarne made of lambes wool, & to haue & kéepe &

Loomes

vſe in his or their houſes three Loomes & not aboue for making of the clothes aforeſaid, and to make the ſame clothes of ſuch length, weight and breadth, as the marchant ſhall like or accept, to buy the ſame for merchandiſes, or appoint the ſame to be made for the vſe and moſt acceptable allowance of the countrey people where the ſame ſhall be tranſported for marchandiſes, for that in trueth none of the ſame are worne or occupied within this Realme: The ſaid ſtatute made in ỳ fifth yeere of the raigne of the ſaid late king Edward the firſt, or any other lawe or ſtatute heretofore made to the contrarie notwithſtanding.

Cuſtome

Prouided allwayes, that in defrauding of her Maieſties cuſtome, no peece of the ſaid clothes ſhalbe made aboue xiij. poũds in weight, or aboue foureteene yardes in length, or one yard in breadth, vpon paine of forfaiture of al ſuch clothes made ouer & aboue the ſaid length, breadth or weight or the value thereof. The one moitie to the Queenes Maieſtie, her heires & ſucceſſors, and the other moitie thereof to him that will ſue for the ſame by Writ, Bill, plaint or information, in any court of Record, wherein no eſſoine, protection or wager of law ſhalbe allowed. An. 27. Elizabeth cap. 18.

70 ¶ Be it enacted and ordained by the authoritie of this preſent Parliament, that it ſhalbe lawful to and for all & euery ſuch perſon or perſons which now doe inhabite or dwell, or that hereafter ſhall inhabite or dwell in the townes or villages of Worſted and Langham, nowe vſing or exerciſing, or that hereafter ſhall vſe or exerciſe the feate or myſterie of making, weauing or rowing of cloth or kerſey by the ſpace of vii. yeres at the leaſt, or haue been or ſhalbe hereafter prentice therunto by the ſpace of vii. yeeres, to inhabite & dwell in the ſaide townes or villages of Worſted & Langham, & there to vſe the making, weauing or rowing of cloth or kerſey, as before the making of the ſtatute of the iiij. & v. yeeres of the raigne of king Philip & Queene Mary they might haue done, and as the ſaide act had neuer been had nor made: any thing in the ſaid act to the contrarie thereof made, or any other acte, Statute or lawe heretofore made, to the contrarie hereof in any wiſe notwithſtanding. Anno 27. Elizabeth, cap. 23.

Prentice

71 ¶ Whereas in the Parliamẽt holden at Weſtminſter in the fifth and ſixth yeres of the raigne of our late ſoueraigne lord king Edward the vi. one ſtatut was made intituled, An acte for the true making of woollen cloth, (which ſee before 53.) whereby (among other things) it was enacted, that all broad plunkets, azures, blewes, and other coloured cloth, which after the feaſt of S. Michaell the Archangel then next comming, ſhould be made within the ſhires of Wiltſhire, Glocester, or Somerſet, or elſewhere of like making, ſhould containe in length being throughwet, betwixt xx. & xxviii. yardes, yarde & inch of the rule, & ſhould be ſeuen quarters within the liſtes at the leaſt, and liſted according to the auncient cuſtome, and being wel ſcoured, thicked, milled, & fully dyed, ſhould weigh lxviii pound the peece at the leaſt, as by the ſaide Acte among diuers clauſes, articles and prouiſions contained in the ſame, more plainly is expreſſed: Sithens the making of which ſaide Statute, although the makers of the ſaide coloured clothes, haue endeuoured themſelues according to their beſt ſkill and induſtrie, to performe and fulfill the ſaide recited ſtatute in euery of their clothes, as much as in them did lye, as touching ỳ breadth of clothes, and to that end & purpoſe haue allowed and doe allowe ſo much yarne and ſtuffe to euery ſuch cloth as might ſufficiently ſerue, to make all the ſaid coloured clothes full out in length, breadth and weight, according to the ſaide Statute made in the fifth and ſixth yeeres of king Edward the firſt: Yet notwithſtanding

ding many times, by reason of the diuers natures in the wools, & by the great diuersities in the spinning, carding, & milling, many of the saide coloured clothes made within ỳ said Countie of Somerset and elsewhere of like making, doe not conteine full seuen quarters in breadth, according to the said statute made in ỳ fifth & sixth yeeres of king Ed. 6. and yet no default touching the said breadth can iustly be imputed to the maker thereof, for ỳ the said Clothmakers (as experiẽce daily sheweth) cannot obserue the said former statute in al the said clothes, as touching the breadth, although they endeuour thẽselues neuer so much therunto, which Clothes not containing their ful assize in breadth as is aforesaid, are many times taken & seised by the searchers of London, when they come to their market at Blackwel hall, to the great losse & damage of the said clothmakers, and to the great hinderãce of cloth making within the said Countie: In consideratiõ wherof, albeit it is not hereby intended, to repeale or make void the saide former recited statute, otherwise then is hereafter expressed: yet neuertheles be it enacted by the Quenes most excellent maiestie, with the assent of the lords spiritual and temporall, & the commons of this present parliament assembled, & by the authoritie of the same, that no person or persons shalbe hereafter charged for any such default, which hereafter shalbe, in any of ỳ said broad plunkets, azures, bleiwes, or other coloured cloths, for want of breadth of seuen quarters, so that the same cloth do conteine in breadth, being throughly wet, fiue quarters and an half at the least within the lists vnwrought, and listed according to the auncient custome, any thing in the said former recited Statute mentioned to the contrarie in any wise notwithstanding.

Plunkets
Azures
Bleiwes
Breadth

Prouided alwayes, and be it &c. that if any of the said clothes shall not conteine fiue quarters & an halfe at the least within the lists, as is aforesaid, that then euery person offending in that behalfe, shall for euery such cloth be subiect to such paines, penalties, & forfaitures, as were by force of the former recited statute of the fifth and sixth yeres of king Edward the sixth, to haue beene forfaited for want of breadth of seuen quarters within the lists.

Foyt.

And be it neuertheless enacted by the authoritie aforesaid, that if any of ỳ saide broad Plunkets, Azures, Bleiwes, or other coloured clothes, being wel scowred, thicked, milled, and fully dried, shall conteine in weight any lesse then lr viii. pounds at the least, that then euery of the said Clothiers therein offending, shal incurre double such penalties and forfaitures, for euery pound so wanting of the said weight, and not weighing after such rate as is before expressed in and by the said statute, made in the fift and sixt yeres of king Edward the sixt, is limitted and appointed.

Weight

Foyt.

And be it neuertheless enacted by the authoritie aforesaid, ỳ if any of the cloths to be made within the countie of Somerset or elsewhere, of like making, called Plunkets, Azures, & Bleiwes, being well scowred, thicked, milled and fully dyed, shall conteine in weight any lesse then lr viii. pounds at the least. Or if any of the said clothes shall conteine in lẽgth any more then rr vii. yardes at the most, that then euery of the same Clothiers therein offending, shall incurre double such penalties and forfaitures for euery pound so wanting, as by the said statute of the said fift and sixt yeres of the reigne of king Edward the sixt, are to such defaults limitted & appointed, & for euery yard that any such cloth shall conteine aboue rr vii. yards in length, & not weighing after such rate as is before expressed, the maker of euery such cloth shal incurr double the penalties by the statute of the fourth & fift yeeres of the reignes of king Philip and Queene Mary (which see before 60) to such defaults limitted and appointed. An. 35. Eliz. cap. 9.

Length

Foyt.

72. ¶ It may be enacted that from & after the first day of July nowe next comming, each kersey called Deuonshire kersey or dozen, which shal be made and wouen within the said Countie of Deuon, or any other Countie next adioyning therunto, being raw, vnscoured, vntucked and vnwet, as it commeth from the Weauers beame, & being made of cleane & perfect stuffe, that is to wit, of wool, shorne, cleansed & throughly washed or scoured, after the shearing & before ỳ weauing, without any fraude, deceit, pollicie or deuise, or any stuffe therunto deceitfully or vnlawfully added in the working, or after the working thereof, for increase of the weight, shall weigh in the market fifteene pounds or vpwards.

Deuonshire kersey or dozen

Weight

And that from and after the saide first day of July, every rawe Deuonshire kersey or dozen, from thencefoorth to be woouen and made in the said Countie of Deuon, or any of the other counties adioyning, being a Rudge washt kersey, that is to say, being made of fleece wool washed onely on the sheepes backe, and the wool not being cleansed, washed & scoured after it is shorne and before it is woouen, shal (without any fraude, deceit, policie, deuise, or addition of stuffe whatsoeuer, to increase the weight thereof) weigh in the market seuenteen pounds at the least being rawe as it commeth off the Weauers beame, and each and euery of ỹ same Deuonshire kerseis or dozens so being rawe, and as it commeth forth of ỹ weauers loome (without racking, stretching, straining or other deuise to increase the length thereof) shal containe in length betweene fifteene & sixteene yardes by the measure of yarde vnch by the rule, without which obseruation of weight being rawe, they cannot fall out (after they be well scoured, shirked & fully dyed) to containe the length & weight expressed & limitted in the statute of the fourth & fifth yeere of Philip & Mary, viz. twelue yards in length, & twelue pounds in weight, as hath been sufficiently made knowen and testified to her highnesse priuie counsail.

And if any Weauer shal worke or make any of the saide kindes of kersets of lesse weight or measure then is before mentioned after their kinde, euery such offender shall forfait for euery quarter of a pound in weight which any of the saide rawe kerseys or dozens, which shal bee brought to any market, or sold, or offered to be solde, shall want of their weight aforesaid, xii. d. And for euery quarter of a yard which shall bee wanting in length of either sort of the said kerseys, likewise being solde or offred to be solde, twelue pence. And that each sort of the saide kerseys or dozens shall be sewantly woouen throughout of well and like sorted yarn. And that no Weauer shall vse any deceitfull slitie in the bignesse or goodnesse of his yarne in any part of the saide kerseys, saving onely in the lists, nor vse any other practise in edging or weauing of any the same kerseys or dozens to make the same seeme finer where the edge or lists, then in other part of the same cloth. And that it may be further enacted by the authoritie aforesaide, that each Weauer shall weaue his Shopmarke of some coloured yarne in the ende of euery kersey, which hee shall hereafter weaue or make, and shall also at each end of euery of the same kerseys, weaue one purrell likewise of coloured yarne, of the breath of three quarters of an inch at the least, whereby the deceitfull cutting and diminishing of such clothes by Tuckers or Fullers heretofore vsed, may henceforth bee preuented. And if any Weauer shall vse any deceit in mingling his yarne, or shall omit his Shopmarke, or shall not weaue in euery kersey two purrels, according to the tenor of this Acte, hee shal forfait and loose for euery offence to the contrarie ten shillings. And to the ende that the weight and goodnesse of all the saide kerseys called dozens being rawe, may bee the better and more certainly knowen, It may further be enacted: That no Weauer nor any other person whatsoeuer, shall offer or put to sale any of the same rawe kerseys called dozens, before the same haue been viewed, weighed, and marked in some citie, towne corporate or market towne, and allowed by such officer, and marked with such markes as shall bee there in such Citie or Towne vsed and appointed for that purpose, vpon paine to forfait and loose for euerie cloth solde, or offered to be sold to the contrarie, twenty shillings, the one halfe of all which forfaitures shall bee to the vse of her Maiestie, her heires and successors, and the other halfe to the principall officer or Magistrate of the Citie, Towne corporate, or market Towne next adioyning to the dwelling or working place of such Weauers as shall offend in any of the premisses, if hee the same Officer or Magistrate shal first make seisure therof, or else to the principall Officer of that Citie, Towne corporate, or Market Towne where the same shall be sold, or offered to be sold, to be recouered by action of debt, bil, plaint, or Information, with costes, in any Court of Record, wherein no protection, wager of laive or essoine shall be allowed. And for the better discouerie of the offences aforesaide, and the more perfect accomplishing of the premisses, It may be also enacted, that the principall officer or Magistrate for the time being, in euery citie, towne corporate, or market town of the said Countie, or of any other of the Counties adioining, wher any such

kersies

Rudge Washkersey

Weighe

Length

Length Weighe

Weauer

Forf.

xii. d.

Shopman.

Purrell

Forf.

But to sale Marked

Forf.

kerſies called Deuonſhire kerſies or Dozens now are, or hereafter ſhalbe wouen, made, offred, or put to ſale, ſhall euery yeere from henceforth, appoint and haue in readynesse at all times needful, two or more diſcrete persons which ſhalbe ſpeciall and knowen Officers & Searchers, which ſhall attend and ſhall be at his and their entrie into his or their ſaide Office ſworne during his or their continuance in the ſaid Office, truly to viewe, weigh & marke eche kerſie called a Dozen, in ſuch Citie or Towne, or any of them, made, ſold, or offered to be ſold or put to ſale, and to preſent each offence or defect which ſhall there fall out contrary to the true meaning of this Statute, euery which Searcher or officer, ſo to be hereafter appointed for this purpoſe in any ſuch citie, towne corporate or market towne, ſhall by force of this acte, haue power and authoritie to enter in the daye time, into all ſhops, warehouſes, woorkehouſes & other places conuenient of the ſame Citie or towne where he or they ſhalbe ſo appointed, there to viewe, ſearch and ſe whether any kerſey or Dozen be made, ſolde or offered to be ſold contrary to the true meaning of this Acte, And alſo to ſe what paines, penalties, and forfeitures ſhalbe growen due to her Maieſty, by any woaeuer, ſeller or buyer, within the liberties and precincts of the ſame towne, taking onely of and for the weighing & marking of euery kerſey, a farthing for his paines, and ſo according to the number, and no more, which farthing vpon euery kerſey is to be paied by ỳ ſeller of the ſame kerſey. And if ſuch ſearchers & officers ſhall not be yerely appointed and attendant at all times reaſonable & conuenient, or ſhal neglect his or their dueties in the true ſearch, weighing & marking of the ſayde kerſeys, or any of them, or ſhal marke any one kerſey which wants of his weight, as is aforeſaide, that then & in euery ſuch caſe the chief Magiſtrate of euery ſuch citie and towne, ſhall forfait and loſe for euery ſuch offence of their Searcher or Searchers twenty ſhillings, and for euery market day they ſhal want two, or one at the leaſt of ſuch Searchers, the ſumme of fourty ſhillings to be leuied as hereafter is expreſſed. And that it may further be enacted, that from and after the ſaid firſt day of July, no maner of perſon or perſons whatſoeuer, ſhall buy any ſuch rawe kerſey called Deuonſhire kerſey or Dozen, in any Market or elſwhere, vnleſſe the ſame ſhall bee firſt tried, weighed, and marked by the Officers of ſome Citie, towne corporate or Market towne, as is aforeſaid. And that no Weauer, Tucker, Fuller, or other whatſoeuer, ſhall dreſſe or cauſe to be dreſſed any of the ſaid rawe Clothes called Deuonſhire kerſeys or Dozens, vnleſſe the ſame bee firſt tried, weighed, & marked in ſome one Market Towne by the Searcher or Searchers there in that behalfe appointed, vpon paine of forfeiture of euery ſuch kerſey ſo bought, dreſſed or put to dreſſing which ſhall not before be tried and marked as is aforeſaid mentioned. And for the auoyding of deceite of Tuckers or Fullers, that it may be enacted, that no Clothier, Maker, Fuller or other perſon whatſoeuer, ſhall at any time from henceforth cut or diminiſh the length of any kerſey called Deuonſhire Kerſey or Dozen, and after offer or put the ſame to ſale as a whole Kerſey or Dozen, vpon paine of forfaiture of twentie ſhillings for euery of the ſame Kerſeys or Dozens ſo cut or diminiſhed, the one halfe of all and euery which forfaitures, not before limitted and appointed, ſhall be to our Soueraigne Lady the Quéene, and the other half to him or them that will ſue for the ſame by action of debt, Bill, plaint, or Information, in any court of Recorde, wherein the plaintife is to recouer his coſtes, Alſo wherein no Protection, Wager of Lawe, or Eſſoine ſhal bee allowed. This Acte to endure vntill the end of the next Parliament. An. 35. Eliz. cap. 10.

Searchers
Sworne
Enter
Shops
Searchers officers
Foyſt.
Fuller
Dreſſe
Foyſt.
Tuckers Fullers
Cut
Foyſt.

Dures.

ANno 1. E. 3. cap. 4. it was enacted that fines, gifts, grants and recognisances made after the exile of the Spencers by dures ſhould be auoided &c.

2 ¶ Whereas manye in this Realme in the time of the kings father that nowe is, by meanes of his falſe and euill Counſellors, haue men excited by dures, to bind theſelues by writing to come to the king with force and armes whenſoeuer they ſhould bee ſent for, vpon paine of life and lim, and to forfait al that euer they might forfait: by vertu of which writings diuers of his land haue often bin deſtroyed: The king conſidering that ſuch writings were made to the kings diſhonor, ſithence that euery man is bound to do to ỳ king as to his

Spencers

his liege Lord, all that pertaineth to him without any maner of writing, wil that from hereforth no such writing be made, & that such as be made by the sight of the Chauncelor & Treasorer, shal be shewed to the king, & the king shall cause all such as be made against right & reason to bee cancelled. An. 1. Ed. 3. stat. 2. cap. 15.

Writing

Chancellor. Treasor.

Clergie

Tithes

Spirituall court

3 ¶ The Prelates and Clergie of this realm do greatly complain them of that, that people of holy Church, pursuing in the spiritual court of their tithes, & their other causes, which of right ought and of old times were wont to pertaine to the same spiritual court, & that the iudges of holy Church hauing cognisance in such causes, & other persons thereof medling according to the lawe, be maliciously and vnduly by this cause indicted, imprisoned & by seculer power grieuously oppressed, & also inforced with violence by othes and grieuous obligations, and by many other meanes vnduely compelled to leaue and cease vtterly from hauing the things aforesaid, against the liberties & franchises of holy Church: Wherefore it is assented, that all such obligations made or to bee made by dures of vyolence, shalbe of no valor, and as to those that by malice doe procure such indictments, & bee also themselues indictors, after that the same indictées be so acquit, such procurors shal haue and incurre the same pain that is contained in the statute of Westm. 2. of those that procure false appeales to be made. And þ Iustices of assise & other Iustices before whome such indictes shall bee acquited, shal haue power to inquire of such procurors and indictors, and duely to punish them after their desert. Anno 1. Rich. 2. cap. 13.

Obligatiõs Indictmẽts.

Iust. of ass.

4 ¶ Anno. 5. R. 2. cap. 6. it was enacted that al writings and bondes made by duresse in the time of the late insurrection, should be voyde, and should be restored, & all Entre and feoffements then made by duresse should be voyd.

¶ Durham.

A Act (not printed) was made in Anno 7. Edw. 6. whereby the Bishoprike of Durham was dissolued, & that the King should haue the landes and hereditamẽts thereof: & another act was made in An. 7. E. 6. cap. 10. whereby the Towne of Garshid was united to Newcastle vpõ Tine. But these two Acts be repealed by 1. M. Parl. 2. cap. 3. And by this Act the Bishoprike of Durham is reuiued and erected and thereto annexed all the Ecclesiasticall and Temporall iurisdictions: and the towne of Garthide, and al landes and hereditamẽts before belonging to the Bishoprike, and diuers matters be at large in this acte concerning these matters. Therefore se this statute.

Garthide

Newcastle

2 ¶ Where the Bishoprike of Durham is, and of long time hath bin an auncient county Palantine of it selfe: in which Bishoprike the Quẽns writte hath not, nor yet doe runne, so that the writ of proclamation awarded vpon an Exigend against any person or persons inhabiting within the same Countie in any action whereupon processe of Outlawrie doth lye, according to the Statute made in the first yere of the raigne of the late king Henry the eight (after in Exigent & Outlawry 5.) cannot be directed to any Shirief, or other officer within the saide Bishoprike, but vnto the Shirife of the Countie next adioyning vnto the said Bishoprike, so that the partie dwelling within the saide Bishoprike: against whome any such Exigend and Proclamation hath bin or shall bee awarded, hath not had, nor hereafter can haue any knowledge of the same suit or Processe: by reason wherof many persons inhabiting within the sayd Bishopricke without knowledge haue bene outlawed, & hereafter are like to be outlawed, in like maner to their vtter vndoinges if some spedy remedy bee not the sooner prouided. Be it therefore, & for diuers other good consideratiõs enacted, ordeined & established by the authoritie of this present Parliament, that whensoeuer any writ of Exigend, at any time after þ first day of Aprill next comming, shalbe awarded at the suit of our soueraigne Lady the Quẽns Maiestie, hir heires or successors, Kings or Quẽnes of this Realme, or at the sute or suits of any other persõ or persons, plaintife or plaintifs, in any action or sute in any of the Courts of our said soueraigne Lady, her heires or successors, Kings and Quẽnes of this Realm, commonly called the Kinges Bench, and the Common place, against any person or persõs dwelling within the said Bishopricke: that then immediatly vpon the awarding of euery such Exigend, þ Iustice or Iustices before whome any such writ of Exigend vpon such suit or action shall be sued, shall haue full power & authoritie

K. Bench C. Place.

by

Awarde by vertue of this acte, to awarde one writ of proclamation, according to the tenor and effect of Writs of Proclamation awarded vpon exigends, and commonly directed out of any of the saide Courts into London, or into any other shires of this Realme, against any person or persons dwelling in other shire or shires of this Realm, where ỳ Quenes writ doth runne according to the order and forme of the said act, made in the vj. yere of the raigne of the said late king to be directed to the Bishope of Durham for the time Bishop Chancellor. being, & during the vacation of the Bishoprike, then to the Chauncelor of the saide Bishoprike or Countie Palantine for the time being, where it shall happen the saide defendant against whome any such accion shall be sued, as is aforesaid, to Shirife be dwelling, & not to ỳ shirif of any other shire next adioyning to the saide bishoprike or County Palantine (any law, custome or vsage heretofore vsed to the contrary notwithstanding.) And that euery such writ of Proclamation so to be hereafter awarded to such Bishop or Chauncelor of the said bishoprike or County Palantine, shall haue the same Teste & daye Teste of returne, as the exigendes whereupon euery such writ of Proclamation shall be awarded, shall haue: And that euery such Bishop or Chancelor, to whom any of the saide writ or writs of Proclamation shalbe directed, shal by his or their Mandat, directed to ỳ Shirif of the said county Proclamation palantine, cause proclamation to be made of the same writs of proclamation, according to the tenor of the same, & shal make Returne true returnes of the same, in such court & Courtes, and before such Justices as the tenor of the same Writ & Writts of proclamation shall require and demaund. Outlawrie And that all outlawries hereafter to bee promulged or pronounced against any person or persons, vpon any such exigent or exigents awarded against any perso or persons, dwelling within the said bishoprick or County Palantine, & no writs of proclamatiõ awarded in forme aforesaid, to the Bishop or Chauncelor aforesaide, where the party defendant shall bee, as is aforesaid, dwelling, or not returned as afore said, to be clerely void & of none effect nor force in the lawe. Voyd

And be it further enacted by the authoritie aforesaide, that euery Bishop of the said Bishoprike, for the time being, & during the vacation of the said Bishoprike, Vacation the Chauncelor of the said County palantine for the time being, shal haue in euery of the saide Courts of the kings Bench & Common pleas, one sufficient deputie at One deputy the least, to receiue al such writs of Proclamations which shalbe hereafter directed to euery such Bishop or Chauncelor of the saide Bishoprike or Countie Palantine, for whome the same deputie or deputies shall bee appoynted, in like maner and forme, and vpon like paines, as by the former statutes and lawes of this Realme, the Shirikes of other shires or Counties, within this realme of Englãd, bee bounde to haue in either of the same Courtes, & that al such writts of Proclamation as aforesaid, shalbe deliuered vnto euery such deputie or deputies of Record in the same Courts, & either of them, & also like fees shal be paied for making of Fees euery such writ of Proclamation, & for inrolling the same of Record, as is limit- Inroll ted in the same Statute made in the first yere of the saide King Henry the 8. And bee it further &c. that if any such writ or writtes of Proclamation hereafter to be directed to any Bishop or Chauncelor of the said Bishoprike or Countie Palantine, be deliuered vnto any of the said Bishops for the time being, or during the vacation of ỳ said bishoprik to the Chancelor of the saide Countie Palantine for the time being, or to his or their deputie or deputies, in maner & forme aforesaide, and the same Bishop for the time being, or during the vacation of the said bishopricke, the saide Chauncelor of the saide Countie palantine for the time being, do not make true returne of euery such writ Truereturn and writs of Proclamation to them directed into such Court & Courts, out of which the said writ or writs of proclamation shalbe awarded: That for euery such Default default of non returne, euery such bishop for the time being, & during the vacation of the saide Sea, the said Chauncelor for the time being, so failing to make due returne, shall lose & forfeit fiue pounds, the Forf. one halfe whereof shal be to the Quene, her heires and successors, and the other half therof to any such person or persons, as will sue for the same, in any action of debt to be grounded vpon this Acte in any of the Quenes Courts of Record, wherein no essoine, protection or wager of law, shall be allowed or admitted.

Prouided alwaies that this acte, or any thing therein contained, shall not in any wise

wiſe extend, or be preiudiciall to any Biſhop of the ſaide Biſhoprike of Durham, for or concerning ſuch liberties, Fraunchiſes, or priuiledges as belong to ỳ ſame Biſhopes Biſhoprike or Sea, or to any miniſters or officers of the ſame Biſhoprike or Countie Palantine, otherwiſe or in any other maner, thẽ by the true meaning of this acte is before prouided or declared, any thing in this acte mentioned to the contrary notwithſtanding.

Franchiſes

Prouided alſo, that if any perſon or perſons dwelling within the ſaid Biſhoprike or Countie Palantine, after the foreſaid firſt daye of Aprill, ſhall bee outlawed in any ſuch ſuite or action as is aforeſaide: That then all Writts of ſpeciall Capias vtlagatum, ſingle Capias vtlagatum, Non moleſtandum, and all other proceſſe, for or againſt any perſon or perſons ſo outlawed, ſhall and may from henceforth bee directed from time to time to the Biſhop of the ſayde Biſhoprike and Countie Palantine for the time being, and during the vacation of the ſaid Sea, to the Chauncelor there for the time being, who ſhall make like Writtes and Proceſſes thereupon and of like effect ſealed with the ſeale of their ſaid officers, to bee directed to the Shirife of the ſaide County Palantine for the time being, as heretofore hath bene vſed and accuſtomed in ſuch caſes.

Proces

Seale

Prouided alwaies, & be it further enacted by the authoritie aforeſaid, that vpon any writ of Proclamation to be awarded by vertue of this Acte, and the Mandat thereupon to be made to the Shirieſe, and the execution therof, there ſhalbe but one onely Fee taken, receiued or demaunded for the ſame, by the ſaid Biſhop, Chauncellor and Shirief of the ſaid Countie Palantine for the time being.

Mandat

One fee.

¶ Eccleſiaſticall iuriſdiction.

IT may bee ordeined and enacted by authoritie of this preſent Parliament, that all & ſinguler perſons aſwell lay as thoſe that now be maried or hereafter ſhal bee married, being doctors of the ciuil lawe, lawfully created & made in any vniuerſitie, which ſhalbe made, ordeined, conſtituted & deputed to be any Chauncelor, Vicar generall, commiſſary, officiall, ſcribe or regiſter, by your Maieſtie or any of your heires or ſucceſſors, or by any Archbiſhop, Biſhop, Archdeacon or other perſon whatſoeuer, hauing authoritie vnder your Maieſtie, your heires or ſucceſſors, to make any Chauncelor, Vicar generall, Commiſſarie, Officiall or Regiſter: may lawfully execute, and exerciſe all maner of iuriſdiction commonly called Eccleſiaſticall iuriſdiction, and all cenſures & cohercions appertayning, or in any wiſe belonging vnto the ſame, albeit ſuch perſon or perſons be lay, maried or vnmaried, ſo that they be doctors of the ciuil law as is aforeſaid, any law, conſtitution or ordinance to the contrary notwithſtãding, An. 37. Hen. 8. cap. 17.

Mariage D. of ciuil lawe

Chauncelor Vicar generall Commiſſarie Archbiſhop

Officiall Regiſter

Maried

Aegyptians.

FOraſmuch as before this time diuers and many outlandiſh people, calling themſelues Egyptians, vſing no craft nor feate of Marchandiſe, haue commen into this Realme, and gone from ſhire to ſhire, and place to place in great companes, and vſed great ſubtiltie and craftie meanes to deceiue the people, bearing them in hand that they by Palmiſtrie could tell mens and womens fortunes, and ſo many times by craft and ſubtiltie haue deceiued the people of their money: And alſo haue committed many and hainous felonies, and robberies, to the great hurte and deceit of the people that they haue comen among.

Egiptians

Palmeſtry

Felonies Robberies

We it &c. that from henceforth no ſuch perſons bee ſuffered to come within this Realme, and if they doe, then they & euery of them ſo doing ſhall forfait to the King all their goods and cattals, & then to be commaunded to auoyd the Realme within xv dayes next after the cõmandement, vpon paine of impriſonment. And it ſhall bee lawfull to euery Shirife, Iuſtice of Peace and Eſcheator to ſeiſe to the vſe of the king &c. all ſuch goods as they or any of them ſhall haue, and thereof to make accompt in his Eſchequer. And if it ſhall happen any ſuch ſtranger hereafter to commit within this Realme any murther, robberie or any other felonie, and thereof bee indicted and arraigned, and to plead not guiltie, or any other plea triable by the Country, that then the Inqueſt that ſhall paſſe betẽne the King and any ſuch partie, ſhalbe altogether of Engliſh men, albeit that the partie ſo indicted pray Medietatem linguæ, according to the ſtatute of Anno 8. H. 6. or of any other ſtatute thereof made.

Forf.

Impriſ. Shirife Iuſt. of P. Eſcheator Seale Accompt Eſcheator

Murder Felonie Indictement

Inqueſt

Engliſhmen

Medietas ling.

Prouided

Goods

Restore

Fork.

Action of debt

Iust. of P. Shirife Escheator

Retaine the moitie

Accompt Eschequer

Accompt

No fees

Transport

Egyptians

Prouided alway that euery such person or persons which can proue by two credible persons before the same partie that seiseth such mony, goods, or cattels of the Egyptians, that any part of the same goods, money or cattels were craftely or feloniously take or stollen from him, shal bee incontinently restored vnto the same goodes, mony or cattels whereof he maketh such proofe before the same partie that so seiseth the same money, goodes or cattels, vpon paine to forfait to the same partie that maketh such proof, the double value of the same, by action of debt, bill or otherwise in any of the kings Courts &c. wherein &c. any thing in this acte to the contrary notwithstanding.

Prouided alwaies, and be it further enacted, that if any Iustice of peace, Shirife or Escheator, which by authoritie of this act, haue power to take or seise any goods or cattels, of any Egyptians, at any time hereafter doe seise or take the goods or cattels of any such Egyptians, that then euery such Iustice, Shirife or Escheator doing the same, shall haue, kepe and retaine to his own vse, the moitie of al such goods, so by him seised, & of ẏ other moitie so by him taken or seised shall make accompt to the King in his Eschequer, according to the tenor of this present act, any thing in the same acte to the contrarie hereof notwithstanding. And that vpon any accompt hereafter to bee made for the saide other moitie of the same goods, the accomptant shal paye no manner of fee or other charges for his accompt or discharge to bee had in the kings Eschequer or elswhere. Anno 22. H. 8. cap. 10. But see here 2. & 3. a greater penaltie appointed.

☞ 2 ¶ Forasmuch as diuers, calling themselues Egyptiãs, not fearing the penalty of the statute 22. H 8. cap. 10. (before 1.) haue come ouer againe into this Realme vsing their old, accustomed, deuilish and naughtie deuises, with such abhominable liuing, as is not in any Christian Realm to be permitted, & bee not duely punished for the same: For reformation whereof, be it &c. that if any person or persõs after the last day of January next comming, doe willingly transport bring or conuey into this Realme of England or Wales, any such persons calling themselues, or commonly called Egyptians, that then he or they so transporting, bringing or conueying in any such persons, contrary to the true meaning of this act, shall forfait and lose for euery time so offending xl. li. of lawfull money of England. Fork.

And be it &c. that if any of the saide persons called Egyptians, which shall bee transported, & conueyed into this Realm of England or Wales, as is aforesaide, doe continue & remaine within the same by the space of one moneth, that then hee or they so offending shall by vertue of this act, bee deemed and adiudged a Felon and Felons, and shall therefore suffer paines of death, losse of landes & goodes, as in cases of Felonie by the order of the Common lawe of this Realme, and shall vpon the triall of them or any of them therein, bee tried in the Countie, and by the inhabitants of the County or place, where they or hee shall bee apprehended or taken, and not per Medietatem linguæ and shall lose the benefit and priuiledge of Sanctuarie and Clergie. Cõtinuons moneth. Felony. Trial Countie. Medietas ling. Clergie

And bee it further enacted &c. that if the Egyptians and other persons commonly calling themselues Egyptians, & euery of them now being within this Realm of England or Wales, do not depart out of the same within twentie dayes next after Proclamation of this present act shall be made: That then he or they which shal not depart within the saide time, according to the true meaning of this acte, shal forfait and lose al his and their goods and cattels, & that then it shalbe lawfull to al and euery the Kings, and the Queenes subiects, to seise the same: the one moitie thereof to be to the vse of our Souereigne Lord & Lady the king & Quéne, & the other moity thereof to be to the vse of him, or them that shal so seise the same. And be it also enacted by the authoritie aforesaid, that if the Egyptians, and other persons commonly called Egyptians, and euery of them, now being within this Realme of England or Wales, do not depart out, and from the same, within xl. daies next after Proclamation shall be made of this acte, that then he or they which shall not depart, & auoide within the said time of xl. dayes, according to the true meaning of this act, shall be adiudged and deemed according to the Lawes of this Realme of England, a felon and felons, and shal suffer therefore paine of death, losse of lands and goods, as in other cases of felony: and shall bee tried as is beforesaid, & without hauing any benefit, or priuiledge of sanctuary or Clergie. Depart xx. dayes Proclamation. xl. dayes. Felony. Clergie

And

And be it further enacted by the authoritie aforesaid, that if any person after the first day of January next comming, shal sue for the obtayning of any licence, letter, or passport, for any of the said persons called Egyptians, to abide or continue within this realm of England or Wales, contrary to the tenor of this acte: that then euery such person so suing, shall forfait and lose for the same xl. poundes, of lawfull money of England, and that euery such licence, letter and passport, shall bee by vertue of this acte, voyde to all intents and purposes: The one moitie of all which summes of money to be forfaited, as is before saide, shall bee to the king and Quéene, our Soueraigne Lord and Lady, and the other moitie thereof to bee to him or them that will sue for the same in any Court of Record, by accion of debt, bill, plaint, or information, wherin no essoine, wager of law nor protection shalbe admitted or allowed.

Forf.

Voyde

Prouided alwaies, and be it enacted by the authority aforesaid, that this present act, nor any thing therein contained, shall not extēd, nor be hurtful to any of the said persons commonly called Egyptians, which within ỳ said time of xx. daies next after the said proclamation to be made, as is before saide, shall leaue that naughtie, idle, and vngodly life, and companie, & be placed in the seruice of some honest & able inhabitant, or inhabitans, within this realm, or that shall honestly exercise himself in some lawfull worke or occupation, but that hee or they so continuing in seruice, or other lawful worke or occupatiō, shal during such time as he or they shal so continue, be discharged of al paines & forfaitures contained in this acte.

Leaue idle life

Prouided also and bee it enacted by the authoritie aforesaid, that this act shal not in any wise extend to any child or children being not aboue the age of xiiij. yeres, nor to any of the said persons, being nowe in prison, so that he or they so being in prison doe depart out of this Realm within xiiij. dayes, next after his or their deliuery out of prison, nor shall extende to charge any maner of person or persons, as accessory to any offence or offences, contained or specified in this statute. Anno 1. & 2. Ph. & Mar. cap. 4. See here 3. an inlargement of this statute.

Children

Prisoners

Accessorie

☞ 3 ¶ Whereas since the acte of 1. & 2. P. & Mar. cap. 4. (before 2.) there is doubt risen, whether persons borne within the Queenes Dominions, and being of that felowshipp by disguysing their apparell & counterfeiting their speach or behauiour, be punishable by the said statute, as other of that sort are, being strangers borne, & transported into this Realme: For auoyding of all doubt: Bee it enacted, that the said Statute made in the first and seconde yeeres of the said late King and Quæne, concerning those vagabōds, calling them selues Egyptians, shal continue, remaine and be in ful force, strength & effect. And yet moreouer, be it enacted by the authoritie aforesaide, that all and euery person and persons, which from and after the first day of May now next insuing, shall bee seene or founde within this Realme of England or Wales, in any company or fellowshipp of vagabonds, commonly called, or calling themselues Egyptians, or counterfaiting, transporting, or disguysing themselues by their apparell, speach, or other behauiour, like vnto such vagabonds, commonly called or calling themselues Egyptians, and so shall, or do continue and remaine in the same, either at one time or at seuerall times, by the space of one Moneth: that then the same person or persons shall by vertue of this acte, bee deēmed and iudged a Felon and felons, and shal therefore suffer paines of death, losse of landes & goods, as in case of Felony: by the order of the cōmon lawes of this Realme: and shall vpon the tryall of them, or any of them therein, be tryed in the Countie, and by the inhabitants of the Countie or place, where they or hee shalbe apprehended or taken, and not per Medietatem linguæ, & shall lose the priuiledge & benefit of Sanctuary & Clergy.

Vagabonds

Wales

Apparell Speach

1. Moneth

Felonie Landes Goods

Triall

No sanctuary nor clergy

Prouided alwaies & bee it enacted by the authoritie aforesaid, that this act shal not in any wise extēd to any child or children, being within the age of fourteene yeeres, nor to any of the saide persons being in prison the last daye of this present Parliament, so that he or they so being in prison, do within xiiij. dayes next after his or their deliuerie out of prison, either depart out of this Realme of England and Wales, or put him or themselues to some honest seruice, or exercise some lawfull worke, trade, or occupation, & vtterly forsake the said idle & false trade, conuersation, and behauiour of the said counterfait or disguysed vagabonds, commonly called, or calling themselues Egyptians.

Children

Depart

Seruice

Prouided also, and bee it enacted by the authoritie

authoritie afoꝛesaid, that the said act made in the first and second yéeres of the saide late king and Quéene, shall not extend to compell any person oꝛ persons, boꝛne within any of the Quéens Maiesties dominions, to depart out of this Realme of England and Wales, but onely to constraine and bind them, and euery of them, to leaue their said naughtie, idle, and vngodly life & company, and to place themselues in some honest seruice, oꝛ to exercise themselues at home with their parents, oꝛ elsewhere, honestly in some lawfull woꝛke, trade, oꝛ occupatiõ: any thing mentioned in the said foꝛmer act to the cõtrary hereof in any wise notwithstanding. Anno. 5. Eliz. cap. 20.

Boꝛne within

Seruice

¶ Election

BEcause elections ought to bee frée, the king commaundeth vpon great foꝛfaiture, that no great man oꝛ other, by foꝛce of armes, oꝛ menacing, shall disturbe any to make frée election. Westm. 1. cap. 5. An. 3. Edw. 1.

Foꝛce Disturbe

2 ¶ If any dignitie bee vacant where election is to be made, it is desired that the electoꝛs oꝛ chosers may frélye make their election without feare of any Tempoꝛall powꝛer, and that all pꝛayes & oppꝛessions shall in this behalfe cease. The answer is, they shalbe frée, accoꝛding to the statutes and oꝛdinances. Articuli cleri, cap. 14. Anno. 9. Edw. 2.

Free

3 ¶ If any person oꝛ persons, bodies politike oꝛ coꝛpoꝛate, which haue election pꝛesentation, oꝛ nomination, oꝛ voyce, oꝛ assent in the choise, election, pꝛesentation, oꝛ nomination of any Fellow, Scholler, oꝛ any other persõ, to haue rome oꝛ place in any the saide Churches, Colledges, Schooles, Hospitals, Halles, oꝛ societies, shall at any time after xl. dayes next after the ende of this pꝛesent session of Parliamẽt, haue, receiue, oꝛ take any monie, fée, reward, oꝛ any other pꝛofit directly oꝛ indirectly, oꝛ shall take any pꝛomise, agreement, couenant, bond, oꝛ other assurance, to receiue oꝛ haue any money, fée, reward oꝛ any other pꝛofite, directly oꝛ indirectly, either to him oꝛ thẽselues, oꝛ to any other of their, oꝛ any of their friends, foꝛ his oꝛ their voyce oꝛ voices, assent oꝛ assents, oꝛ consents, in electing, chosing, pꝛesenting, oꝛ nominating any Officer, Fellowe, Scholler, oꝛ other person, to haue any rome oꝛ place in any the saide Churches, colledges, halles, schooles, hospitals, oꝛ societies: that then & from thencefoꝛth, the place, rome, oꝛ office, which such persõ so offending, shall then haue in any the saide Churches, colledges, schooles, hales, hospitals, oꝛ societies, shal be voyd. And that then alwell the Quéenes Maiestie, her heires & succesoꝛs, & euery other person & persons, oꝛ their heires, and succesoꝛs, to whom the pꝛesentatiõ, donation, gift, election, oꝛ disposition, shal of right belong oꝛ appertaine, of any such of the said romes oꝛ places of the saide person offending as afoꝛesaid, shal oꝛ may at their pleasure, elect, pꝛesent, nominate, place, oꝛ appoynt any other person oꝛ persons, in the rome, office, oꝛ place of such person oꝛ persons so offending, as if the said person oꝛ persons so offending then were naturally dead.

Place

Voyde

And be it further enacted by the authoritie afoꝛesaide, that if any Fellow, Officer, oꝛ Scholler, of any the saide Churches, Colledges, schools, hales, hospitals, oꝛ societies, oꝛ other persons, hauing roome oꝛ place in any, of the same, shall at any time hereafter directly oꝛ indirectly take oꝛ receiue, oꝛ by any way, deuice, oꝛ meanes contract to agrée oꝛ haue oꝛ receiue any money, reward, oꝛ pꝛofite whatsoeuer, foꝛ the leauing oꝛ resigning vp of the same his rome oꝛ place, foꝛ any other to bee placed in the same: that then euery person so taking, oꝛ contracting, oꝛ agréeing to take oꝛ haue any thing foꝛ the same: shall foꝛfait & lose double the summe of money, oꝛ value of the thing so receiued and taken, oꝛ gréed to be receiued oꝛ take. And euery person by whom, oꝛ foꝛ whom any money, gift, oꝛ reward, as afoꝛesaid, shall be giuen, oꝛ agreed to be payed, shall bee vncapable of that place oꝛ roome foꝛ that time oꝛ turne, and shall not bee, noꝛ had, noꝛ taken to bee a lawfull Fellow, Scholler oꝛ Officer of any the churches, colledges, halls, hospitals, schooles, societies, & to haue such roome oꝛ place there: but that they to whom it shal appertaine, at any time hereafter, shal and may elect, chose, pꝛesent and nominate any other person fit to bee elected, pꝛesented, oꝛ nominated into the said roome oꝛ felowship, as if the said person, by, oꝛ foꝛ whom any such money, gift, oꝛ reward shal be giuen oꝛ agréed to bee payed, were dead, oꝛ had resigned and left the same. And foꝛ moꝛe sincere election, choise, pꝛesentation, & nomination of Fellowes, Schollers, Officers, and other persons, to haue roome oꝛ

Contract

Resigne

Foꝛf. Double valu

Uncapable

New election

place

place hereafter in any of ỳ saide churches Colleges, Halles, Schooles, Hospitals, & other like societies.

Election

Read

Forf.

Bee it further enacted by the authority aforesaide, that at the time of euery such Election, presentation, or nomination hereafter to bee had, as well this present acte, as the orders and Statutes of the same places, concerning such election, presentation, or nomination to bee had, shall then and there bee publikely read, vpon paine that euery person, in whome default there of shal bee, shal forfaite and lose the summe of xl. pound.

Moitie

Symonie

All which forfaitures, shall & may bee had and recouered, in any her Maiesties Courts of Record, by any person or persons, bodies politike & corporate, that will sue for the same, by bil, plaint, or action of debt, in which no essoine, protectiõ, or wager of law shalbe allowed. The one moitie wherof shalbe to him or them that will sue for the same, & the other moitte to the vse of the saide Church, Colledge, Hall, Hospital, Schoole, or societie, where such offence shall be committed. And for the auoyding of Symonie and corruption in presentations, collations, and donations, of and to benefices, dignities, prebends, & other liuings & promotions Ecclesiasticall, and in admissions, institutions, and inductions to the same.

Reward

Assurance

Present

Liuing Ecclesiasticall

Voyde

Queene

Be it further enacted by the authoritie aforesaid, that if any persõ or persons, bodies politike or corporate, shall or doe at any time after the end of xl. days, next after the end of this Session of parliament, for any sume of money, reward, gift, profite, or benefite, directly or indirectly, or for, or by reason of any promise, agreement, graunt, bond, couenant, or other assurance, of, or for any summe of money, reward, gift, profit or benefit, whatsoeuer directly, or indirectly, present or collate any person to any benefice with cure of soules, dignity, prebend, or liuing Ecclesiasticall, or give, or bestow the same, for, or in respect of any such corrupt cause or cõsideration: that then euery such presentation, collation, gift & bestowing, and euery admission, institution, inuesture & induction thereupon, shall be vtterly voide, frustrate and of none effect in lawe. And that it shall and may be lawfull, to, & for the Queenes Maiestie, her heires & successors: to present, collate vnto, or give, or bestowe euery such benefite, dignitie, prebend, & liuing Ecclesiastical for that one time or turne onely, and that all and euery person or persons, bodies politike and corporate, that from henceforth shall give or take any summe of money, reward, gift, or benefit, directly or indirectly, or that shall take or make any such promise, graunt, bond, couenant, or other assurance, shall forfait and lose the double value of one yeres profite, of euery such benefice, dignitie, prebend, and liuing Ecclesiasticall, and the person so corruptly taking, procuring, suing, or accepting any such benefice, dignitie, prebend, or liuing, shall thereupon, and from thence forth bee adiudged a disabled person in lawe, to haue, or enioy the same Benefice, Dignitie, Prebend, or liuing Ecclesiasticall.

Turne

Take or giue

Forf.

Disabled

And bee it further enacted, that if any person shal at any time after xl. days next after the end of this Session of Parliament, for any summe of money, reward, gift, profit, or commodity whatsoeuer, directly or indirectly (other then for dialls and lawful fees) or for or by reason of any promise, agreement, graunt, couenaunt, bonde, or other assurance, of, or for any summe of money, reward, gift, profite, or benefit whatsoeuer, directly or indirectly, admit, institute, install, induct, inuest, or place any persõ, in, or to any benefice with cure of soules, dignity, prebend, or other liuing Ecclesiasticall: That then euery such person so offending, shal forfaite and lose the double value of one yeres profite of euery such Benefice, Dignity, Prebend, and liuing Ecclesiastical. And that thereupon immediatly from & after the inuesting, installation or induction thereof had, the same Benefice, dignity, prebend, & liuings Ecclesiasticall, shall bee eftsones, merely voyd. And that the patron, or parson to whom the aduowson, gift, presentation, or collation shall by lawe appertaine, shal and may by vertue of this act, present or collate vnto, giue & dispose of the same benefice, dignitie, prebend, or liuing ecclesiasticall, in such sort, to all intents & purposes, as if the party so admitted, instituted, installed, inuested, inducted or placed, had bene, or were naturally dead.

Reward

Admit Institute Induct

Forf.

Voyde

Prouided alwayes, that no title to conferre, or present by Lapse, shal accrue vpõ any voydance mentioned in this acte, but after vj. Moneths next after notice giuen of such voydance by the Ordinarie to the Patron.

Lapse

Notice

And be it further enacted by the authoritie

ritie aforesaide, that if any Incumbent of any benefice with cure of soules, after the end of the saide xl. daies, doe, or shall corruptly resigne or exchange the same, or corruptly take for, or in respect of the resigning or exchanging of the same, directly or indirectly, anie pension, summe of money, or benefite whatsoeuer: that then aswell the giuer, as the taker of anie such pension, summe of money, or other benefite corruptlie, shall lose double the value of the summe so giuen, taken, or had: The one moitie aswel thereof, as of the forfaiture of double value of one yeares profite before mentioned, to be to the Quenes Maiestie, her heires and successors, & the other moitie to him or them that will sue for the same by action of debt, bill, or information, in any of her Maiesties Courts of Record, in which no essoine, protection, or wager of law or priuiledge shall be admitted or allowed.

Resigne Exchange

Forf.

Moitie

Prouided alwaies, that this act, or anie thing herein contained, shall not in anie wise extend to take awaie, or restraine anie punishment, paine or penaltie, limitted, prescribed, or inflicted by the lawes Ecclesiastical, for anie the offences before in this acte mentioned, but that the same shal remaine in force, & may be put in due execution, as it might bee before the making of this act: this act, or anie thing therein contained to the contrarie thereof, in anie wise notwithstanding.

Penaltie

Ecclesiastical Lawes

Prouided further, & be it enacted by the authoritie aforesaid, that if anie person or persons whatsoeuer, shall or doe at anie time after the ende of this Session of parliament, receiue or take anie money, fee, reward, or any other profit, directly or indirectly, or shall take anie promise, agreement, couenant, bond, or other assurance, to receiue or haue any money, fee, reward, or any other profite, directly, or indirectly, either to him or themselues, or to any other of their, or anie of their friends, (all ordinarie and lawfull fees onely excepted) for, or to procure the ordaining or making of anie Minister or Ministers, or giuing of any orders, or licence or licences to preach: that then euerie person and persons so offending, shal for euery such office, forfait and lose the summe of xl. pounds, of lawfull money of England. And the partie so corruptly ordained or made Minister, or taking orders, shall forfaite and lose the summe of v. pounds. And if at anie time within vij. yeares next after such corrupt entring into the Ministerie, or receiuing of orders, he shall accept or take anie benefice, liuing or promotiō Ecclesiasticall: that then immediatlie from and after the induction, inuesting, or installation thereof, or thereinto had, the same benefice, liuing, and promotion Ecclesiasticall, shall be estsones meerely voide, and that the Patron or Parson, to whom the aduowson, gifte, presentation or collation, shall by law appertaine, shall and may by vertue of this act, preset or collate vnto, giue, and dispose of the same benefice, liuing, or promotion Ecclesiasticall, in such sort, to all intents and purposes, as if the partie so inducted, inuested, or installed, had bin, or were naturally dead: anie lawe, ordinance, qualificatiō, or dispensation, to the contrary notwithstanding: The one moitie of all which forfaitures shall be to our soueraigne Ladie the Quene, her heires and successors, & the other moitie to him or them that will sue for the same, by action of debt, bill, plaint, or information, in anie of her Maiesties Courts of Record, in which no essoine, protectiō, priuiledge, or wager of law shall be admitted or allowed. Anno 31. Eliz. cap. 6.

Procure

Orders

Forf.

¶ England and Englishmen.

THat by ẏ cause or colour of that, that we be King of Fraunce, and that the said Realme to vs pertaineth, as afore is said, or that wee doe vs to be named King of Fraunce in our Stile, for that we haue chaūged our Seale or our Armes, nor for commaundements which we haue made, or from henceforth shall make as King of Fraunce: our said Realme of Englād, nor the people of the same, of what estate or condition they be, shall not in anie time to come, be put in subiection nor in obeysance of vs, nor of our heires, nor successors as kings of Fraunce, as afore is said, nor be subiect nor obedient, but shall be free and quite of all maner subiection and obeysance aforesaid, as they were wont to be in the time of our progenitors kings of England for euer. An. 14. E. 3. Stat.

Fraunce

Seale. Armes

Subiection

Free

2 ¶ All & euery such subiectes borne in England, & sworne to be subiects to forraine Princes and Lordes of outwarde parties (as long as they shall so abide, & be as subiectes to forraine Princes and Lords) that from henceforth so long, they & euerie of them shall pay such customes, Subsidies, tolles, and other impositions

Borne in England Sworne to forraine Princes

Customes Subsidies Tolles Imposition

within this Realme of Englād, as other straūgers of those parties where the said Englishmen make their habitation, paie or vse to pay within the said Realme. And that the knowledge of all and euerie such person or persons inhabitāts, and sworne in maner and forme as is afore rehearsed, within the Archdukes Countries: that is to say, Holland, Zeland, Brabant, and Flanders, onely shal be had by certificate thereof made by the gouernors of ẏ Marchant aduenturers, & the assistants there for the time being, and also for all other Realmes and Coūtries of forraine Princes, to be certified by ẏ Kings most noble Embassadors, being at such time there, as they shal happen to be in the said countries vpon the Kings affaires, shall likewise certifie, as is aforesaide, vnder their seale, into the Chācerie of our soueraigne Lorde the king, and thereupon out of the said Chauncerie writs to be made and directed vnto the Customers, Cōptrollers, or other officers of the kings Customes, in euery port, hauē, or crēeke, within this said Realme, to perceiue, leuie, & take all maner of customes, subsidies, tolles, and other impositions, as is before specified, of al such goods & Marchandizes, as shall belong vnto anie such person or persons, inhabited & sworne in maner & forme aboue written, aswell inward as outward.

Holland
Zeland
Brabant
Flanders
Certificate
Embassadors
Certifie
Seale
Chancerie
Writs
Customers
Comptrollers
Port
Customes
Subsidies
Goods
Marchandizes
Inward
Outward

Prouided alwaies that if hereafter it shal happen any such person or persons to returne into the Realme, and here to tary and inhabite: That then he or they shal be restored to al such liberties and frēedoms, in paying of customes or subsidies, and other charges, as all other Englishmen do vse to paie, and to haue a writ out of the Chauncerie for the same: this act, or anie thing made to the contrary notwithstanding. Anno 14. H. 8. cap. 4.

Restore
Liberties
Writ
Chauncerie

¶ Englishrie.

NO Justice errant, shall put in any article, opposition, presentmēt of Englishrie, against the Cōmons of the Counties, nor against any of them, but ẏ Englishrie, & presentment of the same be wholy out & void for euer. So that no person by this cause be frōhencefoorth impeached. An. 14. E. 3. cap. 4. Stat. 1.

Justice
errant
Void

¶ Entrie, and writs of Entre.

IF those alienations (whereupon a writ of Entrie was wont to bee graunted) hap to be made in so manie degrees, that by reason therof the same writ can not be made in the forme before times vsed, the plaintife shal haue a writ to recouer their seisin, without any making mention of ẏ degrees, into whose hāds soeuer the same thing shal happen to come by such alienations, and that by an originall writ to be prouided therefore by the Counsell of our Soueraigne Lord the king. Marlb. ca. 29. An. 52. H. 3.

Alienations
Degrees
Writ
Forme
Plaintife
Recouer
seisin
Originall
Writ

2 ¶ If a woman sell or giue in fee, or for terme of life, the land that shee holdeth in dower: It is ordeined, that the heire, or he to whom the lād ought to reuert after the death of such womā, shall immediatly recouer by a writ of Entrie in the Chancerie. Glouc. cap. 7. Anno 6. E. 1.

Woman
Dower
Heire
Recouer

3 ¶ See Cui in vita. 1. that the heire, or he in the reuersiō shal haue a writ of Entrie against the particular tenāt that loseth by default, or by reddition.

¶ Entrie lawfull.

ANno 7. H. 7. cap. 2. It was enacted, that discents should be no greater hurt to them that should go with the king in his warres (in the voyage that then was towarde) then if they were within age of xxj. yeeres.

Discents
Warres
Within age

2 ¶ Where diuers persons of their insaciable minds, haue hertofore by strēgth and without title, entred into mannors, landes, tenementes, and other hereditaments, and wrōgfully disseised the rightfull owners and possessors thereof, and so beeing seised by disseisin, haue thereof died seised, by reason of which dying seised, the disseisee, or such other persons, as before such discent might haue lawfully entered into the said manors, landes, and tenements, were and be thereby clearely excluded of their entrie into the said manors, lands, and tenements, & put to their action for their remedie & recouery therein, to their great costes and charges: For reformation whereof: Bee it &c. that the dying seised hereafter of anie such disseisor, of, or in anie mannors, landes, tenements, or other hereditamēts, hauing no right or title therein, shall not be taken nor deemed from hencefoorth anie such discent in the lawe, for to toll or take away the entrie of anie such person or persons or their heires, which at the time of the same discent, had good and lawfull title of entrie into the said manors, landes, tenements,

Disseisin
Disseisee
Dying
seised
Discent

Except

Possession

v. yeres

ments, or hereditaments: except that such disseisor hath had the peaceable possession of such manors, lands, tenements, or hereditaments, whereof he shall so die seised, by the space of v. yéres next after the disseisin therein by him committed, without entrie or continuall claime, by or of such person or persons, as haue lawfull title thereunto. Anno 32. A. 8. cap. 33.

¶ Error.

Plaintife Writ

In case where anie will cõplaine of Error made in ẏ time of the King, before ẏ Steward & Marshal, the plaintife shal haue a writ to remoue the Record & the proces, before the K. in his place, & there the Error shal be redressed. And likewise shal it be done in euerie other case, where anie man will complaine him of Error, done before the same Steward & Marshall of the kings house. An. 5. E. 3. cap. 2.

Steward Marshal

King

Eschequer Chancelor Treasorer

Record Justices

Barons of the Eche.

Examine

Amend rols

2 In al cases touching the king or other persons, where a man cõplaineth of error made in the Eschequer, the Chancelor and Treasorer shall do to come before them in anie chãber of Councell, nigh the Eschequer, the Record & proces out of the Eschequer, & take to them the Justices, & other sage persons, such as to them shall séeme fit to be takẽ: And shall also do to be called before them, the Barons of the Eschequer, to beare their informations, and ẏ causes of their iudgements, & therupon shall duely examine the busines, & if anie Error be found, they shal correct & amend the Rolles, & after send them into the Eschequer for to make thereof execution as pertaineth. An. 31. E. 3. cap. 12. Stat. 1.

Writ of Couenant

Dedimus potestatem

Concord Proclamation

3 For the appeasing of suites, the auoyding of false practises, deceites, deuises & mislemeanors, and for helping of negligences, and misprisions of Clerkes & Officers, daungerous to assurances of mens lãds and hereditaments: Be it enacted by the Quéenes most excellent Maiestie our soueraigne Ladie, the Lords spiritual and temporall and the cõmons in this present Parliament assembled, & by the authority of the same, that euery writ of Couenant, & other writs, whereupon anie fine heretofore hath bin leuied, or hereafter shal be leuied, the returne therof, the writ of Dedimus potestatem, made for the knowledging of anie of the same fines, the returne thereof, the concord, note, and sute of euerie such fine, the Proclamations made thereupon, and the kinges siluer, and also euery originall writ of Entre in the Post, or other writ, whereupon anie common recouerie hath béene suffered, or hereafter shal be suffered or passed, the writtes of Sum. ad warrantizandum, the returnes of the said originals and writs of Sum. ad warrantizand. and euerie warrant of Atturney had, or to be had, aswel of euery demãndant and tenant, as vouchée, extant and remaining, or that shal be extant and in being, may vpon the request or election of anie person, be inrolled in rolles of parchment, by such persons, and for such considerations, as hereafter in this Acte shall be mentioned. And that the Inrolments of the same, or of anie part therof, shalbe of as good force & validitie in lawe, to al intents, respects, and purposes, for so much of anie of them so inrolled, as the same being extant and remayning, were or ought by law to be.

Writ of entrie

Sum. ad warrantizandum

Warrant of Atturney

Inrolled

Force

And be it further enacted by the authoritie aforesaid, that no fine, proclamatiõs vpon fines, or common recouerie heretofore had, leuied, suffered or passed, or hereafter to be had, leuied, suffered or passed, shalbe reuersed or reuersable by any writ of Error for false or incõgrue Latine, rasure, interlining, misétering of any warrant of atturney, or of anie proclamation, misreturning, or not returning of the shirife, or other want of forme in wordes, and not in matter of substance.

Fine

Recouerie

Error

Prouided alwaies, that this act, nor anie thing therein conteined, shall barre or exclude any person or persons, from anie writ of Error, which shall be had, taken, or pursued within v. yéres next after the end of the Session of this present Parliament, vpon anie fine or recouerie heretofore had or suffered, nor from anie writ of Error, which shalbe had, taken, or pursued, vpon anie fine or recouerie, heretofore leuied, knowledged, or had: which fine or fines, recouerie or recoueries, or anie part or parcell of them, or any of them now is, or at any time before the 1. day of June, which shall be in the yére of our Lord God 1582. shal be exemplified vnder the great Seale of Englãd, at and by the suite of anie person, that is, or may be intituled to haue or sue anie writ of Error, vpon any of the fines or recoueries heretofore passed: nor to barre any Feme couert, or anie person within the age of xxj. yéres, or any person that is Non cõpos mentis, in prison, or beyond the Seas, or from anie writ of Error to be had or

v. yeres

Exemplified

Feme couert

Non compos mentis

Imprisonment

Beyond Seas

vii. yeres

Abate Death

One yeere

Knowledge of fine Warrãt of Atturney

Certifie Day & yere

One yeere

Clerke Receive

Paine

Atturnmẽt

Appeare

Cloyde

Office of Inrolment

Iust. of the cõmon plees

Fines Fees

Recouerie

Exemplifi-cation

Search Copie

Examine

pꝛoſecuted, foꝛ the reuerſing of any fine oꝛ recouerie heretofoꝛe paſſed, leuied, oꝛ ſuffered, ſo ẏ ſuch feme couert, oꝛ her heires, within vij. yeres next after that ſhe become ſole, and ſuch perſon within the age of xxj. yeres, oꝛ his heires, within vij. yeres next after he ſhall come & be of full age of xxj. yeres, & ſuch perſon that is Nõ compos mentis within vij. yeres, next after he ſhal become of Sanæ memoriæ, & in default therof, ẏ heires of ſuch perſon that is non compos mentis, within vij. yeres, next after the death of ſuch perſon beeing non compos mentis, & ſuch perſon in pꝛiſon, oꝛ his heires, within vij. yeres, next after the ſame perſon ſhalbe at libertie, & ſuch perſon beyond the ſeas, oꝛ his heires, within vij. yeres next after the returne of ſuch perſon into this Realme of Englãd, oꝛ the death of the ſaid perſon, if he ſhall befoꝛe his returne, die in anie foꝛraine coũtrey, ſhal ſue, take, and pꝛoſecute their wꝛits of Erroꝛ, as their caſes ſeuerallie ſhal requre, foꝛ reuerſing of anie the ſaid fines oꝛ recoueries heretofoꝛe paſſed, leuied, oꝛ ſuffered. Pꝛouided alwaies, & be it further enacted by the authoꝛitie afoꝛeſaid, that if anie perſon oꝛ perſons, ſhall within the time & yeres afoꝛe mẽtioned, commence oꝛ ſue his oꝛ their wꝛits of erroꝛ foꝛ the reuerſing of anie of the ſaide fines oꝛ recoueries heretofoꝛe paſſed, which ſuite ſhall foꝛtune to abate by the death of any the parties to the ſame: that then it ſhal & may be lawful foꝛ his & their heires, at anie time within one yere next after ẏ ſaid vij. yeres expired to haue, ſue, & take their wꝛit of Erroꝛ, foꝛ the reuerſing of euery ſuch fine & recouerie: And if ſuch heire be an infant within the age of xxj. yeres, thẽ within one yere next after the full age of ſuch infant: anie thing in this pꝛeſent act contained, to the cõtrarie therof, in anie wiſe notwithſtanding. And be it further enacted by the authoꝛitie of this pꝛeſent parliamẽt, that euery perſon, that ſhall at anie time hereafter take the knowledge of anie fine oꝛ warrant of Atturney of anie tenant, oꝛ vouchée, foꝛ ſuffering anie common recouery, oꝛ ſhal certifie them oꝛ anie of them, ſhall with the certificate of ẏ concoꝛd oꝛ warrant of Atturney, certifie alſo the date & yere wherin the ſame was knowledged. And that no perſon ẏ taketh anie ſuch knowledge of anie fine oꝛ warrãt, foꝛ anie recouerie, ſhall be bounden, oꝛ by anie meanes inforced to certifie anie ſuch knowledge oꝛ warrãt, except it be within one yere next after the ſaid knowledge taken. And that no Clerke oꝛ officer ſhal receiue any wꝛit of couenant, oꝛ wꝛit of Entre, whereupõ anie fine oꝛ cõmon recouerie is hereafter to paſſe: vnleſſe the day of ẏ knowledge of the ſame fine & warrant ſhall appeare in, oꝛ by ſuch certificate, vpõ pain that euery Clerke that ſhall receiue anie ſuch wꝛit, ſhal foꝛfaite foꝛ euerie time that he ſhal ſo offend the ſum of v. li. And that no atturnment in, oꝛ vpon anie fine be entred vpon recoꝛd, except the partie mentioned to atturne therein, firſt haue appeared in the Court in perſon, oꝛ by Atturney, warrãted by ẏ hand of one of the Juſtices of the one bench oꝛ the other, oꝛ of one Juſtice of aſſiſe, vpõ a wꝛit of Quid iuris clamat, Quẽ reddit̃ reddit, oꝛ Per quæ ſeruitia, as the caſe requireth. And that euerie entrie of atturnemẽt hereafter to be made, where there ſhall be no apparance, as afoꝛe is ſaid, ſhalbe vtterlie voide & of none effect without anie wꝛit of Erroꝛ oꝛ other meanes to be vſed foꝛ auoiding therof.

And be it further enacted by the authoꝛitie afoꝛeſaid, that there ſhall be foꝛ euer one Office of Inrolment afoꝛeſaid, which ſhal be and cõtinue an office foꝛ euer, called the Office of Inrolments of wꝛits foꝛ fines and recouries. And that the Juſtices of the common pleas foꝛ the time being, (other then the chiefe Juſtice) ſhall haue and take the care and charge, of and foꝛ the inrolments afoꝛeſaid, & ſhall haue and enioy the ſaid Office, and the diſpoſition therof, and carefully ſe and loke to the execution therof. And in conſideration of their charges, paine & trauel therein, ſhall haue and take the ſummes of money hereafter following and no moꝛe: That is to ſay, foꝛ the Inrolment and examination of euerie Fine, and the partes therof befoꝛe mentioned, the ſumme of ſix s. viij. d. and foꝛ the Inrolment of the ſaid partes of euerie Recouerie, and the examinations therof vj. s. viij. d. and foꝛ euerie exemplificatiõ of the Inrolment of anie fine v. s. and foꝛ the exemplification & returnes of euerie wꝛit of Entre, Summons, and warrantizands and warrants v. s. and foꝛ the ſearch of the Rols of one yere iiij. d. and foꝛ the copie of one ſheete of paper containing xiiij. lines iiij. d. And that the ſaid Juſtices, oꝛ one of them, ſhal examine the Inrolments of euerie ſuch Fine & parts of recouries. and foꝛthwith after examinations therof, & immediatly after

after the Inrolmẽt of euerie ſuch fine and
Write Name partes of recoueries, write his name that
ſo examineth, with his owne hand in the
roll therof, vpon paine ỳ the ſaid Juſtices
Foꝛf. ſhall foꝛfait to our ſoueraigne Ladie ỳ Q.
Maieſty, the ſumme of v.li. foꝛ euery time
that they, oꝛ ſome one of them ſhall make
default of ſuch examination, oꝛ writing of
his oꝛ their name, as afoꝛe is ſaide. And ỳ
it ſhall and may be lawfull, to and foꝛ the
Juſtices of the ſaid Court of cõmon plées,
from time to time, to take oꝛder in all
things that ſhall be conuenient and nẽ-
ceſſull foꝛ the inrolments afoꝛeſaid. And vpõ
examination in the ſaid Court to aſſeſſe
Amerce Clerke ſuch fine oꝛ amerciament vpõ any Clerk,
ſhirife, deputie, atturney, & other perſon,
foꝛ his & their miſpꝛiſion, contempt, & neg-
Negligence ligence foꝛ not doing oꝛ miſdoing in anie
thing, of, in, oꝛ concerning the ſaid fines &
recoueries, oꝛ anie part of them, oꝛ either
of them, as by the ſaid Juſtices of the ſaid
Court of cõmon plées foꝛ the time being
ſhall be thought mẽte & conuenient. The
ſaid fine and amerciament to be eſtreated
amongſt other fines and amerciaments
of the Court, where ſuch offence oꝛ miſ-
pꝛiſion ſhall be committed.

And be it further enacted by the autho-
ritie of this pꝛeſent Parliament, that the
Chirographer of fines of the commõ plées
foꝛ the time being foꝛ euer ſhal wꝛite and
make, oꝛ cauſe to be wꝛitten and made foꝛ
euerie Coũtie, where her Maieſties writ
One Table runneth, one Table, wherein ſhal be con-
tained ſuch contents of euerie fine that
ſhall paſſe in anie one Terme, as hereaf-
Name ter is mentioned: that is to ſay, the name
of the Countie wherein the tenements
mentioned in anie fine bée, the name of e-
uery plaintife and defoꝛceant, and of eue-
rie manoꝛ named in the fine, if anie ſuch
bée, & of the Townes & places where the
tenements in ſuch fine compꝛiſed do lie.
Next terme And the firſt day of the nert Terme after
Open place the ingrolling of euery ſuch fine, ſhall fixe
Fixe euerie of the ſaid Tables vpon ſome opẽ
place of the court of common Plées, and
ſo euerie day of the ſaid terme, during the
time of ſitting of the ſaid Court. And that
Deliuer Shirife the ſaid Chirographer ſhal deliuer to eue-
rie Shirife of euery countie, his vnderſhi-
rife oꝛ deputy, faire wꝛitten in parchmẽt,
a perfect content of the Table, ſo to be
made foꝛ that Shire, in the Terme that
Next aſſiſes ſhall be next befoꝛe the Aſſiſes be holdẽ in
the ſaid Countie, oꝛ els meſne betweene ỳ
Terme and the ſaid aſſiſes. And that eue-
ry ſuch ſhirife to whom ſuch parchement
with the contents afoꝛeſaid ſhall be deli-
uered, the firſt day of the nert Aſſiſes, af-
ter the deliuerie therof vnto him, & euery
day during the ſaid Aſſiſes, ſhall fixe & ſet Fixe
vp the ſame wꝛiting vndefaced in ſome o-
pẽ place in the Court, where the Juſtices
of the Aſſiſe of that Countie ſhall ſit, and
ſhall ſée the ſame to cõtinue there, during
ſuch time as the ſaid Juſtices ſhal ſit there
in Court, vpon paine that euerie Chiro-
grapher & Shirife offending againſt anie
thing in this act contained, ſhal foꝛfaite to Foꝛf.
our ſoueraigne Ladie the Quæenes Maie-
ſtie, the ſum of v.li. The one moitie wher-
of ſhal be to the Q. Maieſtie, her heires &
ſucceſſoꝛs, and the other moitie to him oꝛ Moitie
them that will ſue foꝛ the ſame, in anie
Court of recoꝛd, wherein no eſſoine, pꝛo-
tection, oꝛ wager of law ſhalbe allowed:
And that the Chirographer foꝛ the time
being, ſhall haue and take foꝛ euerie ſuch
content foꝛ euerie fine ſo ſet downe in the
Table afoꝛeſaid, iiij.d. And foꝛaſmuch, as Fee
vpon great examinatiõ it appeareth, that
diuers fines & recoueries haue bẽn here-
toforꝛe leuied & ſuffered of diuers manoꝛs,
meſuages, lands, tenements and hereditamẽts, which ſometime were the inheri-
tance of Geoꝛge ſomtime Earle of Kent, Earle of Kent
great graundfather to Henry now Earle
of Kent, in vſe, poſſeſſion, reuerſion, oꝛ re-
mainder, whereunto the ſaid now Earle
of Kent pꝛetendeth title in vſe, poſſeſſion,
reuerſion oꝛ remainder, which if they be
erronious, as it is pꝛetended, do much va-
rie from the general cauſe & miſchiefe, foꝛ
which this ſtatute meaneth to pꝛouide:
Be it therfoꝛe &c. that neither this ſtatute
noꝛ anie thing therein contained, ſhal ex-
tend to take awaie anie wꝛit of Erroꝛ,
whereunto any perſon oꝛ perſons, is now
oꝛ hereafter ſhall be lawfullie intituled,
foꝛ the reuerſing of the ſaid fines and re-
coueries, oꝛ anie of them heretoforꝛe leui-
ed oꝛ ſuffered of anie of the ſaid Manoꝛs,
meſuages, lands, tenements oꝛ hereditaments, which late were anie part oꝛ par-
cell of the inheritance of the ſaid Geoꝛge
ſometime Earle of Kent in vſe, poſſeſſiõ,
reuerſion oꝛ remainder: any thing in this
ſtatute contained to the contrarie thereof
in any wiſe notwithſtanding. Pꝛouided
alwaies, & be it enacted &c. that it ſhall be
lawfull foꝛ the Juſtices Clerkes, autho- Juſtices Clerkes
rized by their warrant in the ſaid ſeuerall
offices & places, where the ſame recoꝛds,
oꝛ anie of them doe oꝛ ſhall remaine to

writte out or inroll the same records and euerie part thereof, without anie thing to be paid therfore. And that the said Records, nor anie of them for the writting out or making the Rolles thereof by the Clerkes of the said Justices, otherwise then for the examination thereof by the Justices, shall be brought or carried forth of the said offices or places.

And be it further enacted &c. that none of the fines or recoueries heretofore leuied, passed or suffered, which shal be exemplified vnder the great Seale, according to the forme of this act, shall after such exemplification had, be in anie wise amended. An. 23. Eliz. cap. 3.

Not amended

4 ¶ Bee it &c. that where anie iudgement shal at any time hereafter be giuen in the Court of the kinges Bench in anie suite or action of debt, detinue, couenant, accompt, action vppon the case, ejectione firme, or trespasse, first cõmenced or to be first cõmenced there, other then such onely where the Queenes Maiestie shall be partie: The partie plaintife or defendant against whom any such iudgemẽt shal be giuen, may at his election sue forth out of the Court of Chauncerie, a speciall writ of Error, to be deuised in the said Court of Chancerie, directed to the chief Justice of the said Court of the kings Bench, for the time being, cõmaunding him to cause the said Record, and al things concerning the said iudgement, to be brought before the Justices of the common Bench & the Barons of the Eschequer, into the Eschequer chamber there to be examined by the said Justices of the common Bench & Barons aforesaid, which said Justices of the Common Bench, and such Barons of the Eschequer as are of the degree of the Coife, or sire of them at the least, by vertue of this present acte, shall thereupon haue ful power and authoritie to examine all such Errors as shall be assigned or found, in, or vpon any such iudgement, & thereupon to reuerse or affirme the saide iudgement, as the law shal require, other then for errors to be assigned or found, for or concerning the iurisdiction of the said Court of kings Bench, or for anie want of forme in anie writ, returne, plaint, bill, declaration or other pleading, processe, verdict or procéding whatsoeuer: And that after that the said iudgement shall be affirmed or reuersed, the said Record and all things concerning the same, shall be remoued and brought backe into the said Court of the kinges Bench, that such further procéding may be therupõ aswell for execution as otherwise, as shal appertaine.

Iudgement K. Bench

Error.

Iust. common bench Barons Eschequer chamber

And be it further enacted, that such reuersall or affirmation of any such former iudgemẽt, shal not be so final, but that the partie who findeth him greeued therewith, shall and may sue in the high Court of Parliament, for the further & due examination of the saide iudgement, in such sort as is now vsed vpõ erroneous iudgementes in the saide Court of the kinges Bench. An. 27. Eliz. cap. 8.

Parliament

5 ¶ Be it &c. that the not comming of the Lord Chancelor, & lord Treasorer, or of either of them at the day of adiornemẽt in any such suite of Error depending by vertue of the said former estatute (viz. 31. E. 3. cap. 12. supra 2.) shall not bee any discontinuãce of any such writ of error. But if both the chief Justices of either bench, or any one of the saide great officers, the Lord Chãcelor, or Lord Treasorer, shall not come to the Eschequer chamber, and there be present at the day of adiornement in such suit of Error, it shalbe no discontinuance, but the suite shall procéd in lawe to all intents and purposes, as if both the Lord Chancelor & Lord Treasorer had comnen and bene present at the day and place of adiournment. Prouided alwaies, that no iudgement shall be giuen in anie such suite or writte of Error, vnlesse both the Lord Chancelor and Lord Treasorer shall be present thereat.

Chief Iust. Chancelor Treasorer

Iudgement

And wheras in the Parliament holden in the xxvij. yere of the raigne of our most gracious soueraigne Lady the Q. Maiestie, one acte or statute was made, intituled, An act for redresse of erronious iudgments in the Court commõly called the K. Bench: By which it is amongst other things enacted, That where any Iudgement shal at any time then after be giuen in the said Court of Kings Bench in any suit or action of debt, detinue, couenãt, accompt, actiõ vpõ the case, ejectione firme, or trespasse, first commenced or to be first commenced there, other then such onely where the Q. Maiestie shall bee partie: The partie plaintife or defendant against whom any such iudgement shall be giuen may at his election sue forth out of the Court of Chancerie, a speciall writ of Error, to be deuised in ẏ said Court of Chancerie, directed to the chiefe Justice of the said Court of Kinges Bench for the time being,

K. Bench

being, commaũding him to cauſe the ſaid Record and al things concerning the ſaid iudgement, to be brought before the Iuſtices of the common Bench, and the Barons of the Eſchequer, into the Eſchequer chamber there to be examined by the ſaid Iuſtices of the common Bench and Barons aforeſaid, which ſaid Iuſtices of the common Bench, and ſuch Barons of the Eſchequer as are of ẏ degrée of the Coife, or ſix of them at the leaſt, by vertue of the ſame act, ſhal thereupon haue full power and authoritie to examine all ſuch errors as ſhal be aſſigned or found, in, or vpon anie ſuch iudgement, and thereupon to reuerſe or affirme the ſaid iudgemẽt, as the law ſhall require, other then for errors to be aſſigned or foũd, for or concerning the iuriſdictiõ of the ſaid Court of kings bẽch, or for anie want of forme in anie writ, returne, plaint, bill, declaration or other pleading, proceſſe, verdict or proceãding whatſoeuer. For aſmuch as it doth many times fall out, that the full number of the ſaid Iuſtices of the common bench, & Barõs of the Eſchequer ſo authorized by the ſaid ſtatute, ſometimes for want of helth, ſomtimes through other waighтie ſeruices, & earneſt occaſions cannot be preſent at the daies & times of the returnes, and continuances of the ſame writs of error: And by reaſon of their abſence & not comming, the ſaid writs of error are diſcontinued, Juſtice delaied, & the parties put to beginne new ſuit, to their great charges and preiudice: For remedie thereof, be it alſo enacted by the authoritie aforeſaid, ẏ from henceforth, if the full number of the Iuſtices and Barons, authorized by the ſaid act, come not at the day or time of returne, or continuance of anie ſuch writ of Error, That it ſhall be lawfull for any three of the ſaid Iuſtices and Barons, at euerie of the ſaid daies & times, to receiue writs of error, to award proces thereupon, to make and preſixe daies from time to time, of & for the continuance of al ſuch writs of error as ſhall be there returned, certified or depending. And that the ſame ſhal be to theſe reſpects as good and auailable, as if al the Iuſtices and Barons authorized by the ſame Acte, were preſent. And that the Iuſtices & Barons authorized by the ſaide Statute, may after that lawfully proceéde in all thoſe caſes in ſuch ſort to all intents, as they may do in other caſes mentioned in the ſaid Statute, any not comming of anie the ſaid Iuſtices or Barons notwithſtanding.

Abſence
Diſcõtinued
Iuſtices Barons
Returne
iii. Iu. of p.
Proces
Continuãce

Prouided neuertheles, ẏ no iudgement ſhal be giuẽ in any ſuch ſuite or error, vnleſſe it be by ſuch ful nũber of the ſaid Iuſtices & Barons, as are in that behalfe authorized and appointed by the ſaid act. Iudgement
Full number

Prouided alſo and be it neuertheles enacted by the authoritie aforeſaid, that the partie plaintife or defendant, againſt whom any ſuch iudgement hath bin heretofore, or hereafter ſhal be giuẽ in the ſaid Court of kings Bench, may at his electiõ ſue in the high Court of Parliament, for the reuerſall of anie ſuch iudgement as heretofore hath bene vſual or accuſtomed, anie thing in this Statute, or in the ſaid former acte, to the contrarie thereof notwithſtanding. An. 31. Eliz. cap. 1. Parliamẽt

¶ Eſcape.

IT is prouided alſo, that nothing be demaunded nor taken from henceforth, nor leuied by the Shirife, nor by none other, for ẏ eſcape of a thefe or a felon, vntil it be iudged for an eſcape by the Iuſticers in eire. And he that other wiſe doth ſhall reſtore to him or thẽ that haue paid it, aſmuch as he or they haue taken or receiued, and aſmuch alſo vnto the king. W. 1. cap. 3. An. 3. E. 1. Shirife
Iuſt. in eire
Reſtore

2 ¶ The eſcape of thæues & felons, & the cattels of felons & of fugitiues, and alſo eſcapes of Clerkes conuict out of their ordinaries priſon, from henceforth to bée iudged before any of the kings Iuſtices, ſhall be leuied from time to time, as they ſhall fall, aſwell of the time paſt, as of the time to come. An. 31. E. 3. cap. 14. Stat. 1. Clerkes conuict

3 ¶ Iuſtices of peace ſhal haue authority to inquire in their Seſſions, of al maner eſcapes of euery perſon arreſted and impriſoned for felony. An. 1. R. 3. cap 3. Iuſt. of P. Inquire Felony *

¶ Eſchange.

THe tables of eſchange ſhal be at Douer, & in other places where and whẽ it ſhal pleaſe vs & our Coũſell to make exchanges. And that the Wardens of ſuch tables ſhall make ſuch eſchanges by the teſtimonie of Cõptrollers which we ſhal put to them. Anno 9. E. 3. cap. 7. Tables
Teſtimonie Comptrollers.

2 ¶ Eſchanges ſhall be ordeined in good townes, according as beſt ſhal ſéeme to our ſoueraigne Lorde the King, for the profite of him and his people. And that it be ordained in a certaintie, what thing Certaintie

ſhall be giuen in eſchange in euerie péce of gold. An. 18. E. 3. cap. 6. Stat. 2.

Gold Siluer

3 ¶ It ſhal be lawfull for euerie man to eſchange golde for ſiluer, or ſiluer for gold, or for gold and ſiluer, ſo that no mã holde the ſame as eſchanged, nor take no profite for making ſuch eſchange, vpon paine of forfaiture of the money ſo eſchãged, except the kings eſchangeors which take profit of ſuch eſchange, according to the ordinance before made, Ann. 25. E. 3. cap. 12. Stat. 3.

No profite

Forf.

Marchãts Rome

Chancery

4 ¶ For euerie eſchãge yͤ ſhal be made by Marchants to the Court of Rome or elſwhere, that yͤ ſaid Marchãts be ſtrmely & ſurelie bounden in the Chauncerie to buy within iij. moneths after yͤ ſaid eſchãg made, marchãdiſe of the ſtaple, as woolls, leather, wolfels, lead or tinne, butter or chéſe, clothes or other commodities of the land, to the value of the ſumme ſo eſchanged, vpon paine of forfaiture of the ſame. An. 14. R. 2. cap. 2. Stat. 1.

Woolls Leather Tinne Butter Cheeſe Clothes Forf.

5 ¶ The ſaid Statute (that is to ſay, An. 14. R 2. ca. 2. before 4.) ſhall be firmely holden & kept, and put in due execatiõ: added thereto, yͤ the Chancelor of England for the time being, ſhall from xl. daies to xl. daies, ſend the eſtretes of the writes of eſchanges into the Eſchequer of our ſaid ſoueraigne Lord the King, and that the Treaſorer and Barons of the ſaid eſchequer, haue power by authority of parliamẽt, to examine the Cuſtomer in this caſe, & to puniſh them that ſhall be found guiltie againſt the forme of the ſaid ſtatute, according to the conteinue of the ſame. Anno 11. H. 4. cap. 8.

Chancelor

Eſtreates Eſchequer

Treaſuror Barons

Examine Cuſtomer Puniſh

6 ¶ An. 9. H. 5 ſtat. 2. cap. 8. An act was made to indure to the next Parliament, yͤ Marchãts that made eſchange ſhould be bound to buy marchandiſes of the Staple, to the value, within nine Moneths.

Marchandizes of the Staple.

7 ¶ Anno 1. H. 6. cap. 4. An acte was made, that till the next Parliament the Maſter of the Mint of Londõ might hold eſchanges.

Maſter of the Mint

8 ¶ All ſuch ſtatutes be put in due execution from henceforth. And that no man make anie eſchange, without the kinges licence, ne make any eſchange or rechãge of money to be paid within this land, but onely ſuch as the king ſhall depute thereunto, to kéepe and make anſwere for ſuch eſchanges and rechanges, vpon the pains in the ſame ſtatute of king Richard contained. An. 3. H. 7. cap. 6.

Licence Rechange

9 ¶ If anie perſon or perſons after the firſt day of Aprll next comming, exchange anie coined golde, coined ſiluer or money, giuing, receiuing or paying anie more in value, benefite, profite or aduãtage for it, then the ſame is or ſhal be declared by the kings Maieſties proclamation to be currant for, within this his Highnes realme, and other his dominions: that then al the ſaid coined gold & ſiluer and money ſo exchanged, & euerie part and parcel thereof ſhalbe forfait, and the partie ſo offending ſhall ſuffer imprſonment by the ſpace of one whole yére, & make fine at the kings pleaſure: The one moitie &c. to the king &c. and the other moitie to be to the partie that ſeiſeth the ſame, or will ſue for it &c. in which ſuite no eſſoine &c. An. 5. E. 6. ca. 19.

Coyned gold Siluer

Forf. Impriſ.

Fine Moitie

¶ Eſchequer.

THe king commaũdeth that al maner of Baillifes, ſhiriffes, & other officers, aſwell the Juſtices of Cheſter, and other baillifes of theſe Coũties, as other that be receiuors of wardes of eſcheates, & other bailiwikes, ſhal be anſwerable in the Eſchequer, & there ſhal make accompt to the Treaſorer and Barõs of the ſame place. And that all ſhiriffes, farmors, bailifes of franchiſes, and other which are accõptable and ought to proffer, ſhal come to the Eſchequer the Munday after the feaſt of S. Michael, & the munday after the octas of Eaſter, for to pay their farmes, rents, & iſſues belonging to the king, And ſhall bring at the forſaid termes, the forſaid farmes, rents & iſſues due wholy into the Eſchequer, as before is mentioned. And if they make default, their bodies ſhall remaine without departing frõ thence, vntil they haue payd or made agréemẽt. And he that wil not come at the termes aforeſaid, ſhall be amerced after the cuſtome of of the Eſchequer, & the ſhiriffes & Baillifes at the ſame termes, ſhall bring & pay ſuch money as they haue receiued of the ſummons of the Eſchequer, & other the kings debts, And ſhal be prepared and readie to make ful accompt of the things aforeſaid. And that all Baillifes of franchiſes which ought to leuy the kings debts, and be anſwereable to yͤ ſhiriffes, thereof, ſhal come and accompt ſufficiently, according to the extreates of the ſummons of the Eſchequer. And ſuch as do not, their bodies ſhal remaine in ward of the ſhiriffes, & for default of them, the ſhiriffe ſhall cauſe the debts to be leuied by their owne baillifes, where

Baylifes Shiriffes Juſtices of Cheſter Receiuors

Accompt Treaſurer Barons Shiriffes

Default

Amerce

Summons

Accompt

Extreates

Leuie debts

wher they haue power, as they haue vſed to do in time paſt. And if the Bailifes doe not come in at ỳ day that the Sherife ſhal giue them knowledge, the ſherife ſhal enter into the ſame franchiſes, and leuie the debts with his owne hand. Concerning Juſtices of Cheſter & Bailifes therof, the king willeth that they or one of them ſhal come at the proffer of S. Michael euerie yere, when they ought to giue accompt vnto the king, and at the proffer of the Vtas of Eaſter they ſhal come likewiſe and bring in that, that they owe to the king for that terme. And the Juſtices of Cheſter ſhall haue day to accompt from yeere to yeere, in quindena Paſchæ, and the bailifes therof the Munday of Eaſter vtas. And that al Sherifes of England, except ỳ Sherifes of Weſtmerland, Lancaſter, Worceſter, Rutland and Cornwal ſhall from henceforth kepe al ſuch wards and eſcheats as belong to the king, which bee within their ſhires, & not holde of others fees, of the iſſues whereof they ſhal be anſwerable in the Eſchequer at the termes aforeſaid. And at their turnes that they make in their ſhires, they ſhal finde office of ſuch things as ỳ kings Eſchetors haue not vſed to find, of that that belongeth vnto the king once or twiſe in the yere to as little grieuance of the people as they can. And ỳ ſherifes ſhal ſeiſe the eſcheats that fall, to remaine vnto the king in fee, & ſhal certifie the king of them without delay. And the king ſhal aſſigne 3. able perſons, that ſhal goe throughout the Realme, to ſuruey & find the wards & eſcheats aforeſaid frō yere to yere, whē they ſhal thinke requiſite. And the ſherifes by their counſel ſhal approue and let to farme or otherwiſe, ſuch wards & eſcheats, as they ſhall thinke moſt for ỳ kings aduantage. Touching the 5. ſhires before named, the king wil that the ſherife of Comberlād ſhal execute the office of the eſchetor in ỳ ſhires of Weſtmerland & Lancaſter. And ỳ ſhirife of Notingham in Rutland, & the ſhirife of Glouceſter in Worceſter, & the ſhirife of Deuonſhire in Cornwal, and ſhal ſafely kepe the king his wards and Eſcheats in the ſame ſhires, & ſhalbe anſwerable in the Eſchequer for ỳ iſſues of thē, aſwel as for their own ſhires. And the 3. perſons aforeſaid, ſhal ſuruey and extend ſuch wards & eſcheats, aſwell there as in other places, & ſhall be approued by their coūſel. And when the ſhirifes do accompt, they ſhall accompt for ſuch wards and eſcheats. And in like maner ſhall the Juſtices of Cheſter doe, & their bailifes alſo, euery one for his bailiwike. And the ſaid 3. perſons ſhal kepe the kings demeanes, & ſhal approue them as they ſhal think beſt for the kings aduantage, & ſhalbe anſwerable for the iſſues, & they ſhal haue power to let forth ſmall manors or demeans to folke of the ſame places or to other, according to their diſcretion, & ſhal let them to farme from yere to yere, as they ſhall think moſt to ỳ kings profit. And the farmors ſhalbe chargeable for their farmes vnto the principal approuers, & they vnto the Eſchequer, the munday next after the Aſcenſiō, from yere to yere. And the principal collectors of the cuſtome of woolles, at the two termes before mentioned, ſhal pay all ſuch money as they haue receiued of the ſaid cuſtome, & ſhall make accompt from yere to yere clerely of al parcels receiued in any of the portes or other places of the realme, ſo that they ſhall anſwere for euery ſhip where it was charged, and how much it caried, and whoſe the wools were, & for euery other charge in the ſhip, wherof cuſtome is due, & for the whole receipt. And the warden of the kings wardrobe, ſhall make accompt yeerely in the Eſchequer, in the feaſt of S. Margaret. And the treaſorer & Barons ſhal be charged by othe, that they ſhall not attend to heare the plees or matters of other men, whiles they haue to doe with the kinges owne debt. And when a ſhirife or bailife hath begun his accompt, none other ſhall be receiued to accompt, vntil he that was firſt appointed hath clerely accompted, & his money receiued. And ỳ the Conſtable, Marſhal, Chamberlain, & other that are office in the Eſchequer, from henceforth ſhal preſent vnto ỳ king ſuch as they haue put in their places to doe their offices, which muſt be of good fame and ſufficient, for whoſe acts themſelues will anſwere. And the king commandeth the Treaſorer & Barons of the Eſchequer vpon their alegeance, and by the othe that they haue made to him, they ſhal not aſſigne any in their rowmes, but ſuch as this act meaneth of, and that the Eſchequer be not charged with mo perſons then is neceſſary. And that none of them that bee ſworne to the king, ſhall put in his rowme any other Clerke or lay perſon (except he be ſworn) without ſpecial licence of the Treaſorer, & if any be, he ſhall be forthwith remoued from his office, & none other ſhal be receiued

Proffer

Wards Eſcheats

Turnes O'yer

Eſcheators

Certifie

Surury Wards

Shirifes aſſigned to bee Eſcheators

Iſſues

Juſtice of Cheſter

Approue

Let manors

Farmors

Cuſtome of woolles

Cuſtome Warden of the wardrobe

Othe

Conſtable Marſhal Chaberlain

Deputies

Licence

ued in his stead without the kings licẽce. And if any ỳ is receiued without the treasorers licence, doe trespas afterward, punishmẽt shalbe done aswel to the assignor as to him ỳ is assigned, according to the trespas. And if both be insufficient, their superiour shal be punished, whether he be officer of fée or other. And the Treasorer shall put no other in his rowme, vntill hee hath commandement from the king. And if he that kẽpeth the rowme of another by licence of the Treasorer, doth any thing ỳ he ought not to do, he shal be punished according to the trespas, if he haue wherof, & if he haue not, hee that put him in office shalbe charged for his trespas, & if he that put him in office bée not sufficient, his superior shall be charged, whether hée bée of fée or otherwise. And they of the woll staple shal make oth, that if any of thẽ may perceiue, that another doth commit any offẽce, or other thing dishonest in the woll staple, or that he hath done before, ỳ they shal certifie to the Treasorer or Barons, or to some of them, or to the king himself, if néede require. And that about the feast of S. Margaret, before that the Eschequer be closed, they shall cause a search to be made, whether any shirife or bailife, that ought to haue accompted the same yere, haue not, & thereupon a remẽbrance as a roll shalbe made by it selfe. And if it be a sherife, his accõpt shal bee first heard after Michaelmas, before that any other be receiued to accompt. And if he be a bailife, he shalbe summoned or distrained to come at a certaine day for to accompt, so that no accompt shal be suffered to sléepe. And forasmuch as shirifes, Constables, & other obtaine many times outragious allowances, by pretence of ỳ kings works, and other things done & prouided, by his commandement: It is prouided, that all Surueiors of the kings workes shall bee chosen by the othe of xij. men, & of such as will & may attend best to the office. And ỳ they bee sufficient to answere the king if néede be, and shall sweare that they beare true & lawful witnes. And if the Treasorer or Barons of the Eschequer, haue any suspection of sale, allowances of charges, or other things, the trueth must bee inquired, & hee that is attainted, shall answere to the king for as much as the allowance amounteth vnto, & shall be imprisoned one yere & xl. daies and shalbe punished at the kings pleasure. And the surueiors shalbe punished for their consent, & likewise he, ỳ vpon the accompt did conceale & kéepe secret such things, wherof he ought to haue charged himself, shalbe punished in likewise, as hee ỳ admitted such false allowances. And that the Iusticers, Commissioners, & other, shal from henceforth deliuer into the Eschequer, at the feast of S. Michael from yere to yere, the extreats of fines & amerciaments, made and tared before them, and of all thinges wherfore the extreats are wont to be deliuered there. And they of the Eschequer shall make extreates of the summons through all shires: Sauing that the extreats in Sire of al plees shalbe deliuered immediatly after the Sire made. Statute of the Eschequer. An. 51. H. 3.

2 ¶ Edward by the grace of God &c. to our Treasorer and Barons of the Esch. greeting. To the intent that prouisiõ may be had for the indempnity of vs & our people, in certain cases touching vs & our people aforesaid, in our said court of Eschecq. We will & prouide, that from henceforth the bodies of shires shal not be written in seuerall rols, but shall be written in a certain roll annual, & shal be read euery yere vpõ the seuerall accompts of shirifes, that is to wit, in the seuerall counties, that it may be knowen if ought may escheat vnto vs by any maner meane. The rẽnants of the same shires shal be writtẽ by latter dates in the annual rols, & the shirifs shal be charged therwith, in which remnants the liueries & almes ordinary are allowed, & other allowãces (if shirifes haue had any) of the issues of their Bailiwikes by our writs of diuers allowances vnto our grieuous damage: We will & prouide, ỳ of such maner of allowãces so to be made from henceforth view shal be made in our Eschecq. & the same view being faithfully made, the same Treasorer & Barons shal certifie the Chancelor of the said allowãces so to be made, & that writs of allowãces shal be made according to ỳ same certificat: Moreouer there shal be writtẽ in the same annual rols, the farmes of the shirifes, the profits of coũties, the farmes of seriẽats & assertes, the farmes of cities, boroughs & towns, & other farmes, wherof there is answere made yeerely in the Eschecq. And in them also shalbe writtẽ al debts determined, & algrosse debts, wherof is hope ỳ sam what shalbe paid againe. Itẽ al debts ỳ séeme to be cleare, when it is comen vnto accompt, or to the title of new obligations: Nothing shalbe writen in

Shire rols

Accompt Shirifes

Liueries Almes

Allowe

Certifie Chancelor

Annual rols Farmes

Debts determined

Wool staple

Offence

Certifie

Search Sherife Bailife

Summon

Surueiors Othe

Attaint

Imprif.

Punish

Conceale

Extreats

Good debts

in the annuall rol, but thoſe debts wherof there is hope of paiment, and wherof the ſhirife is anſwerable, & debts ẏ ſeem cleer in the originals. Of deadfarmes, & debts deſperate, one roll ſhalbe made, & ſhall be inrolled & read euery yeere vpon the accompts of ſhiriſes, & the debts wherof the ſhirife is anſwerable, ſhall be written in the annual roll, & there ſhal be acquited. Moreouer we wil & prouide, that it ſhall be proclaimed in euery county, ẏ all they that haue Tailes of the Eſchequer for the debts of themſelues or their anceſtors hitherto paied vſually there, and not yet allowed, whereof ſhal come in the ſummõs of the Eſcheq. that ſuch tailes ſhalbe deliuered to the ſhiriſes, to be allowed at the Eſcheq. at their accõpts. And the ſhiriſes ſhal make to them, of whom they ſhall ſo receiue tailes, their writings, witneſſing the receipt of thoſe Tailes, two faithfull Knights deputed therunto, betwẽ whõ and the ſaid Shiriſes, Indentures ſhal be made of ſuch receipts, with the ſeales of them both interchangeably, the foreſaide knights deputed thereunto, ſhall ſend the parts of their indentures, at the term appointed vnto the Eſcheq. in forme afore ſaid, to the end that by the view and witnes of them the ſaid tailes ſo receiued by the ſhiriſes may be ſhewed, & bee allowed vpon their accompts. Moreouer it ſhalbe proclaimed that except thoſe ẏ haue ſuch tailes do ſhew thẽ to the ſhiriſs & knights to be executed, as afore is ſaid, that they ſhalbe diſtrained for the whole debt, & the tailes to be reputed for vnpaied. Moreouer ẏ debts, which yet are to come in the ſummons of the Eſcheq. wherof the debtors doe profer tailes againſt diuers ſhiriſs, ſhalbe defaulked & acquited. Moreouer we prouide, that certaine perſons aſſigned therunto on our behalf, ſhalbe ſent into euery ſhire, which ſhal haue ful power to inquire of ſuch manner debts, & alſo to cal afore them ſolemnly, aſwel ẏ ſhiriſs as their heires & aſſignes, & the tenants of their lands, in caſe they be dead ẏ haue receiued the debts, and alſo if néede bee to procéede to the taking of ſuch manner inqueſts, whether the parties (againſt whõ the foreſaid tailes were ſhewed) do come or not, ſo that the ſhirife do returne a reaſonable ſummons made to them therfore, & ſo the troth being inquired & diſcuſſed in preſence of ẏ parties (if they wil be there) the inquiſitors ſhal make rols of thẽ that ſhalbe conuict afore them, ſo that the foreſaid debts being confeſſed & inrolled, the tailes of the ſame ſhall be forthwith broken. And the ſhiriſs ſhal haue in their cuſtody the tranſcripts of the ſame rols, vnder the ſeals of inquiſitors, & ſhal surceaſe in making diſtreſſes for the debts contained in the ſame, vntill they ſhall haue otherwiſe in commãdement from vs therfore. And the foreſaid inquiſitors ſhal ſend vnto the Eſchequer the foreſaid rols vnder their ſeales, that it may bée examined there by a ſearch to bee made therefore, what debts bee paid in the whole, & what are paid in part, and what debts there be, wherof the debtors bee not acquited, according as ſhal be conuenient to be done. Moreouer wee will and prouide, that the Chamberlains from henceforth ſhall not make to the ſhiriſs or any of their bailifs tailes of Diuidendis, vnleſſe they firſt receiue of them writinges containing the particular ſummes of the actions of debts & the names of them that paid them, into the which particulars bee may part the names of ſuch maner Diuidendis, which being ſo receiued vnder their ſeals, it ſhal not be lawful to number them into other particulars. Moreouer wee prouide that al debts whereunto the ſhiriſes make returne, that the debtors haue nothing in their bailiwikes, ne had not at ſuch time as they were charged with ẏ ſame debts, or that the debtors be not found: that the ſame debts ſhalbe extreated in rolles, and the ſame rols to bee deliuered vnto faithfull & circumſpect men, which ſhall make inquirie therof after ſuch forme as ſhalbe prouided by the Treaſorer and Barons. But foraſmuch as certaine plees heretofore holden in the Eſcheq. which did not concerne vs nor our miniſters of the Eſcheq. wherby aſwel our plees, as the cauſes of our people are vnduly prorogued & letted, we will and ordaine, that no plee ſhalbe holden or pleaded in the Eſcheq. aforeſaid, vnles it do ſpecially concerne vs & our Miniſters aforeſaid. And therefore we command that ye cauſe the premiſſes to be diſtinctly & openly read afore you, & to inrol it, cauſing the ſame to be ſtraightly obſerued in our Court of Eſchequer aforeſaid. In witnes of which &c. giuen at Rutland the xviij. day of the Moneth of May, in the x. yeere of our raigne. Statute of Rutland. An. 10. E. 1.

Deſperate debts

Tailes

Knights

Indentures

Diſtraine

Debts acquited

Commiſſioners

Inquiſitors

Debts confeſſed

Tranſcript

Chamberlains.

Dividendis

Debts Shiriſes

Plees

Officers

3 ¶ Becauſe that many people acquited by iudgement in the Eſchequer in one place, be greatly grieued & indamaged in other

other office s and places of the ſaid Eſche-
quer, for the ſame things wherof they be
ſo acquited, to the great miſchiefe of the
people: It is ordained that one Clerke of
Remembrance Clerke of the pipe the remembrance be titled to ſit againſt
the clerk of the Pipe, to ſee the diſcharges
made in the Pipe, and to abbreuiate the
ſame in the remembrance, to ceaſe al ma-
ner of proces thereupon made: And alſo
that the ſummons of the Pipe be with-
drawen, according as the parties by proces
be diſcharged. And in whomſoeuer a-
ny default be willingly found, the Treaſo-
rer by the kings commandement ſhall
duely puniſh the ſame. An. 37. E. 3. cap. 4.

Officers 4 ¶ All ſtatutes & ordinances made
before this time of officers of the Eſche-
quer, be holden & firmly kept in al points.
Debts Tailes And moreouer it is ordained and eſtabli-
ſhed, that at what time any debts be paid,
& the tailes therof made, ioined & allow-
ed in the ſaid Eſchequer, ỹ this debt ſhall
neuer run in demand, & if it ſo happen that
after the allowãce made there, any clerk
of the Eſchequer make any writ or proces
for to proue the ſame debt of newe, &
Loſſe of office that duely proued, the ſame Clerke ſhall
loſe his office, & to haue impriſonment til
he hath made grẽ to the party by ſo much
Barons as he is indamaged if any wil ſue, by the
diſcretion of the Treaſorer and the Ba-
rons of the Eſchequer. An. 1. R. 2. cap. 5.

5 ¶ The Barõs of the ſaid Eſchequer
ſhall from henceforth haue full power to
heare euery anſwere of euery demaund
made in the ſame Eſchequer, ſo that euery
perſon that is impeached or impeachable
of any cauſe by himſelfe or by any perſon,
ſhall be from henceforth receiued in the
ſame Eſchequer to plead, ſue and haue his
reaſonable diſcharge in this behalf, with-
out tarying or ſuing any writ or other
commandement. An. 5. R. 2. cap. 9. Stat 1.

Accompt 6 ¶ The accompts in the Eſchequer
ſhalbe more ſhortly heard, made & ingroſ-
ſed then they were wont heretofore: Ma-
king alwaies that the parcels of the ſame
accompts bee made as fully as they were
wont in times paſt, & that by ordinance
to be made by the Barons of the ſaid Eſ-
chequer, there to endure of Record for e-
uer. An. 5. R. 2. cap. 11. Stat. 1.

Clerks 7 ¶ Two clerkes be aſſigned to make
parcels of the accompts in the ſame Eſche-
quer to thẽ that will that demand, & they
Othe ſhalbe ſworne that they ſhal do no falſitie
in their office, & ſhal take for their labor of
thẽ whom they ſerue, reaſonably, accor-
ding to the ordinãce of the Barons of the
ſaid Eſchequer. An. 5. R. 2. cap. 12. Stat. 1.

Nihil 8 ¶ The accompts of Nihil in the Eſ-
chequer ſhalbe wholly out, or if any ſuch
accompts ought there to abide, the accõp-
tants immediatly after their oth made in
the ſaid Eſchequer, ſhall bee examined by
the Barons there, if they ſhould or ought
to anſwere the king of any thing in this
behalfe: And if it be founde by their ſaide
oth that they ought not, then by the ſame
their oth they ſhalbe diſcharged to yeelde Oth Diſcharge Auditor
other accompt before any Auditor: The
kings right alwaies ſaued. Anno. 5. R. 2.
cap. 13. Stat. 1.

Clerke of the pipe Remembrancers Othe 9 ¶ The clerke of the pipe, and the re-
membrancers of the Eſchequer ſhall bee
ſworne, that frõ terme to terme they ſhal
ſẽ (whiles the ſaid Eſchequer ſhalbe opẽ)
Writs all the writs of great ſeale or priuy ſeale,
which ſhal bee ſent to the ſaid Eſchequer
the ſame terme, for the final diſcharge of
any perſon of the realme, of any demande
due in the ſaid Eſchequer, & that euery of
Execution them to whom it pertaineth, ſhal doe due
execution of the ſaid commandemẽt. And
alſo it is ordained & aſſented, that the ſaid
two remembrancers ſhall bee ſworne of
their part, that euery terme from hence-
forth they ſhall make a ſcedule of all the Scedule Diſcharge
perſons that ſhalbe diſcharged in their of-
fices by iudgements, or in other maner in
the ſame terme, of any demaundes in the
ſame Eſchequer, containing the maner of
the ſame diſcharges, & to deliuer the ſame Diſcharge
ſcedule to the ſaid Clerke of the Pipe the
ſame terme, to the intent that the ſame
clerke of the pipe, do therof diſcharge the
Roll ſaid parties in the great roll. Alſo the ſaid
Clerke of the Pipe ſhalbe ſworne, that he
frõ terme to terme ſhall require the ſame
ſcedules, & the ſame ſcedules by him ſo re-
ceiued, hee ſhall diſcharge the ſaid parties
in the maner aforeſaid. And in the ſame
Certifie maner the ſaid clerke of the Pipe for his
part, ſhall do to be certified in writing to
the ſaid remẽbrancers, of all ſuch diſchar-
ges which ſhalbe made in his office, to the
intent that a man diſcharged in one place
be diſcharged in al other places of the ſaid
Eſchequer. An. 5. R. 2. cap. 14. Stat. 1.

Liuerie 10 ¶ Though that many times here-
tofore diuers perſons haue had liuerie of
their lands & tenements out of the kings
hands by iudgment giuen for them in the
kings Bench, or elſewhere, & of the ſame
iudgmẽts after haue procured to ſend the
tenor of the records and proceſſes thereof
made

made by writ of Mittimus into the ſaid Eſcheq. to the intent for to diſcharge thē of the accompts demanded of them vpon the ſame tenements. Neuertheles the officers of the ſame Eſcheq. would not in times paſt diſcharge ỹ ſaid perſons therof, before ỹ the ſame recordes & proceſſes were word by worde newly entred into the Eſcheq. & therupon new proces made, & new iudgement there another time giuen, to the great damage and delay of the partie, without profit to the king: It is therefore ordained & aſſented, that from henceforth after that ſuch record or the tenor of the ſame ſhall come into the ſaide Eſcheq. by the kings commandement (as it is ſaid) that the remembrācer, in whoſe office ſuch accompts ſhalbe demāded, ſhal forthwith cauſe the ſuit to ceaſe in this behalfe, by words to be entred vpon the indorſement of the writ touching the tenor of the record of the ſame iudgment without making new iudgment or proces further in this party. An. 5. R. 2. cap. 15. St. 1.

Recordes

Remembrancer Accompt

11 ¶ Frō henceforth nothing ſhall be giuen for making of a commiſſion in the ſaid Eſchequer for the fée of the Clerke which ſhal make the ſame, aboue ij. s. only, nor for the record of a Niſi prius with the writ but ij. s. only, as before this time was wont to be done and vſed. An. 5. R. 2. cap. 16. Stat. 1.

Commiſſiō

Fees

Niſi prius

12 ¶ No ſuch recogniſance nor other bond of the double bee made nor taken in the Eſchequer from this time forth. And that all ſuch recogniſances & other bonds which be made at this preſent time be vterly cancelled & adnulled. Prouided alwaies that the king haue ſufficient ſuertie for his dutie in the maner accuſtomed. An. 13. R. 2. cap. 14. Stat. 1.

Recogniſances Bonds

Suerty

13 ¶ An. 33. H. 6. cap. 4. An acte was made to endure, as it ſeemeth, for v. yeres concerning fées to be taken in the Eſchequer, and that proces ſhall not be made againſt Commiſſioners, to certifie their commiſſions after they haue ſufficiently excuſed themſelues. See the ſtatute.

Fees

Commiſſio

Eſcheat.

Alſo the king ſhall haue eſcheates of the lands of Normans, to whoſe fée ſoeuer they belong: ſauing the ſeruice appertaining to the chief Lords of the ſame fée. And this alſo is to bee vnderſtanden where any inheritance diſcendeth to any that is borne in ỹ parties beyond the ſea, whoſe anceſtors were from the time of K. John, vnder ỹ alleageance of the kings of France, & not of the kings of England, as late it happened by the Baronny of Monmouth, after the death of John Monmouth, whoſe heires were of Britaine & other places, king Henry by the forſaide occaſiō recouered many eſcheats of Normans landes out of the fées of other men, & gaue them to be holden of chiefe Lords of the fée, by ſeruices and cuſtomes due and accuſtomed thereunto. Statute of the kings Prerogatiue. Anno 17. Edwardi ſecundi cap. 12.

Normans Dernes

Inheritāce

Anceſtors Aliens

Monmouth

¶ Eſchetors.

There ſhall be as many Eſchetors aſſigned, as were in the time when the K. that now is, did take the gouernance of this realme vpon him. And ỹ the ſame eſchetors be choſen by the Chancelor, treaſorer, and chiefe Baron of the Eſchequer, taking to them the chiefe Juſtices of the one bench & the other, if they be preſent, in maner as is aforeſaid of the Shirifs. And that no Eſchetor tarie in his office aboue a yere. An. 14. E. 3. cap. 8.

Chancelor Treaſor. & Lord chiefe Baron Juſt. of B.

2 ¶ Euery eſchetor ſhall take his Inqueſts of his office of good people & lawfull, which be ſufficiently inherited and of good fame, & of the ſame Countie where the inquirie ſhall be, and that the inqueſts ſo taken bee indented betwirt the Eſchetors and Jurors. And if it bee otherwiſe done, that ſuch inqueſts be holden for void. And the king will, that ſuch inqueſts bée taken in good townes, openly and not priuilie. An. 34. E. 3. cap. 13. Stat. 1. See here following.

Inqueſts

Indentures Jurors

Void

Opē places

3 ¶ Where landes or tenementes be ſeiſed into the kings hand by office of the Eſchetor, for that that the kinges tenant made therof alienatiō without the kings licence, or ỹ the kinges tenant by knights ſeruice died ſeiſed of the landes and tenements aforeſaid in his demeſne as of fée, & his heire within age, and after the cauſe certified into the Chauncery, & hee whoſe lands be ſeiſed come into the Chancery, & will trauerſe the office, which was firſt taken by the kings commandement, and that the ſaid lands be not ſeiſable, he ſhall be thereto receiued. And if it found by the ſecond office, for the partie, both the two offices ſhalbe ſent into the kings Bench, and there tried according to the law, An. 34. E. 3 cap. 14. Stat. 1.

Landsſeiſed

Alienation Knights ſeruice

Heire with-in age

Trauerſe

ii. Office K. Bench Tryall

4 ¶ For

4 ¶ For the grieuous complaint that the K. hath now heard of his people vpon his Eſchetors, & of their euill behauiour, he wil & hath ordained of the aſſent aforeſaid, that landes ſeiſed into his handes becauſe of ward, ſhalbe ſafely kept, without waſt or deſtruction. And that the eſchetor haue no fée of wood, fiſh, nor of Meniſon, nor other thing, but ſhall anſwere to the K. of the iſſues & profits yerely comming of the ſaid lands, without doing waſte or deſtruction, & if he doe otherwiſe, & thereof be attainted, hee ſhall be ranſomed at the kings wil, & yéld to the heire the treble damages at his owne ſuit, aſwell within age as of ful age, & his friends as long as he is within age, ſhall haue the ſuite for him, anſwering to the ſaide heire of that ý ſhalbe ſo recouered. Alſo of other landes ſeiſed into the kings handes by inqueſt of office taken before the Eſchetors, this ordinance ſhall hold place againſt the eſchetors. And if there be any man that wil put challenge or claime to the landes ſo ſeiſed, that the eſchetor ſend the inqueſt into the Chancerie within one Moneth after the landes ſo ſeiſed. And that a writ be deliuered to him, to certifie the cauſe of his ſeiſin into the Chancery, and there be ſhalbe heard without delay to trauerſe the office, or otherwiſe ſhew his right, & from thence ſent before the king to make a finall diſcuſſion, without attending other commandement. And that in caſe that any come before the Chancelor and ſhewe his right, by which ſhewing, by good euidences of his ancient right and good title, the Chancelor by his good diſcretion, and aduiſe of Counſel (if it ſéeme expedient to him to haue counſel) ſhall let & deliuer the landes ſo in debate to the tenant, yéelding thereof to the king the valure, if it pertaine to the king, in maner as he and the other Chancelors before him haue done in times paſt of their good diſcretion, ſo that he find ſuerty that he ſhal do no waſt nor deſtruction til it be iudged. And that the ſaide Eſchetors take ſuch inqueſts in the good townes, and of good people, & that openly and by Indentures to be made betwixt the ſaide Eſchetors and them of the inqueſt, as another time was ordained by a ſtatute (that is to ſay, An. 34. E. 3. ca. 13. before 2.) And if any eſchetor doe the contrarie of this ſaid ordinance, he ſhall haue two yeres impriſonment, and moreouer to be ranſomed at the kings wil. An. 36. E. 3. cap. 13. Stat. 1.

Warde
Waſte
Fée
Profits
Attaint 3. damages
Next friends
Office
Claime Inqueſt
Certifie
Chancerie
Trauerſe
Chancelor
Leaſe
Surety Waſte
Inqueſts
Indentures
Impriſ. Fine

5 ¶ No Eſchetor ſhalbe made, vnleſſe he haue xx. li. of land at the leaſt, or more & in fée. And that they doe their offices in proper perſon. And if any other be choſen, he ſhalbe put out. Ann. 42. E. 3. cap. 5. See following 10. 11.

xx. li. Land

6 ¶ That no Eſchetor nor commiſſioner, take in any wiſe any inqueſts to inquire, but of people returned & impanelled by the Shirifes in the county, within which hee is Eſchetor or Commiſſioner. And if any Eſchetor or commiſſioner take inqueſts of people which be not impanelled nor returned by the Shirife, as is aforeſaid, and thereof by examination or otherwiſe (at the ſuite of the partie, which for himſelfe or for the king, or any other perſon which wil ſue) be duely conuict, for euery inqueſt ſo take, that he incurre the paine and forf. of xx. li. to be paied: that is to ſay, the one halfe to the king, and the other halfe to the partie grieued, at whoſe ſuite he ſhalbe conuict. And that no lands nor tenements ſeiſed into the kings hãds vpon ſuch inqueſts taken before the eſchetors or commiſſioners, be not in any wiſe let nor granted to farme by the Chancelor or Treaſorer of Engländ, or any other the kings officers, till the ſame inqueſts & verdicts be fully returned in the Chancery, or in the Eſcheq. but all ſuch lands and tenemẽts ſhall intirely & continually remaine in the handes of our Soueraigne Lord the K. vntill the ſaid inqueſts & verdicts be returned. And by a moneth after the ſame returne, if it be ſo, that he or they which ſéele them grieued by the ſame inqueſts, or putting out of their lands & tenements, come into the Chancery, & then proffer to trauerſe their ſaide inqueſts and then offer to take the ſame lands or tenements to farme: And if they ſo do, that thẽ ẏ ſame lands or tenements be committed to them, if they ſhewe good euidence, prouing their trauerſe to bee true, after the forme of the Statute made the 26. yere of King Ed. the 3. after the conqueſt, to hold vntill the iſſue taken vpon the ſame trauerſe be found & diſcuſſed for the K. or for the partie finding ſufficient ſuertie to ſue the ſaid trauerſe with effect, & to render & pay to our ſoueraigne Lord the King the yerely value of the lands, wherof the trauerſe ſhalbe ſo taken if it bee diſcuſſed for the K. And if any letters Patents of any of the lands or tenements be made to the contrarie to any other perſon, or let to farme within the ſaide Moneth, after the ſaid

Inquel
Comun Forf.
Moitie
Leaſe
Verdicts
Chancery Trauerſe
Iſſue
Surety
Letters K.

said moneth of returne, they shalbe void & holden for none. And that the Escheators & commissioners, vpon pain of the forfaiture of xx.li. to be paid: that is to say, The one halfe to the king, & the other halfe to the partie, at whose suit he shalbe convict, returne the inquests before them taken into the Chauncerie of our Soueraigne Lord the K. or into the Eschequer within a moneth next after the taking of ỳ same, and euery man which will sue for the K. shal haue the suit in this behalfe. Anno. 8. H. 6. cap. 16.

Void

Forf.

Moitie

7 ¶ The which good Statute & ordinance (See An. 8. H. 6. cap. 16. before 6.) diuers persons imagining to subuert, & by their subtilty to serue as nought, haue sued to haue such gifts & grants and farmes by the kings letters Patents, before any inquisition or title found for the K. of the same, pretending such gifts & grants not comprised nor remedied by the saide Statute, notwithstanding that hee is in like mischiefe of the said Statute: Our said Soueraigne Lord the K. considering the premisses, and willing to prouide a remedy in this behalfe, hath ordained by the authoritie aforesaid, that no Letters Patents shall be made to any person or persons, of any lands or tenements, before inquisition of the kings title in the same be found in the Chancerie, or in his Eschequer returned, if the kings title in the same bee not found of record, nor within the Moneth after the same returne, if it be not to him or them which proffer their trauerses, as is aforesaid. And if any letters Patents be made to the contrary, they shall be voide and holden for none. An. 18. H. 6. cap. 6.

Letters P. Inquisition

Chancerie Eschequer

Void

8 ¶ In case that any escheator take any office before him, & returne not the same office in the Chauncerie, or in the Kings Esche. in the Moneth after the taking of the same, he shal incurre the pain of xl. pound, which hee hath forfait by ỳ statute made the viij. yere of our said Soueraign Lord the king, (that is to say, An. 8. H. 6. cap. 16 before 6.) And also he shal be holden to pay the same our Soueraigne Lord the king, as much as he is indamaged because of not returning of such office. And that the Chancelor of England shall call to him the Treasorer of England, in letting such farmes, to make due execution of the said statute made the said viij. yere. An. 18. H. 6. cap. 7.

Office Returne Chancerie Exchequer

Forf.

Chancelor Leales

9 ¶ Euery Escheator shall take his inquests of office, by vertue of the writs of Diem clausit extremum, & al other writs within the moneth after the deliuerãce of such writs. And also that all such inquisitions shalbe taken in good townes & open places. And that none of them shall take priuily nor apertly, by him or by other, by any meanes of any person, for the execution of any such writs in one countie, aboue ỳ summe of vj.s. viij.d. or viij s. iiij.d. or aboue, where his labour & his costs shal be borne, so that the summe which he so shal take, do not excéd in al the summe of xl.s. for the execution of any such writ in one countie. And if any Escheator do contrary to any of the premisses: that then he shall forfait the summe of xl. li. And if a mã trauerse any office taken before any Escheator or Commissioner, and therof hath any Scire facias against any patentee, that in this case no protection shalbe allowed nor allowable. And as to any graunt or lease to be made to any person, which shal trauerse any such office, that the statute in this case before this time made, shall bee duely obserued. And that the K. haue the halfe of the said forfaiture of xl. li. and the partie which in this behalf wil sue for the king and himselfe, shall haue the other halfe of the same. An. 23. H. 6. cap. 17.

Inquests

Diem clausit extremum

Inquisition Townes

Fees

Forf.

Scire facias No protection

Moitie

10 ¶ Wheras many insufficient and of light cõscience be made Escheators, & do set their offices to farme vnto oppressors of the people, taking money & suertie to be saued harmeles, so that the farmors do ther by binde thẽselues to be extortioners where of olde time the Escheators & their deputies ought to be sufficient & well disposed persons: Be it &c. that no man to be made escheator after the feast of the Natiuitie of our Lord 1473. shall take vpon him the office of escheator, nor occupie the same office by himselfe, nor by none other person, vnlesse the said Escheator, or other person or persons to his vse, haue at the time that he shalbe chosen escheator, lands, tenements, or rents, in fee simple, fee taile, or for terme of life of ỳ yerely value of xx. li. lying and being within the same County or counties, wherof he shall bee made escheator. For ỳ any such Escheator to be chosen after the said feast shal in any wise sel nor set to farme the saide office of escheatorship, nor make any deputie or deputies, but such for whom he wil answere at his peril, the name or names of the said deputie or deputies, to bee certified by the same escheator by his letters patents,

xx.li. Land

Set to farm

Deputie

Certifie

to

to the Treaſorer & Barons of the kings Eſchequer for the time being, within xx. daies after ſuch deputation made. And ỳ no ſuch deputie or deputies take vpõ him or them to occupie in the office of Eſchetorſhip, except ſuch Eſchetor haue lands, tenements or rents, to the aforeſaid yerely value, in maner & forme as is aforeſaid. And if any perſon or perſons after ỳ ſaide feaſt do contrarie to the premiſſes, or any of them, he ſhall forfait for euery default xl.li. The one halfe thereof to our Soueraigne Lord the K. to bee imploied to the vſe of his honorable houſe, the other halfe to euery of the K. liege people, which will therfore ſue, by action of debt, wherin like proces, rule, iudgment, coſts & damages ſhalbe had & awarded, as is vſed in other actions of debt vſually purſued by writ at the common law. And that no waging of law, protectiõ, nor eſſoine be in any wiſe allowed in the ſame. And that the Juſtices of peace in euery place, ſhall haue power to enquire, heare & determine euery ſuch forfaiture vpon preſentment thereof had before them in their Seſſions: In which preſentmẽt like proces ſhalbe had, as is vſed vpon indictmẽts of treſpas done with force and armes againſt the kings peace.

Landes

Forf.

Moitie

Juſt. of P. Inquire Diet & ter.

Prouided alwaies, that this act doe not extend to any perſon or perſons, made or to be made eſchetor of any citie, borough or towne of this realme of England, hauing authority to make, or to be eſchetors within themſelues, by the letters Patẽts of our Soueraign Lord the K. or of any of his noble progenitors or predeceſſors. An. 12. E. 4. ca. 6. See here following 11. that Eſchetors muſt haue xl. Markes land.

Citie Borough

* 11 ¶ If any Eſchetor or Cõmiſſioner hereafter returne or put into any of the kings Courts, any inquiſition or offices, concerning landes, tenementes, or other hereditaments, not founde nor preſented by the othes of xii. men, and indented, and by them ſealed: that then the ſame Eſchetor or commiſſioner to forfait for euery ſuch office or inquiſition ſo returned and put into any of the ſaid Courts an C. pounds, to the partie or parties grieued by any ſuch inquiſition or office. And that from henceforth no Eſchetor, ne no man fit by vertue of any Cõmiſſion to inquire of landes, tenementes, or other hereditaments, except he or other to his vſe, haue landes, tenementes or hereditaments of the yerely value of xl. Markes, aboue all charges and repriſes, vpon paine of xx.li.

Returne Inquiſition

Forf.

Commiſſioners ſit

xl. Markes Land

(See before 5. & 10.) And that it ſhall bee lawful for al perſons, that be not ſufficient of freehold in poſſeſſion or vſe, at the time of any ſuch commiſſion to them deliuered, to refuſe to ſit & enquire by vertue of the ſame Cõmiſſion. And that they vpõ proces made againſt them out of the kings Eſchequer, by vertue of the ſame commiſſion, to bee diſcharged vpon their oths, for their ſaid inſufficiẽcie, without fine or fee. And that euery Eſchetor and Commiſſioners, ſhall ſit in conuenient & open places, according to ỳ ſtatutes heretofore made. And that the ſaid Eſchetors and Commiſſioners, ſhal ſuffer euery perſon to giue euidence openly in their preſence, to ſuch inqueſts as ſhalbe taken before any of them, vpon paine of xl.li. And that no Shirife, nor other perſon, which ſhall or ought to returne writtes or precepts, returne before Eſchetors or ſuch commiſſioners, any perſon or perſons to enquire of any lands or tenemẽts, except euery of the ſame Jurie ſo returned, or other to their vſe, haue lands or tenements of the yerely value of xl.s. within ỳ ſame ſhire wher the ſame inquiry ſhalbe made, without fraud or colluſiõ, aboue al charges & reprciſes, vpon pain of forf. for euery perſon ſo returned one C.s. And that the Jurie that ſhall be ſworne before any Eſchetor, or ſuch Commiſſioner to inquire of Lands, tenements, or other hereditaments, ſhal receiue ỳ counterpaine of the office or inquiſition that by them ſhall be preſented, indented and ſealed by the Eſchetor, or by ſuch Commiſſioner, and the ſame deliuer & ſuffer to reſt in the poſſeſſion of the firſt perſon that ſhalbe ſworne in the ſaid Jury, with him to remaine, to the intent that the ſaid commiſſioner or eſchetor may not change nor embeſil the ſaide offices or inquiſitiõs. And this to be done vpon pain of euery of the ſaid perſons that ſhalbe ſworne, xx.s. And that euery eſchetor and commiſſioner, after a Jurie or inqueſt before any of them ſworne be ready to giue their verdict or preſentment, & offer to preſent the ſame, that the ſame Eſchetor or commiſſioners, or part of them that ſhal receiue the ſame verdict without farther delay, vpon pain of C.li. And deliuer the counterpaine of the Indenture to the Jury, in forme aboue rehearſed, vpon like paine. And that if the Clerke of the Petie bagge of the kinges Chauncerie, for the time being, or his deputie or deputies, or any other officer there, hauing

Forf.

Not ſufficient

Refuſe

Proces

Eſchequer Diſcharge

Open place

Open euidence

Forf. Sherife

Returne Writs

Jurie

Lands xl.s

Forf.

Indenture

Embeſill Offices

xx.s. Paine

Verdict

Forf. C.li. Counterpain

Clerke of the Petie bagge

Officer

authoritie

authoritie to receiue any ſuch office or inquiſition, to whoſe hands any ſuch office or inquiſition ſhal come, which ought to be returned into the ſaid Chancerie, will not receiue the ſame office or inquiſition, & put it on the Files, to remaine of record, within iiii. daies after it be returned or offered to him to be receiued, he to forfait for euery ſuch default xl.li. And the Cõmiſſioners or Eſchetors, afore whom the ſame office or inquiſition is founden, & as is before ſaid, offered to be deliuered into the Chauncerie, to bee diſcharged of the penaltie of xl.li. limitted by the ſtatute, for nonreturning of the ſame office or inquiſitiõ within the moneth (s. An. 18 H.6. ca. 17. before 8.) And the like lawe & penaltie be to charge the officer or officers of the kings Eſchequer, for the time being, which ought to receiue inquiſitiõs or offices returnable into the ſame Eſchequer, for refuſing ſo to receiue them. And that the Commiſſioners or Eſchetor, before whom the ſaide inquiſition or offices be founden, be diſcharged of ẏ penaltie of the ſtatute for non returning of the ſame inquiſitions or offices, ſo ẏ then the ſaid Eſchetors or Commiſſioners at any time after the moneth of any ſuch offices, before them, or any of them taken, within another moneth then next enſuing, returne the ſaid office into ẏ Chauncerie or Eſchequer, as the caſe ſhall require. And that the ſaid Clerke of the Petie bagge (for ẏ time being) certifie or cauſe to be certified, the tranſcript of euery ſuch office or inquiſition (taken before any Commiſſioners or Eſchetors) to ẏ kings Eſchequer, the next Terme following ẏ receipt thereof, vpon paine of forfeiture for euery ſuch default C.s. And that no man be compelled after the feaſt of all Saints next comming, to occupie nor exercile the office of an Eſchetor, by any one Patent ouer one whole yeere. And that he that is once Eſchetor, ſhal not be made Eſchetor againe, within iii. yeere after the aforeſaid whole yere ended. And if any Eſchetor, after the feaſt of all Saints, be made Eſchetor to exercile his office, by reaſon of one patent ouer ẏ time of one whole yere ended, or be made Eſchetor within iii. yeres after (as is aforeſaid:) that then after the ſaid whole yere (in forme aforeſaid) ended, his patent ſo made, to be void & of none effect. And that the partie or parties ſo grieued, ſhal haue his or their recouery of euery of the ſaide forfaitures of one C.li. by action of debt, in which action the defendant ſhall not wage his law, nor be by protectiõ nor eſſoine &c. And the reſidue of the other forfaitures expreſſed in this preſent act, the king ſhal haue the one moitie therof, & ẏ partie that will ſue therefore by action of debt, the other moitie. And the defendant ſhal haue no other delay, but as is aforeſaide.

Refuſed to receiue File.

Forf. xl. li.

Diſcharge

Officers Eſchequer

Diſcharge

Returne

Clerke of the Petie bagge

Tranſcript

Forf.

Patent

Eſchetor but once in three yeres

Parties void

Recouery

Moitie

Prouided alway, that this acte concerning Eſchetors, for exerciſing of their offices ouer an whole yere together, & letters Patents or graunts made or to bee made to any Eſchetor for terme of life, or for yeres, or otherwiſe, extend not, ne bee preiudicial to any Eſchetor that now is, or that hereafter ſhalbe made & ordained in any Citie or Town corporat, or in the Duchies of Lancaſter, Cornewall, & the Counties Palantines of Lancaſter, Cheſter, Durham, or Ely, or to any other County Palantine within the Realm of England, Wales, or Marches of ẏ ſame. Or to any Eſchetor made, or hereafter to be made by any perſon or perſons ſpiritual or temporal, hauing authoritie, by reaſon of any franchiſes, liberties, priuiledges, preſcriptions, or graunt to depute or make any ſuch Eſchetor in ẏ ſame. Prouided alſo that this act, as to any penaltie in the ſame, concerning the ſufficiencie of Eſchetor or Jurors aforeſaid, extend not, nor be preiudicial to any Eſchetor in citie or townes corporate, ne to any other Eſchetor made, or hereafter to be made by any perſon or perſons, hauing priuiledge to make Eſchetors for inquiſitiõ of lãds, tenements or hereditamẽts: Ne to any ſhirife or bailife for returning in any panel, any perſon or perſons before any of ẏ ſaid Eſchetors, of leſſe value then is contained in the ſaid acte. The Eſchetors of the Counties Palantine of Lancaſter & Cheſter in this Prouiſo only forepriſed & excepted.

Letters Patents

Citie

Countie Palantine

Wales

Franchiſes.

Sufficiency

Townes corporate

Priuiledge

Shirife Bailife

Prouided alſo that this act extend, nor be preiudiciall to any Juſtices of peace, for any thing doing, cõcerning Cõmiſſiõ of the peace &c. This act to endure to the nert parliamẽt. An. 1. H. 8. ca. 8. This act is made perpetuall. An. 3. H. 8. ca. 2.

Juſt. of P.

12 ¶ After ſuch office found afore any Eſchetor or Commiſſioner, put into the Chancery or the Eſchequer, if any perſon or perſons which will tender a trauerſe to the ſaid office, & deſireth to haue the lãds contained in the ſame office to farme, &

Chancery Eſchequer Trauers Office

Farme.

Suertie

finde the ſuertie, & ſheweth euidence to ẏ Chancellor of England for the time being, according to the ſtatut afore rehearſed, (s. An. 8. H. 6. cap. 16. before 6.) come into the Chancerie within iii. moneths nert after the ſame office ſo put into the Chaũcerie or Eſchequer, that he be then by the ſaid Chauncellour thereto admitted, and that then all other Patents and graunts hereafter to bee made thereof, within the ſaid three moneths ended, be void & of none effect: The ſaide ſtatute made the viii. yere of ẏ reigne of king H. 6. or any other ſtatute made to ẏ contrary notwithſtanding. An. 1. H. 8. ca. 10.

3 Moneths

Chauncelor

Patents

Void

13 ¶ An. 1. H. 8. cap. 12. It is enacted, that Trauerſes may be taken to offices procured by Empſon & Dudley, notwithſtanding liuerie ſued of thoſe lands.

Trauerſe Empſon Dudley

14 ¶ All and euery ſuch perſon & perſons, which ſhalbe named & certified into the kings Chaũcerie by the Lord Treaſourer of England, to be Eſchetor, ſhall within one moneth nert after his letters Patents ſhall bee offered vnto him, take vpon him the execution of the ſame office, or elſe appeare in the ſaid Eſchequer, and ſhewe a reaſonable cauſe, why hee ought not ſo to do. And if any ſuch perſon ſo named and certified to be Eſchetor, doe not appeare as is aforeſaide, within one moneth nert after notice to him giuen, as is aforeſaide, nor ſhewe any reaſonable cauſe why he ought not to doe the ſame: that then he ſhal loſe and forfait for euery ſuch default xx. li. to the king our Soueraigne lord, to be leuyed to his Maieſties vſe, in any his highnes Courtes of Record. And be it &c. that no Eſchetor after &c. ſhal ſit only by vertue of his office for enquiry of the tenure, title, or value of any lands, tenements, or hereditamentes, where the ſame lands, tenements, or hereditaments bin of the value of v. li. by the yere or aboue and holden of the king, without the kings writ to be directed to him for the ſame, vpon paine to loſe and forfait for euery time that he ſhall ſit and make enquirie contrarie to the forme of this eſtatut v. li. Nor that any Eſchetor ſhall take for the finding of any office, of any manors, lands, tenements or hereditaments, that ſhal not exceede the cleere yerely value of v. li. aboue the ſumme of xv. s. ẏ is to ſay: for the Eſchetors fee vi. s. viii. d. & for the writing of the office. iii. s. iii. d. & for the charges of the Jury iii. s. & for the officers & miniſters that ſhall receiue the ſaid office in any Court of Record ii. s. vpon paine that euery Eſchetor offending this act, ſhal loſe and forfait for euery time ſo offending v. li. And that the officers & miniſters of euery Court of Record, where ſuch inquiſition ſhalbe returned, being offred vnto them within one moneth nert after the finding therof, ſhal receiue & take the ſame, vpon pain to loſe & forfait euery time offending this act v. li. The one moitie of al which forfaitures aforeſaid, ſhalbe to ẏ king our ſoueraigne Lord, and the other moitie thereof to the party that will ſue for the ſame in any of the kings Courts of Record: In which &c. Anno 33. H. 8. ca. 22.

Treaſorer

Letters Patents

Appeare in the Eſchequer

Appeare within one moneth Forf.

Title of land

v. li. by the yere Kings Writ Forf:

Finding of office

Fee

Forf:

Office within one moneth

Forf: Moitie

15 ¶ Where many & diuers perſons be holding, or that haue holden landes, tenemẽts, or hereditamẽts, ſome for terme of yeres, & ſome by copie of court Roll, haue bin expulſed, & put out of their termes & holds, by reaſon of inquiſitions, or offices founden before Eſchetors, Commiſſioners, & other, containing tenures of the king in Capite, entituling the king to the wardſhip & cuſtody of ſuch lands or tenements, & ſometume entituling the king to the ſame vpon attaindors of Treaſon, felony, or otherwiſe, by reaſon that ſuch leaſes for terme of yeres, or intereſt by copy of court Roll, of ſuch perſons, haue not bin found in ſuch inquiſitions or offices, after which expulſion or putting out, the ſaid perſons haue bene without remedy, for the obteining of the ſaide termes and holds, during ẏ kings poſſeſſion therein, & can haue no trauerſe, Monſtrans de droit, ne other remedye for the ſame, becauſe their ſaide intereſt is but a chatell in the law, or cuſtomarie holde, and no eſtate of free hold. And alſo where any perſon or perſons, hath any rent, common, office, fee, or other profit apprender, of any ſtate of freehold, or for yeres, or otherwiſe out of ſuch landes or tenements, ſpecified in ſuch offices or inquiſitions, the ſaid rent, cõmon, office, fee, or profit apprender not found in ẏ ſame office or offices, ſuch perſons are in like maner without remedy to obtain or haue ẏ ſaid rent, common, office, fee, or profite apprender, by any trauerſe or other ſpedy meane, wout great & exceſſe charges, during the kings intereſt therein, by force of ſuch inquiſition or office: For remedy whereof be it &c. that where any ſuch office or inquiſition is or ſhalbe foũd, omitting ſuch title, intereſts, or matters, as is aforeſaid, that in al ſuch

Chattel

Offices Fee

Office Inquiſition Title

cales,

Lesse

Copyhold

Common

Lands

Leases

Offices. Fees

Rent

Heires

Writ. Liuery

Ouster le maine

Verdict Office Inquisition Customes

Heire

Tenant

Lunatike Ideot

Trauers

cases, euery lessee, tenant for terme of yeres, or copyholder, & euery such person or persons, that haue or shal haue any interest to any rent, comon, or profit apprender for terme of yeres, life, or otherwise, out of any of the lands, tenements, or hereditaments, contained in such office or inquisition, where the king, his heires or successors, is or shalbe intituled, as is aforesaid, to any such lands, tenements or hereditamẽts, shal haue, hold, enioy, and pceiue, al & euery their leases and interestes for terme of yeeres, or by copie of court Roll, rents, comons, offices, fees, & profit apprender, in such maner, forme, state, & condition, as they & euery of them should or might haue done, in case there had bin none such Office or inquisition foũd, & as they should, or lawfully might or ought to haue don, in case such lease, interest by copy of court Roll, rent, comon, office, fee, or profite apprender, had beene founden in such office or inquisition: any lawe, custome, or vsage to the contrary heretofore vsed, in such cases in any wise notwithstanding. And also where it is, or shalbe founden for the king, his heires or successors, that the heire or heirs of his tenant or tenants, is or shalbe within age, where in deede such heire or heires is or shalbe at the same time of ful age, or of a more or greater age, then is, or shalbe contained within such office: Be it &c that in euery such case, such heire & heires, shal & may at his or their verie ful age or after, prosecute a writ of Aetate probanda, and sue his or their Liuerie or ouster le maine as his or their cases shal lie, & haue & pfits of his or their landes, tenements or hereditamentes, from the time of his or their verie ful age: any such verdict, office, or inquisition, or any law, or custom, to the contrary in any wise not withstanding. Also where one person or more is, or shalbe found heire to the kings tenãt by office or inquisition, where any other person is or shalbe heire, or if one person or moe, be or shalbe found heire, by office or inquisition in one Countie, & another person or persons is, or shalbe founden heire to the same person in another Coũty, or if any person be, or shalbe untruely founden Lunatike, Ideot, or dead: Be it enacted &c. that euery person or persons grieued, or to be grieued by any such office or inquisition, shal & may haue his or their trauers to the same immediatly, or after, at his or their pleasure, & proceed to trial therein, & haue like remedy and aduantages, as in other cases of trauerse vpon untrue inquisition or offices founden: any law, vsage or custome to & contrarie in any wise not withstanding. Also where it is or shalbe hereafter untruely founden by office or inquisition, that any person or persons attainted, or that shall be attainted of Treason, Felony, or Præmunire, is or shalbe seised of any lands, tenements or hereditaments, at any time of such Treason, Felony, or offence committed or done, or any time after, whereunto any other person or persons hath, or shal haue any iust title or interest, of any estate of freehold: that then in euery such case euery persõ or persõs greeued thereby, shal haue his or their trauerse or Mõstrance de droit to the same, without being driuen to any petition of right, & like remedie & restitution vpon his or their title found or indged for him or them therin, as hath bin accustomed & vsed in other cases of trauerse, although the kings Mattestie, his heires or successors, be or shalbe in such case entituled to any such landes, tenements, or hereditaments, by double matter of record: any law, custome, or vsage, to the contrarie in any wise not withstanding. And further be it &c. that where any inquisition or office is, or shal be found by these words or like, Quod de quo, vel de quibus tenementa prædicta tenentur iuratores prædicti ignorant, or els founden holden of the king, per quæ seruitia ignorant, or such like, that in such case such tenure so vncertainly founden, de quo vel de quibus tenementa prædicta tenentur ignorant, shal not be taken for any immediat tenure of the king, nor such tenure so founden of the king, per quæ seruitia ignorant, shal not be taken any tenure in Capite, but in such cases a Melius inquirendum to be awarded as hath been accustomed in old time: any vse of later time to the contrarie not withstanding. And be it further enacted &c. that where it is or shalbe founden by any office or inquisition that any landes, tenements or hereditaments, are or shalbe descended, remained, or come to any heire within age, & in the kings ward, or that ought to be in the kings warde, & that such lands tenements, or hereditaments, are holden of the king immediatly, where in deed the same are, or shalbe holden of some other common person, & not of the king immediatly: that in such case such heire or

Triall

Attaint Treason Murder Felony Præmunire

Free hold

Trauers Monstrance de droit

Inquisition Offices

Melius inquirendum

Lands Tenemẽts

Trauers

heires, ſhal & may haue their trauers to the ſame within age, & like remedy & reſtitution vpon his or their title founden, or iudged for him or them therein as hath bin accuſtomed and vſed in other caſes of trauerſes: any law, vſage or cuſtome, to ỹ contrarie in any wiſe notwithſtanding. Alſo where the kinges Maieſtie by his Prerogatiue, ought to haue aſwell ſuch lands & tenements as be holden of other perſons, as holden of himſelfe immediatly, whereof his tenant holding of him in chiefe died ſeiſed, his heire being within age, vntil ſuch time as liuerie be ſued by ſuch heire, & that ỹ meſne Lords of whom the ſaid other landes & tenements of ſuch heire be holden, vſe to ſpare the rents due to them for the ſame lands or tenements holden of them, during the kings poſſeſſion. And when ſuch heire hath ſued his or their liuery, they vſe by diſtreſſe, or otherwiſe to compell the ſaide heire to paye to them the arrerages of ſuch rents, for ſuch time as the ſaid lands or tenements were in the kings poſſeſſion by ſuch minoritie, where they ſhould haue ſued by petition to the kings Maieſtie, to haue obtained ỹ ſame out of ỹ kings hands if they would haue the ſame: which is to the great detriment, loſſe & hinderance of ſuch heire & heires: For redreſſe wherof be it &c. that from henceforth ſuch meſne Lordes during ſuch minoritie ſhal haue, receiue and take the ſaid rents by the hands of ſuch ỹ kings Officers, as ſhall be appointed to haue, receiue, & take the iſſues, reuenues, & profits of the ſame landes & tenements ſo holden of ſuch meſne Lords, during the minoritie & nonage of ſuch heire & heires, & vntil ſuch heire & heires ſue his or their liuery: and that ſuch heire & heires, vntil ſuch time as hee or they ſhall haue ſued their liuery, or might conueniently haue ſued their liuery, ſhalbe therof clerely diſcharged. And ỹ ſuch officer & officers ſhal vpon requeſt made, paye the ſame to ſuch meſne Lords (they giuing to ſuch officer & officers, a ſufficiēt acquitance or acquitances for the receit of the ſame,) & ỹ ſuch paimēt therof made, nō acquitance or acquitances thereof ſhewed, ſhalbe to ſuch officers a ſufficient diſcharge againſt the kings Ma. & his heires, vpon his or their accompt in ỹ behalf: any law, vſage or cuſtome heretofore had or vſed to ỹ contrary hereof in any wiſe notwithſtanding.

Prerogatiue

Seiſed Liuerie

Arrerages

Minoritie

Rents

Kings officers

Iſſues Reuenues

Nonage

Liuery

Officers

Acquitance

Diſcharge

Accompt

Prouided alwaies, and it is &c. that this act &c. ſhall not in any wiſe extend to any inquiſition or office, taken or founden at any time before the 25. day of March next comming.

Office

Prouided alſo, & it is &c. that in all ſuch caſes, as any perſon or perſons ſhalbe enabled by this acte to haue any trauers, & ſhal purſue his or their trauers: that then he or they ỹ ſhal purſue ſuch trauers, ſhal ſue one writ or ſeueral writs of Scire facias (as the caſe ſhal require) againſt all & ſinguler ſuch perſon or perſons, as ſhall haue intereſt by ỹ king, or by his patentee or patentees, in like maner & forme, as is requiſite vpon trauerſes or petitions heretofore purſued. And ỹ in euery ſuch Scire facias, the patentees or defendants, ſhal haue like plees & aduantage, as they had in any Scire facias, before this time awarded againſt any patentee in any caſe of petition. And alſo that vpon euery trauerſe, that ſhalbe purſued by vertue or meane of this act, in ſuch caſe as the party or parties that ſhall purſue any ſuch trauerſe, ſhould by the order of the common lawes of this Realme, haue bin put to ſue by petition to the king, there ſhalbe two writs of ſearch granted in maner & forme as like writs haue ben granted vpon petitions made to the king.

Enabled Trauers

Writs Scire facias

Patents Trauers Petitions

Scire facias

Writs

Prouided alſo, & it is &c. that if after any iudgemēt ſhalbe giuen vpō any trauerſe that ſhalbe tendred or ſued, by vertue or meane of this act, it ſhal appeare by any matter of record, that the king hath any other former title, right, or intereſt, to the manors, lands, tenemēts, or other hereditaments, mentioned in the ſame trauers: that then the ſame title, right, & intereſt ſhalbe ſaued to the king: the ſaid trauers & iudgement therupon giuen, in any wiſe not withſtanding. An. 2. E. 6. cap. 8.

Judgment

Title Manors

16 ¶See in a printed booke, commonly called Magna Charta, bearing date 1556. fol. 160. in a Chapter entituled, Capitul' Eſchaetriæ, what things be inquirable by the Eſchetor, and diuers matters concerning Eſchetors.

¶Eſcuage.

Eſcuage ſhalbe taken from henceforth like as it was wont to be in the time of King Henry our graundfather. Magna Charta cap. 37.

¶Eſſoine.

And it is to be knowen, that after that a man hath put himſelfe vpon any enqueſt, ỹ which hath or muſt paſſe in ſuch maner

Enquest

Default

maner of writs, he shall haue but one essoine or one default, so that if he come not at the day giuen to him by the essoine, or make default the second day, then the inquest shalbe taken by his default, & according to the same inquest, they shall procede to iudgement. And if such inquest be taken in the countie before the shirife or Cozoners, it shalbe returned vnto the kings Iusticers at a certaine day, & if the partie defēdāt come not at that day, then vpon his default another day shal bee assigned to him after the discretion of the Iusticers. And it shalbe commaunded to the shirife, that he cause him to come to heare the iudgemēt if he wil, according to the inquest, at which day if hee come not, vpō his default they shal procēd to iudgment. In like maner it shalbe done if hee come not at the daye giuen vnto him by his essoine, Marlebridge, cap. 13. Anno 52. H. 3.

Judgement
Shirife
Cozoner
Returne

Shirife

Countie
Hundreds
Court
barons
Sweare

2 ¶ It is prouided, that in Counties, Hundreds, court Barons, or in other Courtes, none shall nēde to sweare to warrant his essoine. Marlebridge, ca. 19. An. 52. H. 3.

Writ of all.

Iuris vtrum
Iurors

3 ¶ Forasmuch as in Writs of Assise, Attaints, & Iuris vtrum, the Iurors bene often troubled, by reason of the essoines of tenants: It is prouided, that after that the tenaunt hath once appeared in the Court, hee shalbee no more essoined, but shal make his Atturney to sue for him if he wil, & if not, the assise or Iurie shalbee taken throughout his default. West. 1. ca. 41. Anno 3. Ed. 1.

Atturney

Default

Demandants

Parceners

4 ¶ Forasmuch as demaundants bee oftentimes delayed in their right, by reason that many parceners be tenants, of which none may be compelled to answer without the other, or that there be many ioyntly infeffed (where none knoweth his seueral) and such tenants oftentimes sourch by essoine, so that euery of them hath a seueral essoine: It is prouided, that from henceforth such tenants shall not haue essoine but at one day, no more then one sole tenant should haue, so that from henceforth, they shal no more sourch, but only shal haue one essoine. West. 1. ca. 42. Anno 3. Ed. 1.

One essoine

Faile essoin

5 ¶ Forasmuch as diuers persōs cause themselues fally to be essoined (for being ouer the Sea) where in dede they were within the Realme the day of the summons: It is prouided frō henceforth, that this essoine be not alwaies allowed, if ỳ demaundant wil challenge it, & will bee readie to auerre, that he was in Englād the day of summons, & three weeks after, but shalbe adiourned in this forme, that if the demaundant be readie at a certaine day by aduertisement of the countrey, or otherwise, as the Court shall awarde, to proue that the tenant was within ỳ iiij. Seas the day that he was summoned, & three weeks after, so that he might be reasonably warned by the summons, the essoine shalbe turned into a default. And that is to be vnderstanden onely before Iusticers. West. 1. ca. 43. An. 3. Ed. 1.

Auerre
Adiourne

Default

6 ¶ See Tresp as 1. of essoine for the plaintife, and of essoine for the Kings seruice for the demaundant.

K. seruice

7 ¶ Wheras it is contained in ỳ statut of the king that now is, that two parceners, or two that hold in cōmon may not sourch by essoine, after ỳ they haue once appeared in the Court: It is prouided, ỳ the same be obserued & kept, in case where a man & his wife be impleaded in ỳ kings Court. Glocester, cap. 10. An. 6. Ed. 1.

Parceners

8 ¶ In appeale of the death of a man, there shall no essoine lie for the appellor for any cause in whatsoeuer Court the appeale shall happen to bee determined. West. 2. ca. 12. An 13. E. 1.

Appeale

Circuit
Malo lecto

9 ¶ In the circuit of the Iusticers, an essoine De malo lecti shall not bee from henceforth allowed for lands in the same shire, vnlesse he that caused himselfe to be essoined be sick in deede, for if the demandant alleage that the tenant is not sicke, nor in such plite, but that he may come before the Iusticers, his exception shalbee admitted. And if he can bee so prooued by inquest, the essoine shalbe turned to a default. And from henceforth such essoine shal not lye in a Writ of Right betweene two, claiming by one discent. West. 2. ca. 17. An. 13. Ed. 1.

Default

Writ of
right

10 ¶ After such time as any hath put himselfe to any inquest, an essoine shalbe alowed him at the next day, but the other daies following the taking of the inquest shal not be delayed by the essoine, whether he were essoined before or no. Neither shal any essoine be allowed after the day giuē by Prece partium, in case where the parties consent to come without essoine. West. 2. ca. 27. An. 13. Ed. 1.

Inquest

Prece partiū

11 ¶ Whereas by the statute of W. 1. it was prouided that after the tenants haue once appeared in ỳ court, no essoine should be allowed them in Writs of Assises.

Writ of all.

ſiſes. In like maner it ſhalbe from henceforth obſerued againſt the demaundants. Weſt.2.ca.28.An.13.E.1.

Challenge wherein eſſoines do not lye

12 ¶ Here is declared how many waies eſſoines may be challenged, and in what caſes eſſoines do not lye. An eſſoine lieth not where the land is take into the kings handes. Eſſoine lieth not where ẏ party is diſtrained by his lands. Eſſoine lyeth not where any iudgement is giuẽ thereupon, if the Iurors do come. Eſſoine lyeth not where the partie was ſeene in the Court. Eſſoine of Vltra mare lyeth not where another time the partie hath bene eſſoined of Malo veniendi. It lieth not where the partie hath eſſoyned himſelfe another day. It lieth not where the ſhirife was commaunded to make the partie to appeare. Eſſoine of Seruitio Regis lieth not where the partie is a woman. It lieth not in a writ of Dower, where it ſeemeth to be but a delaye of right. It lieth not for that the plaintife hath not found pledges of ſuit. It lieth not where the atturney was eſſoined. It lieth not where the partie hath an atturney in his matter. It lieth not where the eſſoiner confeſſeth that hee is not in the kings ſeruice. It lieth not where ẏ ſummons is not returned, or ẏ party not attached, for ẏ the ſhirife hath returned Nõ eſt inuentus. It lieth not where the party another time was eſſoined de ſeruitio regis, that is to wit ſuch a day, and now hee hath not put in his warrant. It lieth not where he was ſũmoned in aſſiſe of Mortdaunc', or Darrein preſentiũt. It lieth not becauſe ſuch one is not named in ẏ writ. It lieth not where the ſhirife hath a preſcept to diſtraine the partie for to come by his lands & goods. It lieth not where the Biſhop was cõmaunded to cauſe ẏ partie to appeare. It lieth not for that the term is paſſed. And it is to be noted, ẏ eſſoines de ſeruitio domini Regis, are allowed after the Graund cape, petit cape, & after diſtreſſes taken vpon the lands & goods. Statute of eſſoines. An.12.E.2.

Shirife

Women

Atturney

R. ſeruice

Dower

Darrein pref.

Appeale

13 ¶ Eſſoine of the ſeruice of the king doth not lye in a Writ of Nouel diſſeiſin. In a Writ of Dower vnde nihil habet. In a writ of Darrein preſentment, nor in appeale for the death of a man. Stat de viſu terræ, eſſoiñ de ſeruitio domini Regis.

¶Eſtrepement.

IT is prouided alſo, that after ſuch time as a plee is moued in the Citie of London by writ, ẏ tenant ſhall haue no power to make any waſt or Eſtrepement of the lande being in demaund (hanging the plee) and if he do, the Maior & bailifes ſhal cauſe to be kept at the ſuite of the demandant. And the ſame ordinance & ſtatute ſhalbe obſerued in other cities & boroughs, and euery where throughout the Realme. Gloceſt. cap.13. An.6.E.1.

London

Maior

¶Eſtreates.

Delayes Attachmẽt

Default Shirife Returne

Iſſues

Marſhode

Eſchequer

Iuſt. of tire

Accompts Shirife

Eſchequer

Fines

Rolles

ONcerning delayes in all manner of Writtes and attachmentes, it is thus prouided, that if the tenant or defendant after the firſt attachment returned make default, that incontinently the great diſtreſſe ſhalbe awarded. And if the ſhirife do not make ſufficient returne by a certaine day, he ſhalbe grieuouſly amerced, & if he returne that he hath done executiõ in due maner, & the iſſues deliuered to the ſuerties, then the ſhirife ſhalbe commaũded, that he returne iſſues at another day before the Iuſtices. And if the partie being attached come in at his daye to ſaue his defaults, he ſhal haue the iſſues, and if he come not, the king ſhall haue them. And the kings Iuſticers ſhall cauſe them to be deliuered in the wardrobe. And the Iuſticers of the Bench at Weſtminſter ſhal deliuer them in the Eſchequer, and the Iuſticers in Eire, vnto the ſhirife of the ſhire (where they plead) aſwel of that ſhire as of forreine ſhires, and ſhall bee charged therewith in ſummons, by the rolles of the Iuſticers. Weſtũ 1. ca.44. Anno 3.Ed.1.

2 ¶Becauſe of the trouble which hath bin had heretofore vpon the Accompts of ſhirifes in the Eſchequer, becauſe that in the eſtreats of the rolls of the Chaũcerie, which haue bin yerely deliuered into the Eſchequer, the accompts therof haue bin mingled: The king wil therefore, ẏ from hẽceforth the eſtreats be made in maner following. Firſt ſhalbe entred the fines which moſt comonly happen, as to haue writs & al other fines wherin the ſumme of money is expreſſed. And al theſe maner of fines of one countie for the whole yere ſhalbe writtẽ by themſelues in one place, & by order of priorite, according as the fines ſhalbe entred in ẏ rolls. And alſo of all other Counties generally whatſoeuer ſhal happen to follow in any one countie. And for ẏ more ready recourſe to ẏ rolls, if that any thing in time to come ſhall be doubted

Date

doubted of, either of the number or other letter in the eſtreat, the date of the daye when the fine was made, be entred into the eſtreat, delinered into the Eſchequer.

Charters Letters P. Comiſſions

And after thoſe fines, then ſhalbe entred Charters, letters patents, & cõmiſſions in which any farme or yerely rent is due to the king, or wherin any accompts are to be made, and theſe ſhalbe written by counties ſeuerally after the readieſt maner. After theſe ſhalbe written homages & fealties, wherof relieſes are to bee demaunded, & writs of Diem clauſit extremum & other things, whereof the ſumme is not expreſſed, nor any yerely demaund to be made. Alſo in the ſame eſtreat, ſhall be entred the other charters of gift, by

Homage Fealtie Relieſe Diem clauſit extremum

Charters

which the king ought to haue ſeruice, ſo that the Court may haue knowledge of the times, when the reliefs & ſeruices are to be demaunded. And there ſhalbe entred in the ſame eſtreat, the name of all thoſe which that yeere ſhalbe aſſigned to

Oyer's ter. Inquire

heare & inquire of, or to doe any thing, whereby fine or amerciament, or other profit appertaining to the king might percaſe, or ought to ariſe, ſo that thereby commaundement may be ſent to ſend vp the eſtreates of the ſame. And in the ende of the eſtreat the reciſſeiſins and ſurcharging of paſtures, as before hath bin: Becauſe that Juſtices, inquirors, and others which are aſſigned to diuers buſineſſe to heare & determine, ought yerely to deli-

Reciſſeiſin Surcharge Juſtices

Eſchequer

uer into the Eſchequer their eſtreates of fines & amerciaments made & taxed before them, & of al other things happening by meanes of thoſe buſineſſes, which to the king doth appertaine, ſo that he may of the ſame be duely anſwered. And oftẽtimes it happeneth that diuers of thoſe eſtreates be kept back ſo long before they be deliuered into the Eſchequer, that the king hath by meanes therof great loſſe & damage. And in time of his father it was

Juſtices

ordained amongſt other things, that Juſtices & Inquirors, whatſoeuer they were and all others which ought to deliuer eſtreats into the Eſchequer, ſhould cauſe them to be deliuered from yere to yere at the feaſt of S. Michael. And Juſtices of

Juſt. of eire

Eire ſhould deliuer their eſtreats of their Eire, ſo ſoone as they were finiſhed. This ordinance ſhal from henceforth be kept, & by writ expreſſely commanded to the Ju-

Juſt. of B. Foreſt

ſtices of both Benches, & the Warden of the Foreſt on this ſide of Trent, that euery of them ſhal from henceforth do ſo of thoſe things which appertaine to their office. And the Steward of ẏ kings houſe for the time being, be commanded & charged by the king, to deliuer yerely to the

Steward

Treaſorer

Treaſorer of the Eſchequer, which is or ſhalbee for ẏ time being, his eſtreats perfectly made of the fines, amerciaments, iſſues, forfaitures, & all manner of other profits ariſing to the vſe of the king, by reaſon of the plees or quarrels holden & had before the ſaid Steward & Marſhall

Marſhal

of the ſaid houſhold, and this ſhalbe done twice in the yere, that is to ſaye, at Eaſter & Michaelmas. Item charge & commandemẽt be giuen to the Clerke of the

Clerke of the market

Market, & of meaſures, that hee deliuer his eſtreats for ſo much as appertaineth to his office in the forme aboueſaid. And the warden of the Aulnage ſhall deliuer

Aulnage

yeerely to the Treaſorer of the Eſchequer, the eſtreats of his office, wherein ſhalbe contained al the defaults which he hath founde of clothes throughout the Realme, & alſo where & when, & to whom the clothes did appertaine, which hee found contrarie to the aſſiſe, & the price, & to whom he hath deliuered them, where & when, and by what warrant. Alſo the

Butler Wine

Butler for the king for the time being be charged, that al the wines which he ſhall prouide for the kings vſe, either by himſelfe or by his Atturneis, in what place ſoeuer it ſhal happen to be, that hee ſhall make the ſame prouiſion by the viewe of the honeſteſt men in the town, where the ſame purueiance ſhal happẽ to be, ſo that alwaies the ſame purueiãce may be witneſſed by the voice of two of the beſt of the ſame place. And if it happen that the ſame be in a Port where are gatherers of the kings cuſtome, then the ſame ſhall be teſtified by them. And no cuſtomer frõ henceforth ſhalbe deputed to the Butler, ſo long as hee ſhalbee attendant vpon the cuſtome. And the Butler which for the time ſhalbe, either by himſelfe, or by his deputie, ſhall put into a roll al his buyings in this maner (that is to ſaye) how many tunnes, of whom he bought them, at what time, & by whoſe view, & he ſhall inroll the wines of priſage, in like maner how many tunnes, the teſtimonie of the perſons of whome the price was had,

Cuſtomer

where & when. And al the Cuſtomers of Englande ſhalbee charged according as they are aſſigned for the gathering of cuſtome, within certaine bounds, that they twice yeerely ſhal certifie the Treaſorer

and Barons, (that is to saie) at the .xb. of Easter, & of S. Michael, how many ships haue arriued within their bounds within that time loaden with wines, and of whence they were, & who ought them, & when they arriued & discharged, & how much wine euery ship did bring &c. how many ships arriued, of which the king did take prise of wine, & how many tunnes, & in what ships the king did take ij s. for the Tunne, & none other prise, & of how many Tunnes he did take ij. s. for the tunne, & also other price, Statut de forma mittend' extreat ad Scaccarium 15. E. 2.

Wines

3 ¶ Whereas the Greene ware is sent to the Shirifes to leuie the kings debts, the shirifes ministers do leuie the same by rolles & other remembrances, and do not shew the estreates vnder the seale of the Eschequer, so that which is once leuied, commeth another time in demaund, because that they do not charge themselues fully of that that is leuied, in deceit of the king, & impouerishing of his people: It is ordained & assented, that men shall see the estreats sealed, & that the same which is payed be totted, & the same estreates sent to the shirifes vpon the receit. And if any shirifes or ministers do to the contrarie, he shalbe holden to answer to the partie which thereof will him complaine, and yeeld him treble damages, & make fine to the king. And that he haue his suit aswel before Justices of the peace, as before other Justices. And that the shirifes be holden to accompt by the same estreates so totted & by none other, and the same estreates shall not be doubled by the shirifes, but the copie of the estreats, in how much they touch the franchises of Lords, shalbee deliuered to the bailifes of the franchises vnder the seale of the shirife. And that the same Bailifes yeeld their accompt to the Eschequer by the same copies so deliuered, An. 42. E. 3. cap. 9. See this confirmed here 4.

Greene ware Shirife

Totted

Ill. damages Fine

Iust. of P. Accompt

Bailifes Shirifes Seale

4 ¶ The Justices and Judges before whom issues or amerciaments be or shal be forfait in time to come, shal charge the Clerks of the estreats in y places where such issues & amerciaments be or shalbee forfait, by their othe to be made, & that they make the rolles of the estreates of such issues & amerciaments distinctly by expresse word of the cause of the forfaite, of the terme, of the yere, & the nature of the writ, & betwixt what parties such issues & amerciaments be or shalbe lost, aswell

Justices

Issues

Rolles

in the kings suite, as in the suite of y partie. And that the statute made in the time of king Ed. 3. the 42. yeere of his raigne, (that is to say cap. 9. before 3.) for gathering of greene ware be holden & kept in all points. An. 7. H. 4. ca. 3.

Greene ware

¶ Exception.

When any that is impleaded before any Justicers, doth alleadge an exception, praying that the Justicers will allow it, which if they wil not allow, if hee that alleadged the exception doe writ the same exception, & require that the Justices will put to their seales for a witnesse, they shall so do, & if one will not, another of the companie shall. And if the king vpon complaint made against the Justicers, cause the record to come before him and the same exception bee not founde in the roll, and the plaintife shew the exception writte vnder the seale of a Justicer, the Justicer shalbee commaunded to bee readie at a certaine daye, either to confesse or denie his seale. And if the Justicer cannot denie his seale, they shal proceede to iudgement, according to the same exception, & after as it ought to be allowed or disallowed. W. 2. ca. 30. An. 13. E. 1.

Iust. seales

Record

Proceede Iugement

¶ Excommengement.

The yeere of our Lord 1253. the thirde day of May, in the great hall of y king at Westminster, in the presence and by the assent of the Lorde Henry by the grace of God, king of Englande, and the Lorde Richard Earle of Cornewall his brother, Roger Bygot Earle of Norff. and Suffolke, Marshall of Englande, Humfrey Earle of Herford, Henry Earle of Orford, John Earle Warren, and other estates of the Realme of Englande: Wee Boniface by the mercie of God Archbishop of Canterburie, Primate of all Englande, F. of London, H. of Ely, S. of Worcester, E. of Lincolne, W. of Norwich, P. of Herforde, W. of Salisburie, W. of Durham, R. of Exceter, W. of Carlile, W. of Bath, E. of Rochester, T. of S. Dauids, Bishops, apparelled in pontificals, with Tapers burning, against the breakers of the Churches liberties, and of the liberties or other customes of the Realme of Englande, and namely of those which are contained in y Charter of the commō liberties of England, and Charter of the Forest, haue denounced

Liberties

nounced the sentence of Excommunication in this forme: By the authoritie of almightie God, the Father, the Sonne, and the holy Ghost, & of the glorious Mother of God, & perpetuall virgin Mary, of the blessed Apostels Peter and Paul, and of all Apostels, & of all Martyrs, of blessed Edward king of England, and of all the Saints of heaven, wee excommunicate, accurse, and from the benefites of out holy mother the Church, wee sequester all those that hereafter willingly and maliciously deprive or spoyle the Church of her right. And all those that by any craft or wilinesse do violate, breake, diminish or change the Churches liberties & free customes, contained in the Charters of the common liberties, and of the Forest, granted by our Lord the King, to Archbishops, Bishops, and other Prelates of England, & likewise to the Earles, Barons, Knights, and other freeholders of the realm. And al that secretly or openly, by deede, word, or counsell, doe make statutes or observe them being made, & that bring in customes, or keepe them when they be brought in, against the said liberties or any of them, the writers, lawmakers, counsellers, & the executors of them and of all those that shal presume to iudg against them. All and euery which persons before mentioned, that wittingly shall commit any thing of the premisses, let them well know, that they incurre the foresaid sentence ipso facto. i. vpon ỳ deed done. And those that commit ought ignorantly, & bee admonished, except they reforme themselues within xv. daies after ỳ time of the admonition, and make full satisfaction for that they haue done, at ỳ will of the Ordinarie, shall be from that time forth wrapped in the same sentence. And with the same sentẽce we burden al those that presume to perturbe the peace of our soueraigne Lord the king & of the realm: To the perpetuall memorie of which thing, wee the aforesaide Prelates haue put our seals to these presẽts. An. 12. H. 3.

Curse

Church spoilers

xv. daies

Satisfactiõ

3 ¶ Also the kings letter directed vnto Ordinaries that haue wrapped their clyents in the sentence of Excommunicatiõ, that they should assoile thẽ by a certaine day, or els that they do appeare and shew wherfore they haue excõmunicated thẽ. The answer. The king directeth that hereafter no such letter shal be suffered to goe fourth, but in case where it is found that ỳe kings libertie is preiudiced by the excõmunication. Artic. cleri ca. 7. An. 9. E. 2.

R. letters Ordinaries

3 ¶ If any of the kings tenure be called before their Ordinaries out of the Parish where they dwell: if they be excommunicate for their manifest contumacie, & after xl. daies a writ goeth out to take thẽ, and they pretend their priuiledge that they ought not to be cited out of the town and parish where their dwelling is. And so ỳ kings writ that went out for to take them is denied. The answere. It was neuer yet denied, nor shalbe hereafter. Articuli cleri. ca. 12. An. 9. E. 2.

xl. daies Priuiledge

4 ¶ In statuto de Tallagio non concedendo, It is enacted ỳ the Bishops should excommunicate those that did against the Church.

5 ¶ In the Abridgement of the statutes it is recited, that An. 8. E. 3. in Ordinatione per se, it was enacted, that writs were ordained to the Bishops, to accurse all and euery of the perturbers of the peace of holy Church, & of the king, felons, maintainers of felons, and conspirators of felonie, false iurors, takers and maintaines of false quarels, euery Sunday & double feasts, &c. in the Cathedrall Church, and in euery Colledge and parish Church, & to proceed against them, according to the Canon lawes.

Writs

Accurse

Peace brekers

Felons

And it is alleaged in the saide Abridgement, that the Statute from whence this writ was formed, was Anno. 5. E. 3 stat. 3. cap. 1. But I cannot finde any of these Statutes.

¶ Excommunicato capiendo.

BE it enacted, that from and after the first day of Maynert comming, euery writ of Excommunicato capiendo, that shall be granted and awarded out of the high Court of Chancerie, against any person or persons within the Realme of England, shal bee made in the time of the terme, returnable before the Quẽns highnesse, her heires and successors, in the court commonly called the Kings bench, in the terme next after the Teste of the same, and that the same writ shall bee made to containe at the least xv. daies betweene the Teste and the returne therof. And after the same writ shall be so made & sealed, that then the said writ shall bee forthwith brought into the said Court of the kings bench, and ther in the presence of the Justices shal be opened & deliuered of record to the Shirife or other officer, to whom

Writ

Chancery

Returne

K. Bench

xv. daies Teste

Justices

Shirife

whom the seruing & execution therof shal appertaine, or to his or their deputy or deputies. And if afterwards it shall or may appeare to the Justices of the same court for the time being, that the same writ so delyuered of Record be not duly returned before thē at the day of the returne therof, or that any other default or negligēce hath bin vsed or had in the not seruing and executing of the saide writs, that then the Justice of the saide court, shall & may by authoritie of this act, assesse such amerciament vpon the said shirife or other officer (in whom such default shal appeare) as to the discreation of the said Justices shal be thought meete & conuenient: which amerciament so assessed, shalbe extreated into the courte of the Exchequer, as other amerciamēts haue bene vsed. And be it ec. that the shirife or other officer to whome such writte of Excommunicato capiendo, or other proces by vertue of this act shall be directed, shall not in any wise be compelled to bring the body of such person or persons, as shal be named in the said writ or proceese, into ẏ said Court of the kings Bench, at the day of the returne therof, but shall onely returne the same writ and proceese thither, with declaration briefly, how and in what maner hee hath serued and executed the same, to the intent that thereupon the saide Justices may then further therein proceede, according to the tenor & effect of this present act. And the said shirife or other officer to whome the execution of the saide writ shall so appertaine, doe or shall returne, that the party or parties named in the said writ cannot be found within his bailiwike, then the saide Justices of the kings Bench for the time being, vpon euery such returne shal award one writ of Capias against the said person or persons named in the saide writ of Excommunicato capiendo, returnable in the same court in the terme time ii. moneths at the least next after the Teste thereof, with a Proclamation to bee contained within the said writ of Capias, that the shirife or other officer to whome the said writ shal be directed, in the ful countie Court, or els at the general assise & gaole delinerie, to bee holden within the same Countie, or at a Quarter Session to bee holden before ẏ Justices of peace within ẏ same cōtie, shal make open proclamation x. dayes at ẏ least before the returne, that the partie or parties named in the said writ, shall within vj. daies next after such Proclamation, yeld his or their body or bodies to the gaole & prison of the saide shirife or other such officer, there to remaine as a prisoner, according to the tenor & effect of the first writte of Excommunicato capiendo, vpon paine of forfaiture of x.li. And thereupon after such proclamation had, and the saide vj daies past and expired, then the said shirife or other officer to whom such writ of Capias shall be directed, shal make returne of the same writ of Capias into the saide court of the kings bench, of all that he hath done in ẏ execution thereof, and whether the party named in the saide writ haue yelded his body to prison or not. And if vpon the returne of the said shirif, it shal appear that the party or parties named in the sayde writ of Capias, or any of them, haue not yelded their bodies to the gaole & prison of the saide shirife or other officer, according to the effect of the same proclamation: that then euery such person that shall so make default, shall for euery such default forfait to the Quēnes highnesse, her heires & successors x.li. which shal likewise be extreated by the saide Justices into the saide Courte of Exchequer, in such maner and forme, as fines and amerciamēts there tared & assessed are vsed to be. And thereupon the said Justices of the kings Bench, shall also award foorthone other Writ of Capias against the person or persons, that shall be returned to haue made default, with such like proclamation as was contained in the first Capias, and a paine of xx.li. to be mentioned in the saide second writ and proclamation. And the shirife or other officer to whome the said second writ of Capias shall bee so directed, shal serue & execute the same second writ, in such like maner and forme, as before is expressed for the seruing and executing of the said first writ of Capias. And if the shirife or other officer, shall returne vpon the said seconde Capias, that he hath made the proclamation, according to the tenor & effect of the same writ, and that the party hath not yelded his body to prison, according to the tenor of the said Proclamation, that then the saide partie that so shall make default, shall for such his contempt & default, forfait to ẏ Queenes highnesse, her heires and successors, the summe of xx.li. which saide summe of xx. li. the saide Justices of the kings Bench for the time being, shall likewise cause to bee extreated into the sayde Courte of Exchequer,

in

Negligence Justices Amerce Shirife

Exchequer

Shirife

Returne

Justices

Non est inuentus

Capias

Teste Proclamation

Countie court General assises & Sessions

Proclamation Yeeld his bodie to prison

Forf.

Returne

K. Bench

Forf.

Exchequer

Ju. of the K. Bench

Capias Paine of xx.li.

Shirife Returne

Forf.

Justices

Extreat

in maner & forme aforesaid. And then the said Justices shall likewise award forth one other writ of Capias against the saide partie, with such like proclamation and paine of forfaiture as was contained in the saide second writ of Capias. And the shirife or other officer to whom the sayde third writ of Capias shalbe so directed, shal serue & execute the saide third writ of Capias, in such like maner and forme, as before in this acte is expressed and declared for the seruing & executing of the said first & second writs of Capias. And if the shirife or other officer to whome the execution of the said third writ shall appertaine, doe make returne of the saide third writ of Capias, that the partie vpon such proclamation hath not yéelded his body to prison, according to the tenor therof, that thē euery such party for euery such contempt and default, shall likewise forfait to the Quéenes Maiestie, her heires and successors, other xx.li. which summe of xx li. shall likewise be extreated into the sayde Court of Exchequer, in maner and forme aforesaid, & thereupon the said Justices of the kings Bench shall likewise awarde forth one writ of Capias against the saide partie, with like proclamation & like paine of forfaiture of xx. pounds. And that also the said Justices shall haue authoritie by this Act, infinitelie to award such processe of Capias with such like proclamation & paine of forfaiture of xx li. as is before limited against the said partie that so shall make default, in yéelding of his bodie to the prison of the shirife, vntill such time as by returne of some of the said writs before the said Justices, it shall and may appeare that the said partie hath yelded himselfe to the custodie of the said shirife or other officer, according to the tenor of the said proclamation, and that the party vpō euery default & contempt by him made, against the proclamation of any of the said writs so infinitely to be awarded against him, shall incurre like paine & forfaiture of xx.li. which shal likewise be extreated in maner and forme aforesaid. And be it further enacted by the authoritie aforesaide, that when any person or persons shall yeelde his or their bodie or bodies to the handes of the shirife or other officer, vpon any of the saide writs of Capias: that then the same partie or parties that shal so yeeld them, shall remaine in prison and custodie of the said shirife or other officer, without baile, bailō or mainprise, in such like maner & forme to all intents & purposes, as hee or they should or ought to haue done, if he or they had bin apprehended and taken vpon the saide writ of Excommunicato capiendo.

Shirife

Execute

Returne

Forf.

Extreat

Ex lex

Contempt

Yeeld

Impris. Without baile

And be it &c. that if any shirife or other officer, by whome the said writ of Capias or any of thē shal be returned as is aforesaid, doe make an vntrue returne vpon any of the saide writs, that the party named in the saide writ hath not yeelded his bodie vpon the saide proclamation, or any of them, where in deede the partie did yeelde himselfe according to the effect of the same: That then euery such shirife or other officer, for euery such false & vntrue returne, shal forfait to the partie grieued and damnified by the saide returne the summe of xl li. For the which summe of xl.li. the partie grieued shall haue his recouerie & due remedie by action of debt, bill, plaint or information in any of the Queenes Courts of record: In which action, bil, plaint or information, no essoine protection or wager of law shalbe admitted or allowed for the partie defendant: Sauing and reseruing to all Archbishops and Bishops, and al other hauing authoritie to certifie any person excommunicated, like authoritie to accept and receiue the submission and satisfaction of the saide person so excommunicated, in maner and forme heretofore vsed, and him to absolue and release, & the same to signifie as heretofore it had bin accustomed to ẏ Quéens Maiestie, her heires and successors, into the high Court of Chancerie, and thereupon to haue such writes for the deliuerance of the saide person so absolued & released from the shirifes custodie or prison, as heretofore they or any of them had, or of right, ought or might haue had any thing in this present statute specified or contained to the contrary hereof in anie wise notwithstanding.

Shirife Forf.

Archbishops

Submission

Absolue

Chancerie Writs

Prouided al waies, that in Wales, the Counties palantines of Lancaster, Chester, Durham and Ely, and in the Cinque Portes, being iurisdictions and places exempt where the Queens Maiesties writ doeth not runne, & proces of Capias from thence not returnable into the said court of the kings bench, after any Significauit being of record in the said court of Chancery, the tenor of such Significauit by Mittimus shall be sent to such of the head officers of the said coūty of Wales counties palantine & places exempt, within whose offices,

Wales Counties palantines & Ports

Significauit Mittimus

offices, charge or iurisdiction the offendor shalbe resiant: that is to say, to the Chancelor or Chamberlaine for ẏ said Countie Palantine of Lancaster and Chester, and for the Cinque Ports, to the Lord Warden of the same, and for Wales and Ely, & the Countie Palantine of Durham, to the chiefe Justice or Justices there. And thereupon euery of the said Justices and officers to whom such tenor of Significauit with Mittimus shalbe directed and deliuered, shal by vertue of this statute haue power and authority to make like proces to ẏ inferiour officer & officers, to whom the execution of proces there doth appertaine, returnable before the Justices ther at their nert Sessions or courts, two moneths at the least after the Teste of euery such proces. So alwaies, as in euery degrẽ they shall proceed in their session and courts against the offeders, as the Justices of the said Court of the kings Bench are limitted by the tenor of this acte, in terme times to doe and execute.

Chancelor Chamberlaine
Wardens of the fiue Ports
Chief Iust.
Officers
Returne ii. Moneths

Prouided also, and be it enacted, that any person at the time of any Proces of Capias afore mentioned awarded, being in prison or out of this Realme in parties beyond the Sea, or within age, or of non sanæ memoriæ, or women couert shal not incurre any of the paines or forfaitures afore mentioned: which shall grow by any returne or default happening during such time of nonage, imprisonment, being beyond the sea, or non sanæ memoriæ. And that by vertue of this estatute the partie grieued may pleade euery such cause or matter or barre, of, and vpon the distresse or other proces that shalbe made for leuying of any of ẏ saide paines or forfaitures. And then if the offendor against whom any such writ of Excommunicato capiendo shall bee awarded, shall not in the same writ of Excommunicato capiendo, haue a sufficient and lawful addition according to the forme of the estatute of 1. H. 5. in cases of certaine suites, whereupon proces of Exigent are to be awarded. Or if in the Significauit it bee not contained, that the excommunication doth proceed vpõ some cause or contempt of some original matter of heresie, or refusing to haue his or their child baptized, or to receiue the holy Communion as is nowe commonly vsed to be receiued in the Church of England, or to come to diuine seruice nowe commonly vsed in the saide Church of England, or error in matters of Religion or doctrine now receiued and allowed in the said Church of England, incontinencie, vsurie, simonie, periure in the Ecclesiasticall court, or idolitrie: that then al and euery paines and forfaitures limitted against such persõs excommunicate by this statute, by reason of such writ of Excommunicato capiendo wanting sufficient addition, or of such Significauit, wanting all the causes afore mentioned, shalbe vtterly void in law, and by way of plea to bee allowed to the partie grieued. And if the additiõ shal be with a Nuper of the place, then in euery such case at the awarding of the first Capias with proclamation according to the forme afore mentioned, one writ of Proclamation (without any paine expressed) shalbe awarded into the countie where the offendor shal bee most cõmonly resiant at the time of the awarding of the first Capias, with paine in the same writ of proclamation to be returnable the daye of the returne of the said first Capias, with paine and proclamatiõ therupon at some one such time & court, as is prescribed for the proclamation vpon the said first Capias with paine. And if such proclamation be not made in the countie where the offendor shall be most commõly resiant, in such cases of additiõs of Nuper, that then such offendor shall sustaine no paine or forfaiture by vertue of this estatute, for not yeelding his or their body according to the tenor afore mentioned: Any thing before specified to the contrary hereof, in any wise notwithstanding An. 5. El. cap. 23.

In prison beyond sea
Within age
Women
Mad men
Addition
Heresie
Communion
Not coming to Church
Error in religion
Incontinencie
Vsurie
Simonie
Periury
Idolitrie
Voyde
Proclamation

¶ Execution.

SEe Voucher 3. of execution vpon recouerie in value against the vouchee.

2 ¶ Where debt is recouered or knowledged in the kings court, or dãmages awarded, it shal be from henceforth in the election of him that sueth for such debt or damages, to haue a writ of fieri facias vnto the shirif, for to leuie the debt vpon the landes and goods of the debtor, or that the shirife shall deliuer to him all the landes and goodes of the debtor, (sauing only his Oxen and beasts of his plough) & the one halfe of his lande vntil the debt bee leuied vpon a reasonable price and extent. And if he be put out of the land, he shal recouer by a writ of nouel disseisin, and after that by a writ of disseisin, if it nede be. W. 2. cap. 18. An. 13. E. 1.

Debt
Fieri facias
Nouel dis. Disseisin

3 ¶ Because

3 ¶ Because that of such things as be recorded before the Chanceller and Iusticers of the king, that haue Record, ſ be inrolled in their rolls, proceſſe of plea ought not to bee made by ſummons, attachments, eſſoin, view of land, & other ſolemnites of the Court as hath bin vſed to be done in bargeine & couenants made out of the court: from hencefoorth it is to be obſerued ỹ thoſe things, which are found inrolled before them that haue record, or contained in fines, whether they be contracts, couenants, obligations, ſeruices or cuſtõs, knowledged or inrolled, wherin the kings Court (without offence of the law & cuſtome) may execute their authoritie, from hencefoorth they ſhall haue ſuch vigor that hereafter they ſhall not neede to pleade for them. But when the plaintife commeth to the kings Court, if the recognisance or fine leuied bee freſh, that is to ſay, within the yeere, he ſhall forthwith haue a writ of execution of the ſame recognisãce made. And if the recognisance were made or the fine leuied of a further time paſſed, the ſhirif ſhal be command, that he giue knowledge to ỹ party of whom it is complained, that he be afore the Iuſtices at a certaine day, to ſhew if he haue any thing to ſaye, why ſuch matters inrolled or cõteined in the fine, ought not to haue execution. And if hee doe not come, or peraduenture do come, & can nothing ſay why execution ought not to bee done, the ſhirif ſhalbe commãded to cauſe the thing inrolled or contened in the fine to be executed: In like maner an Ordinary ſhall be commanded in this caſe: obſeruing neuertheleſſe as before is ſaide of a meane, which by recognisance or iudgement is bound to acquite, Weſt. 2. cap. 44 An. 13. E. 1.

Shirife

4 ¶ See Recognisance 1. 2. 5. of execution vpon Statute marchant.

5 ¶ Item becauſe that diuers people ſeiſed of diuers tenements, borowing diuers goods in money or in Marchandiſes of diuers people of the Realme, doe giue their tenements & cattels to their friends by colluſion, therof to haue the profites at their will, & afterward do flie to the franchiſe of Weſtminſter, of Saint Martins le grand of London, or other ſuch priuiledge places, & there doe liue a great time with a high countenance, of other mens goods & profit of the ſaide tenements and cattels, til the ſaid creditors ſhalbe bound to take a ſmal parcel of their debt, and releaſe the remnant: It is ordeined & aſſented, that if it may be found, that ſuch gifts be ſo made by colluſion, that the ſaid creditours ſhal haue execution of the ſaid tenemẽts and cattels, as if no ſuch gift had bene made. An. 50. Ed. 3. cap. 6. See the like ſtatute Debt 5.

Colluſion

Bankrupts Sanctuarie

6 ¶ See Staple 8. 32. of execution vpon a ſtatute Staple.

7 ¶ See Paſſages 4. of execution againſt any of the Comminaltie. vpon a iudgement giuen againſt the Comminaltie.

8 ¶ See Vſes, of execution of debts vpon lands in vſe.

9 ¶ See Recoueries 2. How they that haue landes in execution may falſifie recoueries.

10 ¶ Wheras before this time, diuers and ſundry perſons haue ſued executions, aſwell vpon iudgements for them giuen, of their debts or dammages, as vpon ſuch Statute Marchant, ſtatute of the Staple, or Recognisances, as haue bene to them before made, recogniſed, and acknowledged: & thereupon ſuch landes, tenements, and other hereditaments, as were liable to the ſame executiõ, haue bene by reaſonable extent to them deliuered in execution for the ſatisfaction of their ſaid debts and dammages according to the lawes of this Realme. Neuertheles, it hath bene oftentimes ſeene, that ſuch lands, tenements, & hereditaments, ſo deliuered & had in execution, haue bene recouered or lawfully deueſted, taken away, or euicted from the poſſeſſion of the ſaide recouerers, obligées, or recogniſees, their executors or aſſignes, before ſuch time as they bene fully ſatiſfied, and payed for their ſaide debts and dammages, without any maner fraud, deceit, colluſion, or other default in the ſaid recoueries, obligées, or recogniſees, their executors or aſſignes, by reaſon wherof the ſaide recoueries, obligées, and recogniſees, haue bin thereby ſet clerely without remedy by any maner ſute of the law, to recouer or come by any part or parcell of their ſaide debts and dammages as was behinde, and not by them leuied or receiued before ſuch time as the ſaide landes, tenements, and other hereditaments ſo by them had in execution, were recouered, lawfully deueſted, taken or euicted out, of, and from their poſſeſſions, as is afore ſaide, to their great hurt and loſſe, and much ſeeming to bee againſt equall iuſtice and good conſcience: For reformation where-

Lands

Euicted

Without remedie

of,

of, be it enacted by authoritie of this preſent Parliament, that if hereafter any ſuch lands, tenements, or hereditaments, as ver or ſhal be had and deliuered to any perſon or perſons in executiõ as is aforeſaid, vpon any iuſt & lawful title, matter, condition, or cauſe, wherewithall the ſaid lands, tenements, or hereditaments, were liable, tied & bound, at ſuch time as they were deliuered and taken into execution, ſhal happen to be recouered, lawfully deueſted, taken or euicted, out, of, and from the poſſeſſion of any ſuch perſon & perſons as now haue & hold, or hereafter ſhal haue & hold the ſame in executiõ as is aforeſaid, without any fraud, deceit, couin, colluſion, or other default of the ſaide tenant or tenants by execution, before ſuch time as the ſaide tenants by execution, their executors or aſſignes ſhal haue fully & wholly ipied or receiued the ſaide whole debt & damages, for the which the ſaid landes, tenements, & other hereditaments were deliuered & taken in executiõ as is aforeſaid: then euery ſuch recouerer, obligee, & recognilee ſhall may haue & purſue a writ of Scire facias, out of the ſame court from whence the ſaid former writ of execution did proceede againſt ſuch perſon or perſons as the ſaide writ of execution was firſt purſued, their heires, executors or aſſignes, of ſuch lands, tenements, or hereditaments, as were or bene then liable or charged with the ſaid execution, returnable into the ſame Court at a certaine day being full xl. daies after the date of the ſame writ, at which daye if the defendant being lawfully warned make default, or appeare & doe not ſhew & pleade a ſufficient matter or cauſe, other then the acceptance of the ſaid lands, tenements & hereditaments by the ſaid former writ of execution, to barre, annoyde, or diſcharge the ſaid ſuit for the reſidue of the ſaid debt and damages, remaining vnlened or vnrecured by the ſaid former execution: then the Lord Chaceller, or other ſuch Juſtice or Juſtices, before whome ſuch writ of Scire facias ſhal be returnable, ſhal make eſtoiers a new writ or writes out of the ſaid former recorde or iudgement, ſtatute marchant, ſtatute ſtaple, or recognilãce, of like nature & effect, as the ſaide former writ of execution was, for the leuieng of the reſidue of all ſuch debt and damnage, as then ſhall appeare to be vnleuied, vnſatiſfied, or vnpaied of the whole ſumme or ſummes in the ſaid former writ of execu-

Lands

Recouered

Without deceit

Recouerer

Scire facias

Forty dayes

Defendant Default

Chanceller

Juſtices

New writ

tion eõtained: any law, cuſtome, or other thing to the contrary hereof, heretofore vſed in any wiſe notwithſtanding. An. 32 H. 8. cap. 5.

¶ See Courts An. 33. H. 8. cap. 39. of Execution for the Kings debt, and that the King ſhall haue Execution before other, and what landes bee liable to that execution.

¶ Execution of ſtatutes.

THe King our Soueraigne Lorde remembreth how by vnlawfull maintenances, giuing of liueries, ſignes & tokens, and retainders by Indentures, promiſes, othes, writings, or otherwiſe, imbraceries of his ſubiects, vntrue demeanings of ſhiriffes in making panels, and other vntrue returnes, by taking of money by Juries, by great riots, & vnlawfull aſſemblies, the policie and good rule of this Realme is almoſt ſubuerted, and for the not puniſhing of theſe inconueniences, & by occaſion of the premiſſes, nothing or little may be found by inquirie, whereby the lawes of the land in execution may take little effect, to the increaſe of the murthers, robberies, periuries, and vnluſtineſſe of al men liuing, and loſſes of their liues and goods, to the great diſpleaſure of Almightie God. Therefore it is ordeined for the reformation of the premiſſes, by authoritie of the ſaid Parliament, that the Chanceller and Treaſurer of England, for the time being, and Keeper of the kings priuie Seale, or two of them, calling to them a Biſhop & a Temporal Lord of the kings moſt honorable Counſell, & the two chiefe Juſtices of the kings Bench and Common place, for the time being, or other two Juſtices in their abſence, vpon bill or information put to the ſaid Chanceller for the king or any other againſt any perſon for any miſbehauing afore rehearſed, haue authoritie to cal before them by writ, or by priuie ſeale, the ſaide miſdoers, and they & others by their diſcretions, by whome the trueth may be knowen, to examine, & ſuch as they finde therin defectiue, to puniſh them after their demerits, after the forme and effect of ſtatutes therof made, in like maner & forme, as they ſhould and ought to be puniſhed if they were therof conuicted, after due order of the lawe. Anno, 3. H. 7. cap. 1. See this next.

¶ The Chanceller, Treaſurer of England,

Maintenãce

Liueries

Embraces

Shiriffes Panels

Riots

Murders Robberies Periuries

Chanceller Treaſurer L. Keeper

Biſhop Priuie ſeale

Chief Juſt.

Writ

Chanceller Treaſurer

England, and the Preſident of the k. moſt honourable Councel, attending vpon his moſt honorable perſõ, for the time being, & Keeper of the K. Priuie ſeale, or two of them, calling vnto them one Biſhop, and one temporall Lorde of the K. moſt honorable Councel, & the two chief Juſtices of the kings bench, & the common place for the time being, or other two of the kings Juſtices in their abſence, vpon any bill or information hereafter to bee put in, the Chancellor of England, Treaſurer, Preſident of the K. ſaid moſt honorable Councel, or Keeper of the kings priuie ſeale, for ỳ time being, for any miſbehauing before rehearſed, (See in An. 3. H. 7. c. 1. before 1.) from henceforth haue full power & authoritie to call before them by writ of priuie ſeale, ſuch miſdoers, and them & other by their diſcreation by whom the truth may be knowen to examine. And ſuch as they ſhall find defectiue, to puniſh them after their demerites, after the forme & effect of the ſaide former ſtatute, & of all other ſtatutes hereof tofore made, & not repealed & erpired, in like maner and forme, as they ſhould and ought to bee puniſhed if they were therof conuicted after the due order of the K. lawes. An. 21. H. 8. cap. 20. See Iuſtices of Aſsiſe An. 21. H. 7. cap. 3.

Keeper of the priuie Seale. Biſhop

Chief Iuſt.

Information

Miſbehauior

Writ of priuie Seale

Examine Puniſh

Iuſt. of P.

3 Al & ſinguler the Juſtices of peace within any Shire, citie, borough or place within this Realme of England, Wales, or any other of the Kings Dominions, ſhall yeerely at the generall Seſſions of the peace to be holden next after the feaſt of Eaſter, aſſemble themſelues together: that is to ſaie, euery number of them within the limits of their Commiſſions, wherin they be named Juſtices of peace, and at & vpon ſuch their aſſembly, ſhall diligently together and amongſt themſelues, peruſe, examine, ſtudie, & knowe the effects and true intents of the lawes, ſtatutes, ordinances and prouiſions hereafter ſpecified: that is to ſaie, the lawes & ſtatutes heeretofore made and prouided, concerning, or in any wiſe touching Vagabonds, Reteinors, giuing Liuereis, ſignes, tokens or badges, maintenance, imbraceric, bowſtaues & archery, vnlawfull games, forſtallers and regrators, victuale vitalers & Inholders, & euery of thẽ, & al ſtatutes & lawes made in this preſent parliament, touching the ſame or any of them, & after the peruſing & deliberat vnderſtanding of the ſaide lawes, ſtatutes & ordinances, they ſhal deuiſe among themſelues, how ỳ ſame may be beſt put in due and iuſt execution And for the better proceeding therin, they ſhal deuide and ſeuer themſelues limiting & aſſigning alwaies the number of two of them at the leaſt, or more, into the hundreds, wapentakes, rapes, rommotes, or number of townes & villages by their diſcreations. And that the ſaid Juſtices ſo deuided, or two of thẽ at the leaſt, ſhall in euery quarter of the yeere from & after the ſaid feaſt of Eaſter next cõming, hold & kepe within ỳ limits of their diuiſion, one Seſſions beſides the generall quarter ſeſſions for ỳ peace, the ſaid one Seſſions to bee kept & holden alwaies within the limits of their diuiſion, at & in one ſuch day, as by them ſhal be appointed, ſo that it be alwaies ſixe weeks at the leaſt before ỳ quarter ſeſſions. And that all proces & proceedings in euery of the ſaid ſeſſions ſo to be holden, ſhalbe cõtinued from ſeſſions to ſeſſions. And that the ſaide Juſtices, or two of them at the leaſt, at, & in euery ſuch ſeſſions, ſhal haue power and authoritie to inquire, aſwel by the othes of twelfe men, inhabitãts within the limits of their diuiſiõ, as by any information giuen to them by any perſon or perſons, of al defaults, offẽces & contẽpts, done or committed, or hereafter to be done or committed againſt the forme of any of the ſtatutes afore ſaide, and to heare and determine the ſame: and ſhall alſo haue power & authoritie vpõ any preſẽtmẽt or information, touching the premiſſes, or any of them, to make proceſſe by Venire facias, one Capias, and an Exigent, vnder the ſeale of the ſame Juſtices or two of them, againſt euery ſuch perſon and, perſons, againſt whom any ſuch information or preſentment ſhall bee had, for their apparance before them in their ſeſſions to be holden, as is afore ſaid, to anſwer to ſuch information or preſentment, as ſhall bee there had or made. And if the perſon or perſons accuſed by information or preſentment, ſhalbe conuicted vpon any ſuch information or preſentment, by confeſſion or verdict of xii. men: that then the ſaide Juſtices of Peace, or two of them afore whom ſuch cõuiction ſhalbe had, ſhal haue ful power & authoritie to giue iudgement againſt euery ſuch offender or offẽders ſo conuict, of ſuch paines by impriſonment, or ſuch paines, loſſes & forfeitures of money, or both, or any of them, as are limited in the ſaid ſeuerall ſtatutes for ſuch offences, whereof they ſhall bee ſo conuict, and cauſe

Generall ſeſſions

Aſſemble

Studie

Vagabonds Reteinors

Imbraceries Bowſtaues Archerie Vnlawfull games Victaylers Inholders

Seuering of Iuſt. of P.

One ſeſſiõs quarterly

Sixe weeks before quarter ſeſſions Proceſſe

Enquire

Defaults Offences

Diet & ter.

Venire facias Capias Exigent

Conuict

Iudgement

Impriſ.

cauſe execution thereof to be made & had accordingly. And alſo the ſaid Juſtices of P. or two of them, at & in their ſaide Seſſions ſo to be holden, as is aforeſaid, ſhall haue power & authoritie to correct & reforme the panels of Juries, for any inquiries to bee made afore them, touching the ſaid ſtatutes or any of thē, in like maner & forme, as Juſtices of gaole delinerie & of peace may do in their Seſſions, by vertue of a ſtatute thereof made in the third yeere of king Henry the eight (s. cap. 12. which is in Panel 4.) And ẏ the ſhirif & other miniſters hauing power to returne panels, ſhall make his and their returnes according to ſuch reformation & correction of the Juſtices aforeſaide, vpon the paine limitted by the ſame ſtatute. And it is &c. that if any perſon or perſons be conuicted as is aforeſaid, by any information afore ẏ ſaid Juſtices or two of thē, within the limits of their diuiſion: that then the moitie of ẏ pains, loſſes, & forfeitures of money of the offenders ſo conuict ſhall be to the k. Maieſties vſe, & the other moitie therof to the party that purſueth ſuch information, according to the tenor & effect of the ſaid ſeueral ſtatutes. And if any conuiction bee had by reaſon or vpon any preſentment: that then the kings Maieſty ſhal haue the whole paines, fines, and forfeitures of ẏ offēders: al which paines, fines, loſſes, & forfeitures of money to bee due to the K. by reaſon of any conuiction, as is aforeſaide, together with all iſſues, fines, & amerciamēts, afore the ſaid Juſtices, within the limits of their diuiſion, ſhalbe leuied by ẏ ſhirif or his miniſters, by a ſcedule indented, to be made betweēn ſuch Juſtices, or two of thē (afore whom ſuch paines, loſſes, and forfeitures, fines, iſſues, or amerciaments, ſhalbe loſt and forfeit) and the ſaid ſhirife: The one parte of the which ſcedule ſhall bee certified by the ſaide Juſtices or two of them yeerely in the terme of S. Michael into the Exchequer, to the intent that the Shirif ſhal there anſwere the ſame to the kings vſe.

Juſt. of P.

Correct

Shirife

Moitie

Scedule

Certifie

Shirife

Prouided alwaies, & be it &c. that euery of the ſaide Juſtices of peace, ſhall haue for holding of euery of the ſaid Seſſions, as is aforeſaide iiij.s. for their coſtes, and the Clerke of the ſeſſions by them to bee appointed, for the making and writing of the proceſſe and extracts of the ſeſſions, for euery ſeſſions ii.s. to bee payed by the handes of the ſhirife of the Kinges parte and portion of the paines, loſſes, and forfeitures, and of the iſſues, fines and amerciaments aforeſaid.

Juſt. of P.

iiij.s. Fee Clerke of the peace

ii.s. by the ſhirife

Prouided alwaies, that Juſtices of P. in Cities, boroughs, and townes corporate, not being ſhires or counties of themſelues, ſhall aſſemble once in the yeere with the Juſtices of Peace of the Shyre where ſuch Cities, boroughs, or townes corporate bee, and ſhall be limited to execute this act, within the city, borough, or towne corporate, where they ſhalbe Juſtices of Peace, and not elſewhere.

Juſt. of P. Cities

Prouided alſo, that no information or preſentmēt ſhalbe had or taken by the ſaid Juſtices of P. ſo diuided by authoritie of this act, but for ſuch offences, defaults, or contempts, as bene or ſhalbe don, within the limits of their diuiſion.

Informatiō

Offences

And bee it &c. that the ſaide Juſtices of peace thus deuided, or two of them, within the limits of their diuiſion, ſhall haue full power and authoritie to examine, inquire, heare and determine, by information and trial aforeſaide, all defaults and contempts, which after the feaſt of the Natiuitie of our Lord next comming, ſhal bee done or committed by any ſeruantes, commonly called Yeomen, or Groomes, Huſbandmen, laborers and artificers, or any of them, againſt the tenor, forme & effect of the ſtatutes & lawes made for exceſſiue apparel, and to correct and punith the offenders therein, being thereof conuict afore them, as is aforeſaid, according to ſuch paines, forfeitures, & punithmēts, as are limitted by the ſaid lawes and ſtatutes of apparell to be leuied, paied & certified, as is aforeſaid. And it is &c. that alwell the Juſtices of Aſſiſes, as the Juſtices of Chester, and the kings Juſtices of North Wales and South Wales, in all and ſinguler their circuits, ſhal haue full authoritie and power by the force of this preſent acte, to inquire alwel by information, as by preſentmēt before them of the defaultes, cōtempts, omiſſion, negligences, fauours, affections, corruptions, and other things whatſoeuer they ſhall be, of all and ſinguler the ſaid Juſtices of peace, which ſhal not diligently, truly & duly ſe, put & cauſe the ſaide good lawes and ſtatutes, ordinances & prouiſions to be put in vre, exercile & perfect execution, according to the effects, alwell of the ſaide ſtatutes heretofore made, as of this preſent act, & to heare, examine, and determine the ſame, as is aforeſaide, & to aſſeſſe ſuch fines vpon the ſaid Juſtices of peace, and vpon

Juſt. of P.

Dier & ter.

Huſbandmē Ladorers Artificers

Apparel

Juſt. of all.

Enquire

The faults of J. of P. to be inquired of

Dier & ter.

Fines Juſt of P.

vpon euery of them, being conuict of any defaults, negligences & offences, as is afore-said, as to their discretion shall bee thought expedient for the qualitie & quantity of their offences. And be it &c. that al shirifs, bailifs, constables, headboroughs, & all & singular other officers & ministers whatsoeuer, aswell within liberties as without, shall be attendant, aiding, & assisting, to all & singuler the said Iust. of P. in & for the due execution of this act, vpon paine to make such fines, as by the sayde Iust. of P. or two of them shall be assessed to the kings vse by their discretions.

Shirifes Bailifes Constable

Prouided alway, that this statute shall not binde any Iustices of P. or Quorum, to assemble or execute any thing in this acte, in any other shire, city, borough or place, then in such shire, citie, borough or place wher he shalbe resident & dwelling, at the time when such assembly shall bee made by vertue of this act. Prouided also, that al such Lords and other which being Iust. of P. or Quorum, be or shal be of the K. priuy Counsel, attendant vpō his royall person, or any principall officer of his highnes house, attendant vpon his office, & other which shal happen to be occupied in his highnes seruice by his Maiesties commandement, shal not be compelled to assemble with the Iust. of P. or Quorum, in any shire, citie, or borough, or otherwise bounden to do or exercise by authority of this act, then they be bounden to doe after the making of this act, any thing or things contained in this act to the contrary notwithstanding.

Iust. of P. Iust. of D. Assemble

Lords

Priuie counsel

Officer of the kings house being Iust. of p. not bound to assemble with the rest of the Iust.

Prouided also that & Iustices of either bench, Barons of the K. Eschequer, the K. Atturney & Solicitor, and al other Iustices, officers & ministers, being bounde to attend at the Terme, shal not during their attendance, be compelled to hold or kepe any Sessions in & limits deuided to them vpon the assemblies of the Iustices of P. as is aforesaid. And to the intent & the said Iustices, Barons, & all other officers & ministers aforesaid, may the better bee once in the yeere at euery assembly aforesaid: It is &c. that the quarter Sessions, holden after Easter, shall be yeerely kept vpō the tuesday next after Low sunday in euery shire of this realme, Wales and other the K. dominions. Prouided alwaies that this acte, or any thing therein contained, shall not in any wise extend to the countie palantine of Herham within the county of Northumberland, ne to the countie palantine of Ely within & county of Cambridge, nor to any towne corporate or libertie within either of the saide coūties palantines, hauing Iust. of P. for or concerning the extracting, returning, certifying, or leuying of any issues, fines, forfaitures, amerciamēts or penalties to be assessed or tared, vpō any person or persons in any sessions to be holden within & said counties palantines, or either of thē, or within any towne corporate, situate & being within either of the saide counties Palantines, but that & same issues, fines, forfaitures, amerciaments, & penalties, & euery of them may bee assessed, tared, extracted, returned, certified, & leuied from time to time hereafter, in such manner & forme, to al intents & purposes, as they & euery of them haue bin vsed to be assessed, tared, extracted, returned, certified & leuied, at any time before the making of this act, or should be assessed, tared, extracted, returned, certified & leuied, if & said act had neuer been had or made: this acte or any thing therein conteined to the contrarie notwithstanding.

Iu. of both benches Barons of the Eschec. K. Atturnie Solicitor

Quarter Sessions

County palantine

Returne of writs

Amerciament

Prouided alway & be it &c. that Iustices of & P. within any shire of this realm of England & Wales, shal not be compelled by vertue of this act, to assemble themselues for the execution of this act for this present yere, before the next general Assises to be holden within euery such county before the feast of S. Michael the archangel next comming: but that they & euery of them shalbe compelled vpon like paine mentioned in this acte, to assemble themselues at the said generall Assises for the execution of the same for this present yere only, according to the purport, tenor, and true meaning of this acte: any thing in this act to the contrary notwithstanding. Prouided alway, & this acte or any thing therin contained, shal not in any wise extend or be preiudicial or hurtful to & county palantine & Duchie of Lancaster, or any towne corporate within the same coūty palantine & Duchy, hauing Iust. of P. for or concerning & extracting, returning certifying or leuying of any issues, fines, forfaitures, amerciamēts or penalties, to be tared or assessed vpō any person or persons, in any sessions to be holden within & said coūtie Palantine & duchy of Lancaster, or towns corporate, parcel of & same Duchy, by vertue of this acte: but & the same issues, fines, forfaitures, amerciaments & penalties shal & may bee extracted,

Iust. of P.

County Palantine Lancaster

Issues

ted, returned, certified or leuied frō time to time, in such maner & forme, to all intents & purposes, as they haue vsed to be extracted, returned, certified & leuied, at any time before the making of this act: This act or any thing therin contained to the contrarie notwithstanding.

Just. of P. Wales

Prouided alway, and be it &c. that the Iust. of P. in euery of the shires in South Wales and North Wales, & countie Palantine of Chester, according to their limitatiō, shal & may certifie al the estreats by thē to be made in maner & forme, as is aforesaid, to & afore such Chamberlain or Chamberlaines, Chauncelor or Chancelors, Auditor or Auditors, in such place or places, as by the K. Maiestie, is or hereafter shall be appointed or assigned for hearing and determining of the Shirifes accōpts in euery of ỳ said shires of Wales, or coūty palantine aforesaid: any thing in this act mētioned to the cōtrary notwithstāding, Prouided alway, that this act or any thing therin contained, shall not in any wise extend to ỳ county palantine and countie of Durham, or to any towne corporate within the same county palantine or countie, hauing Iustices of P. for and cōcerning the extracting, returning, certifying or leuying of any issues, fines, forfaitures, amerciaments or penalties to be assessed or tared vpon any person or persons, in any sessions to be holden within the saide County Palantine, or county of Durham, or within any towne corporate, situate & being within either of the saide countie palantine or countie, but that the same issues, fines, forfaitures, amerciaments or penalties, & euery of thē may be assessed, tared, extracted, returned, certified & leuied from time to time hereafter, in such maner & forme, to all intentes & purposes, as they & euery of them haue bin vsed to bee assessed, tared, extracted, returned, certified & leuied at any time before the making of this act, or should be assessed, tared, extracted, returned, certified & leuied, if this said act had neuer bin had ne made: this acte or any thing therein contained to the contrarie notwithstanding.

County Palantine Durham

Returning of issues

Prouided alwaies, & bee it enacted that this act, or any thing therin cōtained shal not extend to the Barons or inhabitants, of, or within the Cinque portes, or their members, or to any of them, to compel or constraine them, or any of them to assemble themselues with any the Iustices of the peace, out of their said portes or members, & the liberties of the same, or for, or cōcerning the estreating of fines, issues, forfaitures & amerciamēts, to be set, lost, or assessed by vertue of this act, within the liberties aforesaid, but that they, & euerie of them shall & may assemble themselues together at such place and places within their liberties for therecuting of this act, as to them shal be thought most conuenient, and to deuide themselues after such fashion, as they shal think best & most requisite for the executing of this statute in this act mentioned, And may & shall take such fines, issues, forfaitures, and amerciaments, and euery of them, as shalbe set, lost, & assessed by vertue of this act, in such maner and forme, and to such vses, purposes and intentes, as they or any of them lawfully should, might, or ought to haue had, before the making of this act: this act or any thing therin contained to the contrarie notwithstanding.

Barons of C. Portes

Estreating of fines

Taking of amerciaments

Prouided alway, that this acte, or any thing therin cōtained, be not at any time hereafter in any wise prejudicial or hurtful to any person or persons, bodies politike or corporate, to their heires or successors, or to the heires or successors of any of them, for, or concerning any their lawful rights, titles, interests or claime, of, in, or to any manner of issues, fines, amerciamēts, penalties, or other forfaitures in any wise to be assessed, lost, or forfaited before any Iust. of P. at their Sessiōs hereafter to be holden or kept in any shire, cities, borough, or towne corporate within this realme of England, by vertue or authority of this act, but ỳ euery such person or persons, bodies politik & corporat, their heirs & successors, & the heires & successors of euery of thē, & their lawful deputies in such behalfe, shal & may at all times hereafter assesse, tare, extract, returne, leuie, claime, haue & inioy al maner such issues, fines, amerciamēts, forfaitures, & other penalties, & euery of thē, to all such vses & purposes, & in like maner & form in euery behalf, as they, or any of thē haue lawfully vsed to do, & haue or might haue done & had, at any time before the making of this present acte, by vertue of any graunt to them, or any of them heretofore made or graunted, or otherwise by vertue of any custome or lawfull vsage thereof heretofore vsed, in euery behalf: this acte or any thing therein contained to the contrarie notwithstanding. This acte to continue to the latter end of the next Parliament.

Lawfull rights

An.

An.33.H.8.cap.10. But see here following 4. how this statute is repealed.

4 ¶ For asmuch as the kinges subiects be much incumbred and charged by comming to the .iij. weekes Sessions, appointed by the statute 33.H.8.ca.10.(before 3) Be it &c. that the said former act made in the said 33. yere of the Kings Maiesties raign, and al ordinances, articles, prouisions, & things therein contained, shall be from hence forth repealed, annulled, & vtterly void, and of none effect, to all intēts, constructions & purposes. And that al and euerie article therin contained, shalbe by vertue hereof inquired of before all Iustices of peace, at their ancient quarter sessions. And that the same Iustices of peace at their said quarter Sessions, shall haue like power and authority by vertue hereof, to punish and reforme all & euery such offence and offences, in like manner and forme, as they might haue done by vertue of the said former act made in the said 33. yere of the kings raigne. An.37.H.8. cap.7.

Repealed

Iust. of P. Quarter Sessions

*

¶ Executors.

EXecutors from henceforth shal haue & writ of Accompt, and like action and proces in the same writ, as their testator had and should haue, if he had liued. West. 2.cap.23. An.13.Edw.1.

Writ of accompt

2 ¶ An.1.Edw.3 cap.1. Actions were giuen to the executors of them, that were in the K. quarrell, in the pursuite against his father.

3 ¶ Wheras in times past, executors haue not had actions for a trespas done to their testators, as of the goods and cattels of the same testators caried away in their life, & so such trespasses haue hitherto remained vnpunished: It is enacted, that the executors in such cases shall haue an action against the trespassors, and recouer their damages, in like manner as they whose executors they be, should haue had if they were in life. An.4.E.3.cap.7.

Action of Trespas

4 ¶ In a writ of debt brought against diuers executors, the same executors, nor none of thē shall haue but one Essoine before apparance: that is to say, at the summons or attachment, nor after apparāce they shall haue but one essoine, as the testator should haue, so that executors doe represent the person of their testator as one person: It is also enacted, that though the shirife doe answere at the summons, that some of thē haue nought wherewith he may be summoned, yet there shalbe an attachment awarded vpon him. And if the shirife answere ỳ he hath nought wherby he may be attached, a great distres shalbe awarded, so that at the great distresse returned vpon them, he or they that do first appeare in the court, shall answere to the plaintife. And though some of them haue appeared in the court, & make default at the day that the great distresse is returned vpon the other: yet neuertheles, he or they shalbe put to answere, ỳ first appeared at the great distres returned. And in case the iudgement passe for the plaintife, he shall haue his iudgement & execution against them that haue pleaded, according to the law heretofore vsed, and against al other named in their writ (of the goods of the testator) aswel as if they had all pleaded. And it is to be vnderstand, ỳ if any in such case will sue after the law, that hath bēn vsed heretofore, hee may frely do it, notwithstanding this statute. An.9.Edw.3.cap.3.Stat.1.

Essoine

Shirife

Attachmēt

Distresse

Goods

5 ¶ Executors of executors shall haue actions of debts, accompts, & of goods caried away of the first testators, & executiōs of statutes Marchants, & recognisances made in court of Record to the first testator, in the same maner as the first testator should haue, if he were in life, aswel of actions of the time past, as of the time to come, in al cases where iudgement is not yet giuen betwixt such executors: But the iudgements giuen to the contrarie in times past shal stand in their force. And ỳ the same executors of executors, shall answere to other of as much as they haue recouered of the goods of the first testator, as the first executors shoulde doe, if they were in full life. An 25.E.3.cap.5.Stat.5.

Action of debt Accompt

Iudgment

6 ¶ That after information made to ỳ Chancelor of England for the time being, by the executors of any such Lords or person or 2. of them, of such ryot, taking, and spoiling, made, or hereafter to be made, by the houshold seruants of their or his said testator after his death, the same Chancelor, by the aduise of the chiefe Iustices of the K. bench, & of the common bench, and chiefe Baron of the Escheq. for the time being, or 2. of them, shall haue power to make so many & such writs to be directed to such shirifes by their discretion, as to them in this behalfe shal seme necessary, to make open proclamatiō in such cities, boroughs, townes or places, two market

Chancelor

Spoile

Seruants

Chief Iust.

Writs

Shirife

Proclamation

daies (within xij. daies next after the delivery of the same writs) as to ẏ same chancelor, by the advise aforesaide shall seme reasonable that the said offendors shal appeare before the same our soveraign Lord the K. & his heires, in his bench, at such a day, as by the said writ to him shall bee limited: So that the said last proclamatiõ be made by xij. daies before the same day of apparance. And if any such writ be returned at the day contained in ẏ said writ, & the writ be executed, that proclamation is thereupon made, according to the same ordinance. And then if the said person or persons, which should appeare by therea-
son of ẏ said proclamation, make default at the day specified in the said writ, and do not appeare, then he or they so making default, shalbe attainted of felonie. And if a-
ny such person or persons do appeare at ẏ said daye: then the Justices of the said K. bench, shal have power & authority by the said ordinance, to commit such person or persons so appearing to prison, there to a-
bide after their discretion, till the said of-
fendors doe answere to the said executors in such actions, which ẏ said executors will declare against thẽ, or any of them, by bil, or by writ, for the ryot, taking & spoiling aforesaid, & that the same actions be deter-
mined: So ẏ the same action be pursued with effect & not slackely, to the intent to kẽp the same person or persons in prison. And if such person or persons be inlarged out of prison by the said Justices: that thẽ the same person or persons shall find sufficiẽt persons to be bounden with thẽ to the said executors, by way of recognisance in the said bench, by discretiõ of the Justices to kẽpe such daies as be or they shal have by the same court. And if the kẽpers of ẏ prison wherunto the said person or persõs be committed, do let thẽ goe at large out of the prison, of his own authoritie, wõut the consideration & order of the said Justi-
ces: then the said kẽper shall forfait & lose xl. li. to the said executors. And ẏ no protection be allowed in any action to be taken vpon the said ordinance. An. 33. H. 6. ca. 1.

Returne

Default

Felonie

Appeare

Imprisõ.

Ryot

Sureties Recognis.

Gaoler

Go at large

Forf.

7 ¶ Where parte of the executors named in any such Testament of any such person so making or declaring any such writ, of any lands, tenements, or other hereditamẽts, to be sold by his executors after the death of any such testator, doe refuse to take vpõ him or them the administration & charge of the same testament & last will, wherin they be so named to be executors, & the residue of ẏ same executors doe accept & take vpon them the cure and charge of the same testament & last will: that thẽ al bargains & sales of such lands, tenements, & other hereditaments, so willed to be sold by the executors of any such testator, aswel heretofore made, as hereafter to be made by him or them, onely of the saide executors that so doth accept, or that heretofore hath accepted & taken vpon him or them, any such cure or administration of any such will & testamẽt, shalbe as good & as effectuall in the law, as if all the residue of the same executors named in the said testament so refusing the administration of the same Testament, had joined with him or them in the making of the bargain and sale of such landes, tenements, or other hereditaments, so willed to be solde by the executors of any such testator, which heretofore hath made or declared, or that hereafter shall make or declare any such will, of any such lands, tenementes, or other hereditaments, after his decease to be sold by his executors.

Lands Refuse

Bargaines Sales

Prouided alwaies, that this act shal not extend to give power or authority to any executor or executors, at any time hereafter, to bargaine or put to sale any landes, tenements or hereditaments, by vertue & authority of any will or testament heretofore made, otherwise then they might do by the course of the common law, afore the making of this act. An. 21. H. 8. cap. 4.

8 ¶ See Rents 2. how Executors or administrators shal recouer rent seruices, due in time of their testators.

¶ Exemption.

SEe Yorke 1. Of letters patents to Citizens of Yorke, to bee exempt from Offices there, to be voide. Letters P.

2 ¶ An. 4. H. 7. cap. 5. It was enacted, that al Letters P. made to Abbots and Rulers of spiritual places, to be quite of, and discharged of paiment of Dismes, & of the gathering of them, be voide. Disines

3 ¶ The K. remembreth how aswell his highnesse, as diuers his progenitors & predecessors kings of Englãd, haue made & granted aswell vpõ fained suggestions, as otherwise, to diuers Abbots, Priors, Gardians, Kẽpers, Wardens, & Rulers, or Soueraignes of spirituall places, and to their successors, diuers and manie graunts and letters Patents, that they & their successors, and their tenaunts and Religious Letters P.

seruants,

seruants, reſiants vpon their lands & tenements And also al lands & tenements, goods & cattels of them and their said tenants and seruants whatsoeuer, reſiant vpon their said lands and tenements, shal be quite and discharged of al Quinzismes, disimes, and other quotis, tares, and tallage, by the comminalty of this realme, in any wise granted or to be granted: by colour of which grants & letters Patents, the grantées aforesaid, now in late dates haue asked, and yet aske deductions & allowances at euery Quinzisme and disme graunted vnto the K. of much greater & more excessiue summes of money, then hath bén allowed, or deducted vnto them, by reason of their said grãts in times passed: where through euery quinzisme and disme to the king before this time granted, and hereafter to be granted, is, & of likelihod shall be greatly minished & lessed, and the powre common people of this realme so much the more grieuously assessed and charged to the same quinzismes & dismes: Remembreth that the bearing & imploying thereof muſt aswell be to the releſe of ok them & their said tenants, farmors and seruants that haue such grants & letters patents, as to other of his subiects: Hath therefore by the assent & aduise of the Lords spiritual &c. that the said Abbots, Priors, Gardians, keepers, maſters, rulers or souereignes of spirituall places, nor none of them, nor none other whatsoeuer, hauing such letters or grants, haue from hérefoorth by reason of the said letters patents & grants, any allowance, deduction or acquitals of any more greater summes of money at any such quinzisme & disme graunted or hereafter to be granted, except only of such & as much summes of mony as hath bin deducted & allowed, to & for them or any of thé, by reason or force of the saide grants & letters patents in time of king E. the 4. at such quinzime & disme to him granted & paied: the said grants & letters patents or any acte, ſtatute, or ordinance before this time in any wise made or ordained notwithſtanding.

Prouided alway that this acte or ordinance ertēd not, nor in any wise be preiudicial or hurtful to any our grant or grãts or letters patẽts, bearing date the xii. day of December, in ỳ firſt yere of our raign, made vnto the Bailifes, burgeſſes, men, comminalty, & inhabitants of the towne of Halop, called otherwiſe the towne of Shrewesbury, but ỳ our said graunt and grants, & letters patents, & euery thing therein contained, bee & ſtand good and effectual after the tenor and purport of the same: The said acte and ordinance, or any thing therin contained notwithſtanding. An. 7. H. 7. cap. 5.

4 ¶ See Monaſteries 112 and Rome 4. how Abbey lands, pariſh Churches, and Chappels before exempt, out of the iuriſdiction of the Ordinary of the dioces, be by thoſe actes put within the iuriſdiction of the Ordinaries, & within their viſitation.

¶ Exigent and Vtlarie.

IN case where the plaintife shal recouer damages, and be againſt whom the damages be recouered bee outlawed at the kings ſuit: That no charter of pardō shal be graunted of this outlawrie, except the Chancelor be certified, that the plaintife is satiſfied of his damages. And in case ỳ a man be outlawed by proces before his apparance, no such charter shall be granted except the Chancelor bee certified ỳ such person outlawed hath yelded himſelfe to the priſon before the Juſtices of the place from whence the writ of exigend iſſued, that is to say, if from the K. Bench, then he shal yéld him in the same place. And if from the common Bench, then hee ſhall yéld himſelfe there. And if from the Juſtices of Mier & ter. whiles the same Juſtices do ſit, he shal yéld him before them. And if they be riſen, then he ſhal yéld him in the K. Bench before the Juſtices. And the record with the proces to be remoued before them by writ, and the said Juſtices before whom they ſhal so yéld them, ſhal cauſe the partie plaintife to be warned to appeare before them at a certaine day, at which day if the warning be duly witneſſed, & the plaintife appeare vpon his warning, then they ſhall pleade vpon the firſt originall writte, as though no outlagarie had bin pronounced. And if the plaintife come not, he that is outlawed ſhalbe deliuered by vertue of his charter. And it is to be vnderſtand, that all ſuch charters be of the grace of the king, as before they haue bin. An. 5. E. 3. cap. 12.

2 ¶ Whereas diuers being duely outlawed, haue anoyded the outlagaries pronounced againſt thé, by reaſon of impriſonments, vntruly witneſſed by ſhirifs & other, which haue no record: It is enacted, that if any frō hencefoorth wil defeate

Lands Goods

Discharged Quite rents Dimes

Allowance

Religious

Allowance

Halop

Shrewsbury

Abbey

Recouer Damages

Pardon

Chancelor Satisfied

K. bench

Common place

Record removed

Plaintife

Originall

Pardon

Imprif. Shirifes

Defeat

any outlagarie pronounced vpon him by such witnessing, that hee shall yeild himselfe to prison, & then the Iustices of the B. bench shal cause the partie, at whose suit the outlagary was pronoũced, to be warned to be before them at a certain day, at which day if the partie wil verifie that ẏ witnessing is vntrue, his auerrem̃t shal be receiued. And in like maner the K. seriant or his Atturney or other that will sue for the K. shalbe receiued to haue the same auerrem̃t against such witnessing, in case where such outlagarie is pronounced at the kings suit. An. 5. E. 3. cap. 13.

Plaintife

Auerre

K. Seriãt

K. Atturnie

K. suit

3 ¶ It is accorded and established frõ hencefoorth of them which be or haue bẽ receiuors of the kings money, or of his wols which they take of the people, and the same carie away or detain, so that our soueraign Lord the K. may not be thereof serued: And of them that bring wols to the parties beyond the sea without being cocketed, or paying custome or subsidie wherto they be assessed: And of customers & searchers which suffer the same to the K. damage: Of lay ministers which receiue the kings money, & the same retain: Also of conspirators, confederators and maintainers of false quarrels: Also of thẽ that bring Routs into the presence of Iustices, or other the kings ministers, or elswhere in counties, in affray of the people, so that the law may not be done, aswel of them which bring the same, as of them which come in their company: or as of them which bring false money in deceit of the people: Against al those, in case they may not bee founde, nor brought in to answere by attachment or distres, for ẏ profit of our soueraigne Lord the K. the Exigent shall be giuen and sued, & not against other. An. 18. E. 3. stat. 1.

Receiuors Money Wool

Detaine

Cocket Custome Customers

Conspirators Quarrellers

Falsemonie

4 ¶ No exigent shall from hencefoorth goe out in case where a man is indicted of trespas, and it be not against the peace, or of things which be contained in the declaration made in that case, in the last Parliament holden at Westminster. An. 18. E. 3. cap. 5. stat. 2.

Indict Trespas

5 ¶ If and where any writ of exigent at any time frõ the xv. day of Easter nert comming or after, shalbe awarded at the suit of the K. or any other person or persons, plaintife or plaintifes, in any action personall against any person or persons, called of any shire or citie, being a shire corporate of it selfe, or els late of any such shire or citie, other then into such shire or citie whereunto such exigent shalbe awarded, to be called according to the law. And also in euery writ of exigent in any actiõ personal, wherof the proces or exigent at the said xv. day of Easter or after shall be directed into London or Middlesex, the defendant being called late of London, or late of Middlesex, & at the time of the exigent awarded not dwelling in Londõ nor in Middlesex, or els ẏ the said defendãt or defendants in ẏ same exigent, dwelling in any other shire or place thẽ where the K. writ runneth: then the Iustices before whom any such exigent is to be awarded, in al actions where the exigẽt shal not be directed into London nor Middlesex, to awarde a writ of proclamation to be directed to the shirife of the same coũty, where it doth appeare by the ẏing of such action, that the party defendant is, or lately was dwelling, if the K. writ there be currant: and els to the nert shire adioining to the county or coũties, or other places wherof ẏ party is called, or lately supposed by the said exigent to haue his being of, where ẏ K. writ so runneth not, & in euery action as is aforesaid, wherof the exigent shalbe directed into London or Middlesex, & the defendant or defendants in the same called late of London or Middlesex, & at the time of the exigent awarded not hauing his or their dwelling in London or Middlesex, then the writ of proclamatiõ to bee awarded, made & directed vnto the shirife of the Shire, where the defendant at the time of the exigent so against him or them awarded, shall haue his dwelling, or in case where the K. writ runneth not, vnto the nert Shire thereunto adioining: the which said writ of proclamation shal containe the effect of the same action, & that the shirife of the coũty, to whom any such writ of proclamation shall be directed, to make 3. proclamations within his countie at three seuerall daies, that is to say, 2. of the same proclamations in the full and plaine shire court of the same county, and the third of the saide proclamations to bee made at the general sessions in those parts where the defendant is supposed to bee dwelling, or in the parties of the Countrie nerte adioining to the Countie or Counties where the Kings writ runneth not, that the party defendant yelde himselfe to the Shirife of the forreine County, to whom any such exigent in any action personall is awarded, so that the Shirife of such forreine Countie may vpon his

K. suit Action personall Citie

London

Nupts

Shire

Proclamation Shirife

Middlesex

Shirife

3. Proclamations

Shire court

General Sessions

his yeldyng, haue the bodie of the said defendant before the Justices, before whom any such exigent is awarded, at the day in the same exigent comprised, there to answere to the plaintife in the same according to the law. And ẏ euery such writte of proclamation shall haue the same day of returne, as the writ of Exigent vpon such forein actiõ: so awarded shal haue: & that euery such writ of proclamation be deliuered of record to the shirife or deputie of the countie, into the which any such writ of proclamation is to be awarded: & that the shirife of the same county duely doe execute the same, and thereof make true returne at the day of the same writ appointed: vpon paine to forfait such a merciament vnto the K. and his heirs, by the discretiõ of the Justices before whom such exigent shalbe returnable, to be set: And ẏ the officer in whose office the saide exigent is taken, make out the said writ & writs of proclamation as hereafter shall be awarded in any ẏ said courts. And that the same officer shal take no more for the making of any such writ of proclamation and the entring of the same of record, but only vj.d. And if any outlarie hereafter be had or promulged against any person or persons in any actiõ personall in any forreine County, & no writ of proclamation, as is aforesaid, awarded & returned: that thẽ euery such outlarie to be vtterly void & of no effect ne force in the law. And that al outlawries had contrary to this acte be auoided by auerrement, without suing of any writ of Error. An. 6. H. 8. cap. 4.

Day Returne Forreine actions

Record Shirife

Returne Foyt.

Fee

Action personall Forreine Countie

Void

Auerrement

Note a like Statute to this was made An. 4. H. 8. cap. 4. to indure to the next Parliament. See here following 7. this altered for the countie Palantine of Lancaster.

6 ¶ Where in ẏ high court of Parliament holden at Westminster the 27. yere of King H. 8. (1. cap. 26. which is in Wales 28.) by the assent of the Lordes spirituall and temporal &c. that his highnesse dominion and principalitie of Wales, & al manors, lands, tenements & other dominiõs within the said dominion & principality of Wales should bee deuided into xij. shires or counties, that is to say, the shires or counties of Glamorgan, Radnor, Brecknock, Karmerthẽ, Pembroke, Cardigan, Perioneth, Põgomery, Flint, Carnaruan, Angleley, and Denbigh, in euery of which said counties and shires amongst the officers yerely appointed, it was then ordained, that there should be distinct and seuerall shirites yerely: and also where the counties palantine of Chester, and of the citie of Chester, be ancient & seuerall counties palantine of themselues, in all which said counties the kings writ hath not, nor yet doth not run, so that the proclamation awarded vpon any exigent against any person or persons in any action wherein proces of outlawry doth lie, according to the statute made in the first yere of the raigne of the said late K. cap. 4. (before 5.) cannot be directed vnto the shirife or shirites of any the said shires or counties, but vnto the shirife of the countie next adioining: so that the party dwelling in any of the said shires or Counties against whom any such exigent & proclamation shall be so awarded, shal not, nor can haue any knowledge of the same suite or proces, by reason wherof many of the persons inhabiting in the said shires and counties, without knowledge or cause of suit, haue bin wrongfully & vniustly outlawed, to their vtter vndoing: Be it therfore & for diuers other good considerations &c. that if & whensoeuer any writ of Exigent at any time after the first day of April next cõming, shall be awarded at the suit of the K. or of any other person or persons, plaintife or plaintifs, in any actiõ or suit, in any of ẏ courts of the K. his heires or successors, cõmonly called the K. bench & the commõ place, against any person or persons dwelling in any of the aforesaid coũties in Wales, or in the said counties palantine of Chester, or ẏ citie of Chester or in any of them: that then immediately vpon the awarding of euery such exigent, the Justice or Justices before whom any such writ of exigent vpõ such suit or action shalbe sued, shal haue ful power & authoritie to award one writ of proclamation, according to ẏ tenor & effect of proclamations awarded vpõ exigẽts directed out of any of ẏ said courts in Londõ against any person dwelling in any other shire where ẏ K. writ is currãt, according to the order & forme of the said statute, made in the first yere of ẏ said late K. to be directed to such of the forsaid shirifs, of any of the aforesaid counties in Wales, and of the counties palantine of Chester, & of the citie of Chester for the time being, where it shall happen the said defendant, against whom any such action shalbe sued, as is aforsaid, to be dwelling. And ẏ euery such writ of proclamation shall haue the same Teste & day of returne, as the exigents wherupon

Wales

xii. shires in Wales

Shirifes Count. Palantine

Proclamation

K. Bench Common place

Justices

Proclamation

London

Shirifes

Teste Day of returne

euery such writ of Proclamatiõ shalbe awarded shalhaue. And ẏ euery such shirife to whom any such writ of Proclamation shalbe directed, shall make proclamation of the said writ of proclamatiõ, according to the tenor of the same, & shal make true returne of the same in such court & before such Justices, as the tenor of the same writ shal require & demand. And that all outlawries hereafter to be promulged or pronoũced against any person or persons, vpõ any such exigent or exigents, awarded against any person or persons, dwelling in any of the said coũties of Wales, and the counties Palantine of Chester, & of the citie of Chester, & no writ of proclamatiõ awarded in forme aboue said, to the shirife or shirifes of the countie where the partie defendant shall be as is aboue said dwelling or not returned, to bee clerely void & of none effect nor force in the law. And be it &c. that all & euery shirife & shirifs of euery of ẏ said counties of Wales, & of the counties Palantine of Chester, & of the citie of Chester afore said, shal haue in euery of the said courts of the K. bench, & of the common place, one sufficient deputie at the least, to receiue all writs directed to such shirife or shirifes, for whom the same deputie or deputies shall bee appointed, in like maner & forme, and vpon like paines, as by the former statutes and lawes of this realm, other shirifs of other shires or counties within this realme of Englãd, be bound to haue in either of the same courts. And that al writs of proclamation afore said, shalbe deliuered vnto euery such deputy of record in the same courts, & also the fee shalbe paied for making euery such writ of proclamatiõ, & for inrolling the same record, as is limited in ẏ said statute made in ẏ said 6. yere of the king H. 8. And be it &c. that if any person dwelling in any of the saide Counties of Wales, after the foresaid first day of April, shalbe outlawed in any suit or action afore said, ẏ then writs of speciall Capias vtlagatũ, single Capias vtlagatũ, Non molestandũ, & all other proces, for or against any persons outlawed, shall & may from henceforth be directed to the shirife of any of the said counties in Wales, as immediate officers to the said Courtes of the K. bench, or common place in that behalfe, & that euery such writs may be deliuered of record to the deputie of such of the saide shirifs, to whom any such writ of proces shalbe directed. And that euery such shirife shal make executiõ & returne of euery such writ of proces to him directed, vpon like pain & penalty, as is aboue limitted. And be it &c. ẏ if any such writ or writs of proclamation hereafter directed to any of the shirifs of any of ẏ said shires in Wales or coũties palantine of Chester, or of ẏ citie of Chester, be deliuered vnto any of ẏ said shirifs for the time being, or to his or their deputie, in maner & forme afore said, & the same shirife or shirifes doe not make true returne of euery such writ or writs of proclamatiõ into such court & courts, out of which the said writ or writs of proclamatiõ shal bee awarded, ẏ for euery such default of nonreturne, euery such shirife for the time being shall lose & forfait x.li. the one halfe therof shall be to our Soueraign Lord the K. his heires & successors, the other halfe to any such person or persons as wil sue for the same in an action of debt &c. Prouided &c. that this acte or any thing therein contained, shall not in any wise extend to be preiudiciall to the same counties of Wales, or to the sayde counties palantine of Chester, or to the citie of Chester, for or concerning such liberties, franchises or priuiledges, as belong to thẽ or any of thẽ, or any ministers or officers of them or any of thẽ, other wise, or in any other maner, ẏ thẽ by the true meaning of this act is before prouided & declared: any thing in this act mẽtioned to the contrary notwithstanding. Prouided alwaies & be it &c. that this act ne any thing therin contained, shal not in any wise be preiudicial or hurtful to any L. Marcher in Wales, but that thoy & euery of them & their heirs & the heires of euery of them, shall & may haue like liberty, interest & preheminẽce as they and euery of them had, might or ought to haue had, before the making of this act, and as though this act had neuer been had ne made: any thing in this acte mentioned to the contrary notwithstanding. An. 1. Ed. 6. cap. 10.

7 ¶ If & whensoeuer a writ of exigend, at any time after ẏ first day of April next coming, shalbe awarded at the suit of the K. his heires or successors kings of this realme, or at the suit or suits of any other person or persons, plaintife or plaintifs in any action or suit in any of the courtes of the K. his heirs or successors kings of this realme, commonly called the K. Bench, & the commõ place, against any person or persons dwelling within the county Palantine (s. of Lancaster) that then immediatly

Execution Returne

Vtlawrie

Non return

Chester

Forf. Partie

Void

Deputie

Count's Palantine

L. Marcher

Fee

Inrolling

R. Suit

Capias vtlag. Non molest

Officers

Writs of record

K. Bench C. Place

Countie Palantine

diatly vpō the awarding of euery such exigend, the Iustice or Iustices before whō anie such writ of exigend vpō such suit or action shalbe sued, shall haue full power & authoritie by vertue of this act, to award one writ of proclamation, according to ỳ tenor & effect of writs of proclamation, awarded vpon Exigends, & commonly directed out of the said Courts into London, or into any other shires of this Realme, against any person or persons, dwelling in other shire or shires of this realme, where the kings writ doth run, according to the order & forme of the said statute, made in ỳ vj. yere of king H.8. ca. 4. to be directed to the shirife of the said Coūtie palantine of Lancaster, where it shall happen the said defendant against whom anie such action shal be sued as is aforesaid to be dwelling, & not to the shirife of anie other shire nert adioining to the said Coūtie palantine: anie law, custome or vsage heretofore vsed to the contrary notwithstāding. And that euery such writ of Proclamation so to be hereafter awarded to the shirife of the said Coūty palātine, shal haue the same Teste & date of returne, as the Exigends wherupō euerie such writ of Proclamatiō shal be awarded shall haue. And ỳ euerie such shirife of the said countie palantine of Lācaster, to whom anie such writ & writs of proclamation shalbe directed, shall make proclamations of the said writ & writs of proclamation, according to the tenor of ỳ same, and shal make true returnes of the same, in such Court & courts & before such Iustices, as the tenor of the same writ & writs of proclamations shal require & demaund. And that al outlawries hereafter to be promulged or pronoūced against any person or persons, vpon anie such exigend or exigends awarded against anie person or persons, dwelling in the said coūtie palantine of Lancaster, & no writ of proclamatiō awarded in forme abouesaid, to the shirife of the said county palantine of Lācaster, where the partie defendant shalbe as is aforesaid dwelling or not returned, to be clerly void & of none effect nor force in the law. And be it &c. that euerie shirife of the said countie palantine for the time being, shal haue in euery of ỳ said courtes of the B. Bench, & of the cōmon place, one sufficient deputie at the least, to receiue al such writs of proclamation, which shalbe hereafter directed to euerie such shirife of the said countie palantine, for whom the same deputie or deputies shall be appointed in like maner & forme, and vpon like paine as by the former statuts & lawes of this realme other shirifes of other shires or Coūties within the realme of Englād, be boūd to haue in either of ỳ same courts. And that all such writs of proclamatiō aforesaid, shalbe deliuered vnto euerie such deputie or deputies of record in the same courts & either of thē, & also like fees shall be paide for making euerie such writs of proclamatiōs, & for inrolling ỳ same of record, as is limitted in ỳ same statut, made in the said 6. yere of K. H. 8. Be it &c. that if any such writ or writs of proclamatiō, hereafter to be directed to any shirif of the said coūtie palātine of Lācaster, be deliuered vnto anie of the shirifs of the said coūtie palātine for the time being, or to his or their deputy or deputies, in maner & forme aforesaid, & the same shirife or shirifes doe not make true returne of euery such writ & writs of proclamations into such court & courts, out of the which the said writ or writs of proclamation shalbe awarded, ỳ for euery such default of nōreturne euerie such shirife for the time being shall lose & forfait x.li. The one half wherof shalbe to ỳ K. his heirs & successors, & the other half therof to any such person or persōs as wil sue for the same in an action of debt &c.

Prouided alwaies, that this act, nor any thing therein contained, shall not in anie wise extend or be preiudiciall to the same countie palantine of Lancaster, for or cōcerning such liberties, franchises or priuiledges, as belōg to the same, or to any Ministers or officers of the same countie palantine, otherwise or in any other maner, then by the true meaning of this act is before prouided & declared: any thing in this act mentioned to the contrarie notwithstāding. Prouided also & be it &c. that if anie person or persons dwelling within the said Countie palantine, after the foresaid first date of April, shalbe outlawed in any such suit or actiō as is aforesaid, that then all writs of speciall Capias vtlagatum, single Capias vtlagatum, Non molestandum, and all other proces, for, or against anie person or persons so outlawed, shal & may from henceforth be directed from time to time to the Chauncelor of the Duchy of Lancaster, who shal make like writs and proces thereupon, & of like effect, sealed with the seale of the said countie palātine of Lancaster, to be directed to the shirife of the said countie palantine for the time being, as heretofore hath bin vsed and accustomed

Iustices

Proclamation

London

Shirife

Teste

Shirife

True returne

Outlawries

Voide

Deputie

Fees

Inrolling

Proclamatio.

False returne

Default

Forf. Wittie

Liberties

Outlawed

Capias vtlag.

Chancelor of the Duchie

Seale of the countie palantine

customed in such traies. An. 5. E. 6. cap 26.

Writ of proclamation

8 ¶ For ỳ auoiding of secrete vtlaries &c. Be it &c. That in every action personal wherin any writ of Exigēt shalbe awarded out of anie court in or after ỳ terme of Easter next cōming, one writ of proclamation shalbe awarded & made out of the same Court, hauing day of Teste and returne, as ỳ said writ of Exigēt shal haue, directed & delyuered of record to the shirife of the countie where the defendant at the time of ỳ Exigēt so awarded shalbe dwelling, which writ of proclamation shal obteine the effect of the same actiō, & that the shirife of the county vnto whom any such writ of proclamation shalbe directed, shal make iij. proclamations in this forme following & not otherwise: that is to say, one of the same proclamations in the open countie court, & one other of the same proclamations to be made at ỳ general quarter Sessions of the peace in those parties where the partie defendant at the time of the Exigent awarded shalbe dwelling, & one other of the same proclamations to be made one moneth at the least before the quint. exact. by vertue of the said writ of Exigēt, at or nere to the most vsuall doore of the church or chappell of that towne or parish where the defendant shal be dwelling at the time of the saide Exigent so awarded. & if the defendāt shal be dwelling out of anie parish, then in such place as aforesaid of the parish in the same countie, & next adioining to the place of the defendants dwelling, & vpon a Sunday immediatly after diuine seruice & Sermon, if any sermon there be, and if no sermon there be, thē forthwith after diuine seruice. And that al Outlawries had & pronounced after the end of the next Easter terme, & no writ of proclamations awarded & returned, according to ỳ forme of this statute, shal be vtterly void & of none effect: & that the officer in whose office such writs of Exigent and proclamatiōs shal be made, shal & may take such fees as by the statute made in the vj. yere of the raigne of the late K. of famous memorie king H. 8. (supra 5.) is limitted & appointed in that behalfe, & no greater fees in anie wise, and that the shirife for making of ỳ proclamation at or nere to the church or chappell doore as is aforesaid, shall haue rij. s. And for the auoiding of secret summons in reall actions without conuenient notice of the Tenants of the freehold: Be it &c. that after euerie summons vpō the land in any reall action, riiij. daies at the least before the day of the returne therof, proclamations of the summōs shal be made on a sunday in forme aforesaide, at or nere to the most vsual doore of the Churches or chappel of that towne or parish where the land whereupon the summons was made doth lie, & that proclamation so made as aforesaid, shall be returned together with the names of the summoners: & if such summons shall not be proclaimed & returned, according to the tenor & meaning of this act, then no graund cape to be awarded, but an alias & pluries summōs as the cause shall require, vntill a summons & proclamation shal be duely made and returned, according to the tenor & meaning of this act. And be it &c. that before any allowāce of anie writ of Error or reuersing of anie Outlawries bee had by plee or otherwise, through or by want of anie proclamation to be had or made, according to the forme of this statute, after ỳ end of Easter terme next: the defendant and defendants in the original action shal put in baile, not onely to appeare & answere to the plaintife in the former suit in a new action to be commenced by the said plaintife, for the cause mentioned in the first action, but also to satisfie the condemnation, if the plaintife shall begin his suite before the end of two termes next after the allowing the writ of error, or otherwise auoyding of the said Outlawrit. An. 31. Eliz. cap. 3.

2. Proclamations

Countie court D. sessions

Church doore.

Sunday

Fees

Action vpon

Proclamation

Church D. or

Returne

Writ of Error

Baile

¶ See Proces 10. of Outlawrie giuen in certaine actions.

¶ Exposition of words.

SOke is suit of men in your Court, according to the custome of the realme. Sak is plee and correction of trespasses of men in your Court, because Sak in English, is encheson in French, as to say for sick sack pur quel encheson, for what hurt: and Sak is put for forfait. Toll, is that you & all your men of all your homage be discharged or quite in all Markets of toll of things bought & sold. Them, is that you haue all the generation of your villaines with their suites and cattaile wheresoeuer they shal be found in England, except that if anie bondman shall remaine quit one yere and a day in anie priuiledged town, so that he shalbe receiued into their communaltie or guild, as one of them, by that meanes he is free and deliuered from villenage. Infangthef, that is, ỳ theues taken

taken within your demesne or fee conuicted of theftes, shalbe iudged in your court. Hankelwite, is to be quite of a felon or theefe hanged without iudgement, or escaped out of your custodie. Outfangethefte is, that theeues or felons of your lande or fee, out of your lads or fee taken with feisine, or a stealing, shal be brought backe to your Court & there iudged. Homesoken, is to be quite of amerciamentes for entring into houses violently, & without licence, & contrarie to the peace of our soueraigne Lord the king, & that you hold plee of such trespasses done in your court, and in your land. Grithbrech, is the peace of our soueraigne Lord the K. broken, because Grith in English is Pax in Latin. Blodewit, is to be quite of amerciaments for bloodshedding, & what plees are holde in your court, you shall haue the amerciaments thereof comming, because wit in English is Misericordia in Latin. Fletwit is, to be quite from contention & conuicts, and that you may haue plee thereof in your court, & the amerciaments, for flit in English is tenson in French. Fledwit, is to be quite frō amerciaments, when an outlawed fugitiue cōmeth to the peace of our Lord the king, of his owne will, or being licensed. Flemeswit is, that you may haue the cattell or amerciaments of your man a fugitiue. Lotherwit, is that you may take amends of him which doth defile your bōdwomā without licence. Childwit, is y you may take a fine of your bondwoman defiled & begotten with child without your licence. Forstall is, to be quite of amerciaments & cattels arrested within your lād, & the amerciamēts therof cōming. Scote is to be quite of a certaine custome, as of cōmon tallage made to the vse of y shirife or his bailifes. Gelde is, to be quite of seruile customs, which were wont to be giuē & as yet are giuē, as Yoongeld & such like. Hydage is, to be quite, if our Lord the K. shal take al the land by hides. Caruage is, to be quite if our Lord the K. shal take all the lād by carues. Dangeld is, to be quite of a certaine custome which hath runne somtimes, which the Danes did leuie in Englād. Yoongeld is to be quite of a certaine custome, exacted by tillage through al the land, as of whatsoeuer horne beast. Lastage is to be quite of certain custome exacted in faires & markets, for carying of things where a mā will. Stallage is, to be quite of a certaine custome exacted for the streat taken or assigned in faires & markets. Shewing is to be quite with attachment in anie court, and before whomsoeuer in plaints shewed & not auowed. Abilhersing, is to be quite of amerciamēts before whomsoeuer of transumption proued. Burghbreth is, to be quite of trespas done in citie or borough against the peace. Warwit is, to be quite in giuing of money for keping of watches. Hundredum is, to be quite of money or customes to be done to the gouernors & hūdredors. Broodhalpeny is, to be quite of a certaine custome exacted for setting vp of tables. Brougbote is, to be quite of giuing aid to y repairing of bridges. Burbote is, to be quite of giuing of aid to make a borough, castle, city or wals throwne down. Auerpeny is, to be quite of diuers sums of money for the kings auerages. The treatise of the exposition of wordes. It is no statute.

¶ Extortion.

NO shirife or other the kings Ministers, take anie reward to do his office, but shall be paid of y which they take of the king, and he that so doth, shall yeld twice so much, & shall be punished at the kings pleasure. W.1.ca.26. An.3.E.1. But since this time diuers statutes haue appointed fees to diuers officers, which they may lawfully take. Shirifes Reward. Punish *

2 ¶ No clerke of Iusticer, of Escheator, or of Inquitor, shall take anie thing for deliuering Chapiters, but onely Clerkes of Iusticers Errants in their eiers, which shal take ij.s. & no more of euerie wapentake, hundred or towne, that answereth by xij. or vj. according as it hath bin vsed of old time. And he that doth cōtrarie shal paie three so much as he hath taken, and shall lose the seruice of his master for one yeere. W.1.cap.27. An.3.E.1. Clerke. Fee. Fox. Losse of seruice *

3 ¶ Forasmuch as manie complaine themselues of Officers, Criours of fee, & the Marshals of Iustices in eire, taking mony wrōgfullie of such as recouer seisin of lād or of them that obtaine their suits, & of fines leuied, & of Iurors, towns, prisoners & of other attached vpō plees of y crowne, otherwise then they ought to do in diuers maners: And forasmuch as there is a greater nūber of them thē there ought to be, wherby y people are sore grieued: The king cōmaundeth, that such things be no more done frō henceforth, & if anie officer of fee doe it, his office shall be taken into the kings hands, & if anie of the Iusticers Criours Marshals. Officer of fee. Losse of office.

Mar-

Punish

Marshals do it, they shalbe grieuously punished at the kings pleasure, & aswell the one as the other shal pay to al cõplainãts

iii. damages

the treble value of that they haue receiued in such maner. W. 1. ca. 29. An. 3. E. 1.

Water bailifes Searchers

4 ¶ Item whereas diuers water bailifes, searchers, comptrollers of search, & other their deputies & seruãts, within the portes of this realme, and specially within the portes of Fowey, Plimmouth, Dertmouth & Pole, by colour of their offices daily do wrongfully take by constraint of distresses & arrests vpõ the ships, barges, balengers & other vessels, goods and mar-

Marchants

chãdises of the K. liege Marchants of this said realme, & amongst all other vpon the kings liege marchants of Gascoine, Guien, Irelãd, Gernesey & Garnesey, in their cõming & going into the said portes, great

Impost

charges and impositiõs, that is to say, for euery piece of cresscloth iiij d. for euery hũ-

Cannas Iron

dred of Cannas vi. d. for the weight of euerie tun of Iron xij. d. & sometime more, & likewise of all other goods & marchãdises of the said liege people, and other marchants of the K. amity, & by such wrongfull

Distrés

distresses, arrests, charges & impositions, they do disturbe the said marchãts frelie to come into this said realme, & to passe, against all law & conscience, before al customes & subsidies due to our said soueraigne Lord the king, to the great prejudice of our said soueraigne Lord the K. in losse of his customes & subsidies, and to the great damage of the said marchants & their successors, vnles due remedie therof be had in the same: By aduise, assent, & authoritie aforesaid, it is ordained & established, that the said Marchants, their successors, & euerie of thẽ, of al such iniuries, distresses, arrests, charges & impositions aforerecited to be made to them, or any of them, aswel by such water bailifes, search-

Comptrollers

ers, & comptrollers of the search, as by collectors of the said customes & subsidies, cõptrollers of the same, surueyors of the customes & subsidies, of search packers, or anie other officers, or their deputies or seruants by their cõmandement, or any of them, hereafter may haue thereupõ a ge-

Writs of Trespas

nerall writ of trespas against such offendors & euerie of them, after the forme of the law, and to recouer against them and

xl. li. Marchants

euery of thẽ thereof so conuicted xl. li. And that the said Marchants, their successors & euery of thẽ so grieued (as before is said) may pursue the saide writ of trespas against the said offendors & euerie of them for such iniuries, distresses, arrests, charges and impositiõs so to be made, as afore is said, within two moneths next after

2. Moneths

such iniuries, distresses, arrests, charges & impositions to be made by them, or any of them, as afore is said. And in case that the said Marchants, their successors or anie of them do not pursue the said writ of trespas of such iniuries, distresses, arrests charges and impositiõs aforesaid, against the said offendors, nor none of them within the said two moneths: that then it shal be lawfull to euery other person of the K. liege people, to pursue the saide writ of trespas of such injuries, distresses, arrestes, charges & impositions to be made, as is aforesaid, against al such offendors & euery of them, after the forme of the law,

Recouer xl. li. Writte

& to recouer against them & euerie of them thereof so conuict xl. li. the king to haue ỳ one halfe, and he or they which will pursue, the other halfe. An. 28. H. 6. cap. 5.

¶ False iudgement.

NOne from henceforth (except our soueraigne Lord the king) shall hold in his court anie plea of false iudgement giuen in the Court of his tenants. For such plea speciallie belongeth to the crowne & dignitie of our soueraigne Lord the king. Marl. cap. 20. An. 52. H. 3.

Recors

2 ¶ When any record cõmeth into the kings court by writ of false iudgemẽt, in case where the party alledged that the record is otherwise, then the Court doth record ỳ same: the auerrement shalbe receiued of the good countrey, & of them which were present in the Court when ỳ record was made, if they doe come, & by other of the countrey by the shirifes returne. And if they come not, the inquest shal be taken by the good countrey. An. 1. E. 3. cap. 4.

Auerrement

Shirife Returne Inquest

¶ Fee farme.

ANno 2. E. 6. cap. 5. An act was made for the remitting for iij. yeere of fee farmes made by anie corporate towne or Corporation, with diuers clauses concerning that matter. And after in An. 3. E. 6. cap. 18. the said remission of fee farmes was restrained to one yeere.

Corporate towne Corporation

¶ Fees.

COncerning ỳ kings Marshals of fee, Chãberlaines, porters in the circuit of

of Iuſtices and Serieants, bearing virge before Iuſtices at Weſtminſter, which haue ẏ ſame office in fée, & that aſke more by reaſon of their fée, then they haue vſed to aſke, whereupon manie do cõplaine on them, that haue knowen & ſéene the order of the Court of lõg time: Our ſoueraigne Lord the K. hath cauſed to be inquired by an Inqueſt, what the ſaid Officers of fée haue vſed to haue in times paſt, & hath ordained and commaunded, that a Marſhall of fée, which of new aſketh a palfray of Earles, barons, & other holding by a part of a baronie, whẽ they haue done homage, and neuertheleſſe, another palfray when they are made knights, & of ſome ẏ ought not to giue anie, aſke a palfray. It is in like maner ordained, that the ſaid Marſhall, of euerie Earle & Baron holding by an entier baronie, ſhalbe contented with one palfray, or with the price of it, ſuch as he hath vſed to haue of olde: ſo that if hée toke a palfray, or the price of one at ẏ doing of his homage in forme aforeſaid, he ſhal take nothing whẽ he is made knight, & if he toke nothing at the doing of his homage, when he is made Knight hée ſhall take. Of Abbots and Priors holding an whole baronie, whẽ they do homage or fealtie for their baronies, he ſhall take one palfray or the price, as afore is ſaid, & this ſhal alſo be obſerued amongſt Archbiſh. & biſhops, of ſuch as hold but a part of a baronie, whether they be religious or ſecular, he ſhal take according to the portiõ of the part of the baronie that they hold. Of religious mẽ that hold in frée almes, & not by a baronie, nor part of a barony, ẏ Marſhal frõ henceforth ſhal demand nothing. And our ſoueraigne Lord the King hath grãted, that by this ſtatute, a Marſhall of fée ſhall not be barred hereafter to demãd more, if he cã ſhew that he hath right vnto more. The kings Chãberlains frõ henceforth ſhal haue of Archbiſhops, Biſhops, Abbots, Priors & other perſons ſpiritual, of Earles & Barons holding an entier baronie, a reaſonable fine when they do homage or fealtie. And if they hold by a part of a baronie, they ſhall take a reaſonable fine, according to the portiõ to thẽ belõging. Other Abbots, Priors, perſons ſpirituall & temporall, that hold no entier baronie, nor part of a baronie, ſhal not be diſtrained to make fine, as it is ſaid by thẽ ẏ hold by baronie, or part of baronie. But the chãberlaine ſhalbe contented with his vpper garment, or with the price thereof, which is done in fauour of perſons religious, more then of lay perſons: for it is more conuenient, ẏ religious men ſhould fine for their vpper garment, then to be ſtripped. Weſt.2.cap.41. An.13.E.1.

Warſhals fee

Earle Baron

Abbots Priors

Archbiſhops Biſhops Religious

Chamberlaine

Vpper garment

2 ¶ Cõcerning porters bearing virge before Iuſtices of the bẽch in the circuit: It is prouided, that of euerie Aſſiſe & Iurie that they kéep, they ſhal take x.d. only, & for the bils, nothing. Of ſuch as recouer their demands againſt manie by default, confeſſion, or otherwiſe, by iudgement wõut Aſſiſe or Iurie, they ſhall take nothing. Of ſuch as goe without day by default of the demaundant or plaintife, nothing. And if anie recouer his demaund againſt many by one writ, & by recogniſãce of Aſſiſe or Iury, they ſhal be cõtent with iiij.d. And likewiſe if many named in one writ do recouer their demaũd by recognizance of Aſſiſe or Iurie, they ſhal take iiij.d. Of ſuch as do homage in the bẽch, they ſhal be cõtent with their vpper garment. Of great Aſſiſes, attaints, iuries & battel waged, they ſhal take xij.d. only. Of ſuch as be called before Iuſtices to ſue or defẽd their plea, at their cõming in or forth, nothing. At the pleas of the Crowne, for euerie dozen xij.d. ſhalbe taken. Of euerie goale deliuerie iiij.d. ſhall be taken. Of euerie one whole peace is proclaimed xij.d. onely ſhal be taken. Of the finders of mẽ ſlaine & other, of a towne attached iiij.d. Of Tithingmen, nothing ſhalbe taken. Of Cirographers for making of a Cirografe, it is ordained, that they ſhal be contented with iiij.s. Of Clerkes writing writs Original & Iudicial, it is ordained, ẏ for one writ they ſhall take but one penie. And the K. chargeth all his Iuſtices, vpon their faith & oth that they owe him, that if ſuch maner of officers offẽd in any article againſt this ſtatute, and cõplaint come to thẽ thereof, they ſhall execute on thẽ reaſonable puniſhmẽt. And if they offend the ſecõd time, they ſhal award greater puniſhmẽt, that they may be duly corrected. And if they offend the third time, & be thereupon conuicted (if they be officers of fée) they ſhal loſe their fée, and if they be other, they ſhall auoid the kings Court, & ſhall not be receiued againe, without the ſpeciall grace and licence of the king himſelfe. Weſt.2.cap.44. An.13.E.1.

Porters

Iurie x.d.

iiij.d. Homage

Vpper garment

Goale deliuerie

Cirographers

Clerkes

Iuſtices

Puniſh

2. Fault

3. Fault

3 ¶ See Courtes Anno 33. H.8.cap.29. what fees the kinges Auditors and Receiuors ſhall take for payment of acquitances and Inrolments.

Auditors Receiuors Acquitãces

Item

ITem because it is cõplained to the king that manie people of his said realme, aswel great as small, hauing right & true title, aswel to lands, tenements & rents, as in personal actions, be wrõgfully delaied of their right, because that the occupiers & defendants being maintained & sustained in their wrong, doe commonlie make gifts & feoffements of their lands & tenements which be in debate, & of their other gods and cattels, to Lords & other great mẽ of the realme, against whom the said pursuants for great manace that is made to them, may not, nor dare not make their pursuits: And also on the other part, complaint is made to the king, that oftetimes manie people do disseise other of their tenemẽts, & anon after ỹ disseisin done, they make diuers alienatiõs & feoffemẽts, sometime to Lords & great men of the realme, to haue maintenance, & sometime to many persons of whose names the disseisées can haue no knowledge, to ỹ intent to deferre & delay by such frauds, the said disseisées & the other demandãts & their heirs of their recouerie, to the great annoyãce & oppression of the people: It is ordained & stablished, that frõ henceforth no gift of feoffement of lãds, tenements or gods be made by such fraude & maintenãce, and if any be in such wise made, they shalbe holden for none & of no value. And the said disseisées shal frõhencefoorth haue their recouery against ỹ first disseisors, aswel of the lands & tenements, as of their double damages, without hauing regard to such alienations, so ỹ the disseisées cõmence their suits within the yére nexte after the disseisin done. And it is ordained & stablished, ỹ the same statut shal hold place in euery other action in plea of land, where such feoffements be made by fraude or collusion, to haue their recouerie against the first such feoffor. And it is to wit, that this statute ought to be understãd, where such feoffors themself take the profits. An. 1. R. 2. ca. 9.

Delay

Gifts

Manace

Disseise Alienation

Double Recouerie

ij. damages

¶ Faires and Markets.

IT shalbe cõmanded to all the Shirifes of England, and elsewhere, where need shal require, to crie & publish within liberties & without, that all the Lordes which haue faires, be it for yelding certaine farme for the same to the king, or otherwise, shall hold the same for the time that they ought to hold it, and no longer: that is to say, such as haue thẽ by ỹ kings Charters graunted them, for the time limitted by the said charters: And also they that haue them without charter, for the time that they ought to hold thẽ of right. And that euerie Lord at the beginning of his faire, shall there do crie, & publish how long the faire shall indure, to the intent that Marchants shall not be at the same faires ouer ỹ time so published vpõ paine to be grieuously punished towards the K. Nor the said Lords shall not hold them ouer the due time, vpon paine to seise the faires into the kings handes, there to remaine, til they haue made fine to the king for the offence, after it be duly found that the Lords held the same faires lõger then they ought, or that the Marchants haue sitten aboue the time so cried & published. An. 2. E. 3. cap. 15. apud North.

Charters

Proclaime

Marchants

Seisure

Fine

2 ¶ It is contained in the statute made at Northhampton, in the ij. yére of the raigne of the king that now is, that the Lordes which haue faires by charters or otherwise, shall hold thẽ during the time that they ought to do, and no longer, vpon paine to seise such faires into the kinges hands. And that euerie Lord at the beginning of his faire, doe crie and proclaime therein how lõg the faire shal indure. And in the same statute is no certaine punishment ordeined against the Marchants if they sell after the time: It is accorded, that the said Marchants after ỹ said time, shal close their bothes & stalles, without putting anie maner of ware or marchandize to sell there. And if it be found, that anie Marchant from henceforth sell anie ware or marchandize at the said faires after the said time, such Marchant shall forfait to our soueraigne Lord the king, the double value of that that is sold. And euerie man that will sue for our soueraigne Lord the king shalbe receiued, and also haue the fourth part of that that is lost at his suit. An. 5. E. 3. cap. 5.

Charters

Proclaims

Marchants

Forf. ti. Value

iiij. Part

3 ¶ That al maner of faires and markets in the said principal feasts and Sundaies, and good Friday, shal clerely cease frõ all shewing of anie gods or marchandizes (necessary vittaile onely except) vpõ paine of forfaiture of all ỹ gods aforesaid so shewed, to ỹ Lord of the franchise or liberty, where such gods cõtrary to this ordinãce be or shalbe shewed, the foure sundaies in haruest only except. Neuertheles of his special grace by authoritie aforesaid, grãteth to them power which of old time had po day to hold their fair & market, but

Principa Festes Sundaies Goodfriday

all

al only vpon ẏ feſtiual daies aforeſaid, to hold by the ſame authoritie & ſtrength of his old grant, within iij. daies next before the ſaid feaſts, or next after Proclamatiõ firſt being made to the ſimple cõmon people, vpon which daie the aforeſaid faires ſhal be holden, alwaies to be certified wout anie fine or fee to be take to the K. vſe. And they which of old time haue by ſpeciall graũt ſufficient daies before the feaſts aforeſaid or after, ſhal in like maner, as is aforeſaid, hold his faires and markets the full number of his daies (the ſaid feſtiuall daies & Sundaies & good Fridaie except.) Prouided alwaies that this preſent ordinance ſhal begin to take effect at the feaſt of S. Michael next cõming, & not before, and ſhal indure till the next Parliament, and ſo forth, except in the ſaid Parliamẽt a reaſonable cauſe be alleaged, ſhewed & proued, for the which it ſhal ſeeme not expedient that the foreſaid ordinance ſo ſhal indure. An. 26. H. 6. cap. 5.

Proclamation

4 ¶ No Steward, Vnderſteward, bailife, nor Cõmiſſarie, nor other miniſter of anie ſuch Courts of Pipowders, ſhal hold plea vpon anie action at the ſuite of anie perſon or perſons, vnleſſe the plaintife or plaintifes, or his or their Attorney, in the preſence of the defendant or defendãts, do ſweare vpon the holie Euangeliſt, vpon the declaration, that the contract or other feate contained in the ſaid declaratiõ was made or committed within the faire, and within the time of the ſame faire, where he taketh his action, & within the iuriſdictiõ and bounds of the ſame faire. And notwithſtanding that the plaintife or plaintifs do affirme the ſame, yet neuertheles, the ſaid defendant or defendants ſhall not be cõcluded by the ſame, but ſhal anſwere & plead to the actiõ, or in abatement of the plaints, & to proffer an iſſue that the ſame contract, treſpas, or other feate contained in ſuch declaration, whereupon the plaintife or plaintifes do declare, was not committed nor done within the time of ẏ fair and iuriſdiction of the ſame, but out of the time of the faire, or at other places out of the iuriſdictiõ of the ſame faire, according to the truth in this behalfe. And if it be ſo tried, that the plaintife or plaintifes, or their Atturneis, doe refuſe to make the othes in the forme aforeſaid: that then the defendant or defendants, ſhalbe quite diſmiſſed and diſcharged in this party out of the ſame Court, the partie plaintife to take his aduantage at the common lawe, or other place conuenient, as ſhall to him ſeeme good, notwithſtãding this ordinãce. And that euerie ſteward, vnderſteward, bailife, & commiſſarie, or other miniſter, holding, ruling, or gouerning anie of the ſaid Courts, that doth the cõtrarie of this ordinance, ſhal forfait for euery default in this behalfe C.s. The one halfe thereof to our ſoueraigne Lord the king, & the other halfe to him that wil in this behalf purſue his actiõ vpon this ſtatute by actiõ of debt in his owne name. And that writs of proclamatiõ be in al good haſt directed to euerie ſhirife of euerie Countie of England, to make this ordinãce to be proclaimed in euerie faire within his Countie, aſwell within franchiſe as without. This act to indure from the ſaid firſt daie of May till the firſt day of the next Parliament.

Steward Bailife Commiſſarie Pipowders

Sweare

Anſwere

Refuſe

Diſcharge

Common law

Forfait

Moitie

Prouided alwaies that this act, nor nothing cõprized in the ſame act, be hurtfull or preiudiciall to William now biſhop of Durham, nor to his ſucceſſors, within the libertie & franchiſe of the Biſhopricke of Durham. An. 17. E. 4. cap. 2. This Acte is made perpetuall. An. 1. R. 3. cap. 6.

5 ¶ Euery freeman and Citizen of the Citie of London, that now is, or hereafter ſhalbe, may lead, carie, or go with his or their vitaile, ware or marchãdiſe what ſoeuer it be, at his or their libertie, to anie faire or market, that ſhall pleaſe him or them within this realme of Englãd: anie ſtatute, act, or ordinaunce, made or to be made within the citie of London, to the cõtrarie of the premiſſes notwithſtãding. And the ſaid ordinaunce & act made in the ſaid citie, be void & of none effect. And that no perſon of the ſaid citie be hurt or preiudiced in leſing of his libertie & franchiſe, without the citie or otherwiſe, by reaſon or occaſion of adnulling of the ſaid ordinance & act, or for non obeying to the effect of the ſame, and if anie perſon be preiudiced in any wiſe by occaſiõ of the ſame, that he that putteth or cauſeth anie perſon to ſuch preiudice, loſe & forfait to the K. r. li. as often as he ſo doth: And he that will ſue for ſuch forfaiture haue therefore an action of debt againſt ſuch offendor, the king to haue execution of the one halfe, & he that ſueth the other halfe. And in ſuch action the defendant be not admitted to wage his law. An. 3 H. 7. cap. 9.

Freemen of London.

Void

Forf.

Moitie

6 ¶ Foraſmuch as ſtollen Horſes be many times put away & ſold in priuy places of faires & markets, & toll priuily paid for thẽ, ſo that the true owners be without

Owner
Steward Bailife

Horſes Mares Geldings

Toll

Foyl. Tolgatherer

Parties preſent

Toll booke

Colour Markes

Foyl.

Subſcribe

Foyl.

but remedie: Be it &c. That ẏ owner, gouernor, ruler, farmor, ſteward, bailife, or chief kæper of euery faire & market ouert within this realm, & other the D. dominions, ſhal before the feaſt of Eaſter next, & ſo perely appoint & limit out one certain & ſpecial opē place within the towne, place, field, circuit, where horſes, mares, geldings & colts, haue bin & ſhalbe vſed to be ſold, in any fair or market ouert, in which ſaid certaine & open place as is aforeſaid, there ſhalbe by ẏ ſaid ruler or kæper of ẏ ſaid faire or market, put in & appointed one ſufficient perſon or more, to take tol & kæpe the ſame place, frō x. of the clock before none, vntill Sunſet of euerie daie of the foreſaid faire & market, vpon paine to loſe & forfait for euerie default xl.s. And ẏ euerie Tolgatherer, his deputie or deputies, ſhal during the time of euerie the ſaid faires & markets, take their due & lawful toll for euery ſuch horſe, mare, gelding or colt, at the ſaid open place to be appointed as is before ſaid, betwixt the houres of x. of the cloche in the morning, & the ſunſet of the ſame day, if it be tendred, & not at ante other time or place: and ſhal haue preſently before him or them at the taking of the ſame toll, the parties to the bargaine, exchāge, gift, cōtract, or putting away of euerie ſuch horſe, mare, gelding, or colt, & alſo the ſame horſe, mare, gelding or colt ſo ſold, exchanged or put away, & ſhal then write or cauſe to be written in a booke to be kept for the purpoſe, ẏ name, ſirnames, & dwelling places of all the ſaid parties, & the color, with one ſpeciall marke at the leaſt of euery ſuch horſe, mare, gelding, or colt, on paine to forfait at, & for euerie default contrarie to ẏ tenor hereof xl.s. And the ſaid Tolgatherer or kæper of the ſaid booke, ſhal within one day next after euery ſuch faire or market bring & deliuer his ſaid booke to the owner, gouernor, ruler, ſteward, bailife, or chiefe kæper of the ſaid faire or market, who ſhal thē cauſe a note to be made of the true nūber of all horſes, mares, geldings, and colts, ſold at the ſaid market or faire, & ſhall there ſubſcribe his name, or ſet his marke thereunto, vpon paine to him ẏ ſhal make default therein, to loſe & forfait for euerie default xl.s. and alſo to anſwere the party grieued by reaſon of ẏ ſame his negligence in euerie behalf. And be it &c. that ẏ ſale, gift, exchāge, or putting away after the laſt day of Februarie now next cōming, in ane faire or market ouert, of ane horſe, mare, gelding or colt, that is or ſhal be thēuiſhly ſtollē, or felonioully taken away frō ane perſon or perſons, ſhall not alter, take away, or exchange the propertie of ane perſon or perſons, to or from any ſuch horſe, mare, gelding or colt, vnles ẏ ſame horſe, mare, gelding or colt, ſhalbe in ẏ time of the ſaid faire or market, wherin the ſame ſhalbe ſo ſold, giuen, exchāged, or put awaie, opēly ridden, led, walked, driuē, or kept ſtāding by the ſpace of one houre together at the leaſt, betwixt x. of the clocke in the morning & the ſunneſet, in the opē place of the faire or market, wherein cōmonly horſes are vſed to be ſold, & not within any houſe, yard, backſide, or other priue or ſecrete place, & vnleſſe all the parties to the bargaine, contract, gift, or exchāge, preſent in the ſaid faire or market, ſhal alſo come together & bring the horſe, mare, gelding, or colt, ſo ſold, exchanged, giuen, or put away to the open place appointed for the tol taker, or for the booke kæper, where no toll is due, & there enter or cauſe to be entred their names & dwelling places, in maner as is aforeſaid, wt the colour or colours, & one ſpecial marke at the leaſt, of euery the ſame horſes, mares, geldings, or coltes in the Tollers booke, or in the kæpers booke for that purpoſe where no tol is due, as is aforeſaid: & alſo pay him their toll, if they ought to pay ante, & if not, then the buyer to giue one penie for the entrie of their names, & executing the other circūſtāces aforerehearſed, to him that ſhal write the ſame in the ſaid booke. And if ante horſe, mare, gelding, or colt, that is, or ſhall be thēuiſhly ſtollen or take away, ſhal after ẏ ſaid laſt day of Februarie next cōming be ſold, giuen, exchanged, or put away in ante faire or market, and not vſed in all points according to the tenor & intent of this ſtatute: ẏ thē the owner of euery ſuch horſe, mare, gelding, or colt, ſhal & may by force of this eſtatute ſeiſe or take againe ẏ ſaid horſe, mare, gelding or colt, or haue an actiō of detinue or replevin for ẏ ſame, ante ſale, gift, change, or putting away of ante ſuch horſe, mare, gelding or colt, other then according to this ſtatute, in any wiſe not withſtāding. The one halfe of all which forfaiture to be to the K. & Quēns Maieſtie, her heires & ſucceſſors, & the other to him or them that will ſue for the ſame before ẏ Juſtices of peace, or in any of the king and Quēnes Maieſties ordinarie courts of Record, by bill, plaint, action of debt or information: in which &c.

Fryſe
Frauduleutly taken
Property
Houſe
Secrete place
Toll taker
Colour
Marke
Tollers booke
Entrie
Seiſe
Action of Detinue Replevin
Foyl. Moitie
Juſt. of P.

And

Iust. of P. And be it further enacted &c. that the Iustices of peace of euery place & countie aswell within liberties as without, shall haue authoritie in their Sessions, within the limits of their authoritie and Commission, to enquire, heare & determine all offences against this statute, as they may doe any other matter triable before them.

Diers & ter.

Priuiledge Prouided alwayes, that in euery such Faire & Market where any toll is not, nor shalbe due ne payable by reason of ỳ freedome, libertie, or priuiledge of the said Faire or Market, the keeper or keepers of the booke touching the execution of this present act, shal take nor exact but one penie, vpon & for euery contract, for his labour in writing the entry concerning the premisses, in maner & forme as is aforesaid, declared. An. 2. & 3. P. & M. cap. 7.

* 7 ¶ No person after xx. dayes next after the end of this Session of Parliamēt, shal in any faire or market, sell, giue, exchange, or put away any Horse, Mare, gelding, colt, or fillie, vnlesse the Tollta-

Tolltaker ker there, or (where no toll is payed) the

Booke keeper Bailife booke keeper, Bailife or chiefe Officer of some Faire or Market, shall & will take vpon him perfect knowledge of the person that so shal sell, or offer to sell, giue or

Christian name Surname Dwelling place exchange any horse, mare, gelding, colt, or filly, & of his true christian name, surname, & place of dwelling or resiancie, & shal enter al the same his knowledge into a booke there kept for sale of horses: or els, that he so selling or offering to sell, giue, exchange, or put away any Horse, Mare, gelding, colt or filly, shall bring vnto the tolltaker or other officer aforesaid, of the same Faire or Market, one

One credible person sufficient and credible person, that can, shal or wil testifie & declare vnto, & before such Tolltaker, booke keeper, or other officer, that he knoweth the partie that so selleth, giueth, exchangeth, or putteth away such horse, mare, gelding, colt, or

Mystery Filly, & his true name, surname, mistery, and dwelling place: And there enter or cause to be entred in the booke of the said Toltaker or officer, aswel the true christian name & surname, mistery & place of dwelling, or resiancie of him that so selleth, giueth, exchangeth, or putteth away such, Horse, Mare, Gelding, Colt, or Filly, as of him that so shal testifie or auouch his knowledge of the same person, & shall also cause to be entred the very true price

Plaine or value that hee shall haue for the same Horse, Mare, Gelding, Colt, or Filly so sold. And that no person shall take vpon him to auouch, testifie or declare, that he knoweth the partie ỳ so shal offer to sell, giue, exchange, or put away any such horse, mare, gelding, colt or filly, vnles he do in deede truely know ỳ same partie, & shal truely declare to the Toltaker or other officer aforesaid, aswell the christian name, surname, mystery, & place of dwelling & resiancie of himselfe, as of him, of, & for whom he maketh such testimonie & auouchmēt. And that no toltaker or other Testimony Toltaker person keeping any book of entry of sales of horses in Fairs or Markets, shal take or receiue any toll, or make entry of any sale, gift, exchāge, or putting away of any horse, mare, gelding, colt or filly, vnlesse he knoweth the partie that so selleth, giueth, exchangeth, or putteth away any such horse, mare, gelding, colt or filly, & his true christiā name, surname, mysterie & place of his dwelling or resiancie, or the party that shal and will testifie & auouch his knowledge of the same person, so selling, giuing exchāging, or putting away such horse, mare, gelding, colt or filly, & his true christian name, surname, mysterie, & place of dwelling or resiancie, & shal make a perfect entrie into the said booke of such his knowledge of the person, & of the name, surname, mysterie & place of ỳ dwelling or resiancie of ỳ same person, & also the true price or value that shall bee bona fide taken or had for any such horse, mare, gelding, colt or filly so solde, giuen, exchanged or put away, so farre as he can vnderstand the same, & then giue to the party so buying or taking by gift, exchāge or other wise, such horse, mare, gelding, colt or filly, requiring & paying ii.d. for the same, a true & perfect note in writing of al the ful contents of ỳ same, subscribed with his hand, on pain that euery person that so shal sel, giue, exchange, or put away any horse, mare, gelding, colt or filly, without being knowen to the Toltaker or other officer aforesaid, or wout bringing such auoucher or witnes, causing the same to be entred as aforesaide, & euery person making any vntrue testimonie or auouchment in the behalf aforesaid, & euery Tolltaker, booke keeper, or other officer of Faire or Market aforesaid, offending in the premisses, contrary to the true meaning aforsaid, shall forfait for euery such default the summe of v. li. but also that euery sale, gift, exchange, or

Note Subscribe Paine Vntrue testimony Fort. Sale

other putting away of any horse, mare, gelding, colt, filly, in Faire or Market, not vsed in all points according to ẏ true meaning aforesaid, shalbe void: The one halfe of al which forfaitures to bee to the Queenes Maiestie, her heires & successors, & the other halfe to him or them that wil sue for the same before the Justices of peace, or in any her Maiesties ordinaris Courts of Record, by bill, plaint, action of debt or information, in which no essoin or protection shalbe allowed.

Lloyde Mitis

☞ And be it further enacted, that the Justices of peace of euery place & Countie, aswell within liberties as without, shall haue authoritie in their Sessions, within the limits of their authoritie & Commission, to enquire, heare & determine all offences against this statute, as they may do any other matter triable before them.

Inquire Dier & ter. *

And be it further enacted, that if any horse, mare, gelding, colt or filly, after xx. dayes next ensuing ẏ end of this session of Parliament, shalbe stollen, & after shalbe sold in open Faire or Market, & the same sale shalbe vsed in all points and circumstances as aforesaid: that yet neuertheles, the sale of any such horse, mare, gelding, colt or filly, within sixe moneths next after the felony done, shall not take away the propertie of the owner from whom the same was stollen, so as claime be made within sixe moneths by the partie from whom the same was stollen, or by his executors or administrators, or by any other by any of their appointment at, or in the Towne or Parish where the same horse, mare, gelding, colt or filly, shalbe found, before the Maior or other head officer of the same Towne or Parish, if the same horse, mare, gelding, colt or filly shall happen to be found in any Town corporate or Market Towne, or els before any Justice of peace of that Countie, neere to the place where such horse, mare, gelding, colt or filly shalbee founde, if it be out of towne corporate or Market Towne, & so as proofe be made within xl. daies then next ensuing, by two sufficient witnesses to be produced & deposed before such head officer or Justice, (who by vertue of this act shall haue authoritie to minister an othe in that behalfe) that ẏ propertie of the same horse, mare, gelding, colt or filly so claimed, was in the party, by, or for whome such claime is made, & was stolen from him within sixe moneths next before such claim

Horse Stollen

Propertie

6. moneths.

Executors

Head offi. cer

Proofe

xl. Dayes ii. witnesses Othe

of any such horse, gelding, mare, colt or filly, but that the party from whome the said horse, mare, gelding, colt or filly was stollen, his executors or administrators, shal & may at al times after, notwithstanding any such sale or sales, in any Faire or open Market thereof made, haue propertie & power to haue, take againe & enioy the said horse, mare, gelding, colt or filly, vpon paiment or reuinesse, or offer to pay to the party that shal haue the possession & interest of the same horse, mare, gelding, colt or filly, if he wil receiue and accept it, so much money as the same partie shal depose & sweare before such head Officer or Justice of Peace (who by vertue of this act shal haue authoritie to minister & giue an othe in that behalfe) that he payed for the same bona fide, without fraud or collusion: any lawe, statute, or other thing to the contrary thereof in any wise notwithstanding.

Payment Possession

And be it further enacted by the authoritie aforesaid, that after xx. dayes after the end of this Session of Parliamẽt, not onely all accessaries before such Felony done, but also all accessaries after such felony, shalbe depriued & put from all benefit of their Clergie, as the principal by statute heretofore made, is, or ought to be. An. 31. Eliz. ca. 12.

Accessaries

Clergie principall

¶ Felony.

NOtorious felons, and which openly be of euil name, and will not put themselues in Enquestes concerning the felonies that men shal lay to their charge before the Justices at the kings suite, shalbe sent backe to strong & hard imprisonmẽt, as they which refuse to be iustified by the common law of the land. But this is not to be vnderstanden of such prisoners as be taken for light suspection. Westm. 1. cap. 12. Anno. 3. E. 1.

Euil name

Imprisõ.

2 ¶ Concerning prisoners which breake prison: Our soueraigne Lorde the king willeth & commandeth, that from henceforth, none that breaketh prisõ shall haue punishment of life or member for breaking of prison only, except the matter or cause for which he shalbe imprisoned and taken, do require such iudgement, if hee were conuict therupon after the law and custome of ẏ Realm, albeit that in times past it hath bin done and vsed otherwise. Stat of breaking of prison. An. 1. E. 2. *

☞ Breaking of prison

3 ¶ None from henceforth shall vse to multiplie

Multiplying gold & siluer

Multiplycation

multiplie gold or siluer, nor vse the craft of multiplication, and if any the same do, hee shall incurre the paine of Felony in this case. An. 5. H. 4. cap. 4.

Beat
Wound
Imprison
Maime.

4 ¶ Because that many euil doers do daily beate, wound, imprison, and maime diuers of the kings liege people, and after purposely cutte their tongues, or put out their eyes: It is ordeined and established, that in such case, the offeders that so shall cutte tongues, or put out the eyes of any of the kings liege people, and it be duely proued and found, that such dæde is done of malice prepenced, they shal incurre the paine of Felony. An. 5. H. 4. cap. 5.

Cutting of tonges
Putting out of eyes

Staple

¶ An. 11. H. 6. cap. 14. It was made Felony for three yeres, to ship marchandise of the Staple in any Creeke.

6 ¶ An. 28. H. 6. ca. 4. An act was made to endure for v. yeres, to be Felony, for taking, arresting, or distraining of any person or goods in Wales, or in ỳ Duchie of Lancaster, & carrying them out thereof.

☞

7 ¶ Forasmuch as the ordinãces heretofore made in Parliaments, against vnlawful hunting in forests, parkes, and warrenes, haue not bin put in due execution, by reason that the misdoers haue of late vsed to disguise thẽselues with painting of their faces, & with visors & other disguisings, to the intent they might not be knowen, by colour wherof, diuers rebellious riots, and other inconueniences haue also insued. Be it &c. that at euery such time as information shall be made of any vnlawful huntings by night, or with painted faces hereafter to be done, to any of the Kings Counsell, or to any of the Iustices of the kings peace of the County where any such hunting shalbe had, of any person to be suspected therof: It shalbe lawfull to any of the same Counsell or Iustices of peace, to whome any such information shal be made, to make a warrant to the Shirife of such County, or to any Constable, Bailife, or other officer within the same County, to take & arrest the same person or persons, of whome any such information shal be made, & to haue him or them afore the maker of the saide warrant, or any other of the kings saide Counsell, or Iustices of his Peace of the County. And that the said Counseller or Iustice of P. afore whome such person or persons shalbe brought, by his discreation, haue power to examine him or them so brought, of the said hunting, & of the saide doers in that behalfe. And if the same person wilfully conceale the saide huntings, or any person with him defective, therin: ỳ then the same concealement be against euery such person so concealing, felonie. And the same felony to be enquired of and determined, as other felonies within the Realm haue vsed to be. And if he then cõfesse the trueth, & al that he shalbe examined of and knoweth in that behalfe: that then the same offence of hunting by him done, be against the king but trespasse finable, (by reason of the same cõfession) at the nert generall sessions of the peace to be holden in the same County by the K. Iustices of the same Sessions there to be sessed. And if any rescous or disobedience be made to any person hauing authoritie to doe execution or iustice, by any such warrãt, by any person the which so should be arrested, so that execution of the same warrant thereby be not had: that thẽ the same rescous & disobedience be felony, enquirable & determinable, as is afore saide. And ouer that it is &c. that if any person or persons hereafter bee conuicted of any such huntings with painted faces, visors, or otherwise disguised, to the intent they should not bee knowen, or of vnlawfull hunting in time of night: that then ỳ same person or persons so conuicted, haue like punishment, as he or they should haue, if he or they were conuicted of Felony. An. 1. H. 7. cap. 7.

Hunting by night
Painted faces
K. Counsel
Iust. of P.

Warrant
Shirife
Constable
Bailife
Arrest

Iust. of P.

Examine

Conceal

Cõcelemẽt

Felony

Confesse

Trespas
Finable
Sessions

Rescous

Felony

Conuict

Felony
★

☞

8 ¶ Where women, aswell maydens as widowes and wiues, hauing substance some in goods moueable, & some in lands and tenements, & some being heires apparant vnto their ancestors, for the lucre of such substances bin oftentimes take by misdoers, contrary to their will, and after maried to such misdoers, or to other by their assent, or defiled, to the great displeasure of God, and contrary to the kings lawes, and disperagement of the said women, and vtter heauines & discomfort of their friends, and to the euill example of al other. It is &c. that what person or persons from henceforth, that taketh a woman so against her will vnlawfully: that is to say, maid, widow, or wife, that such taking, procuring, & abbetting to ỳ same, & also receiuing wittingly the same woman so taken against her wil, & knowing the same, bee felony. And that such misdoers, takers & procurers to the same, & receiuers knowing ỳ saide offence in forme afore said, be henceforth reputed and iudged as principall felons.

Women
Widdowes
Maidens
Heires

Maried

Disperagement

Against her will

Taking
Procuring
Abbetting
Receiuing
Felony

Principal Felony

Prouided alway, that this acte extend not to any person taking any woman, only clayming her as his ward or bondwoman. An. 3. H. 7. ca. 2.

uitary
Bond woman
*

9 ¶ From henceforth the Steward, Treasourer, & Comptroller of the kings house for the time being, or one of them, haue full authoritie and power to enquire by xii. sad men, & discreete persons of the Check roll of the kinges honorable household, if any seruãt, admitted to be his seruant sworne, and his name put into the Check roll of household, whatsoeuer he be, seruing in any maner office or roome, reputed, had & taken vnder the estate of a Lord, make any confederacies, compassings, conspirations, imaginations, with any person or persons, to destroy or murder the king or any Lord of this Realme, or any other person sworne to the kings Counsel, Steward, Treasorer, Comptroller of the kings house: that if it bee found afore the said Steward for ỳ time being, by the said xii. men, that any such of the kings seruants, as is aboue said, hath conseuered, compassed, conspired or imagined, as is aboue said: that he so found by the inquiry, be put therupon to answere. And the Steward, Treasorer & Comptroller, or two of them, haue power to determine the same matter according to the law. And if he be put in triall, ỳ then it be tryed by other xii. sad men of ỳ same household. And that such misdoers haue no challenge but for malice. And if such misdoers be found guiltie by confession or otherwise, that the saide offence be iudged felony. And they to haue iudgement & execution, as Felons attainted ought to haue by the common lawe. Anno. 3 H. 7. cap. 14.

Enquire xii. of the Checkroll
Seruant Sworne
Confederacies
Conspirations
Murder the king or any Lord
K. Counsell
Determine
Tryall
No challenge
Sufficié Confession
Iudgement

☞ 10 ¶ Where before this time, diuers haue vpon trust deliuered vnto their seruants their caskets & other iewels, money, goods & cattels, safely to be kept to the vse of their said Maisters, & after such deliuerie the saide seruants haue gone away from their said Maisters, with the said goods & cattels, or part therof, to the intent to steale the same, & defraud their said maisters therof, & sometime being with their said Maisters, haue conuerted the same, or part therof to their own vse, which misbehauiour so done was doubtfull in the common law, whether it were felony or not. Be it therefore &c. that al & singuler such seruants, to whom any such caskets, iewels, mony, goods or cattels, by his or their said Maisters or mistresses shall from henceforth so bee deliuered to keepe, that if any such seruãt or seruants withdraw him or them from their saide maisters or mistresse, & goe a way with the saide caskets, iewels, money goods, or cattels, or any part therof, to the intent to steale ỳ same, & defraud his or their said maisters or mistresses therof, contrary to the trust and confidence to him or them put by his or their said maisters or mistresses, or els being in the seruice of his saide maister or mistresse, without assent or cõmaundement of his saide maister or mistresse, he imbesell the same caskets, iewels, money, goods, or cattels, or any part therof, or otherwise conuert the same to his owne vse, with like purpose to steale it, that if the saide casket, iewels, money, goods, or cattels, that any such seruant shall so goe away with, or which he shall imbesell with purpose to steale it, as is afore said, be of ỳ value of xl s. or aboue: that then the same false, fraudulent & vntrue act & demeanor, from henceforth shal be deemed & adiudged felony. And he or they so offending to be punished as other felons be punished for felonies committed by the course of ỳ common law. Prouided alway, that this act, or any thing therin conteined, shal not in any wise extend or be preiudiciall to any apprentice or apprẽtices, nor any person within the age of xviii. yeres, going away with his or their maisters goods or iewels, or otherwise conuerting the same to his or their own vses, during the time of their apprẽtiship; or being within the same age of xviii. yeres, but that euery apprentice or apprentices, such person or persons being within the saide age, doing or offending contrarie to this present act, shalbe and stand in like cases, as they and euery of them were before the making of this act: The same act to continue and endure vnto the nert Parliament. An. 21. H. 8. ca. 7. This act is by 5 Elizab. cap. 10. reuiued to continue for euer.

Maisters goods
Go away
Steale
Conuert to his own vse
xl. s.
Felony
Apprentices xviii. yeres
*

11 ¶ Where before this time diuers euil disposed persons of their peruerse dispositiõ, maliciously at diuers times haue brokẽ by diuers partes of ỳ dyke called ỳ new powdike in Marshland, in the countie of Norff. & the broken dike otherwise called Midfield dike by Marchland in the Isle of Ely, in the countie of Cambridge, by reason whereof, by the salt and fresh water, entring by the said breaches, the ground

Powdike

grou̇d of Marshlād hath bin many times drowned, & the inhabitants of the same put to importunate charges, & haue lost much of their cattel, to the great decay of the comon weale of the countries adioyning to the same, & also therby much people haue bin drowned in their beddes: For the reformation wherof be it &c. ẏ euery such peruerse & malicious cutting downe & breaking vp of any part or parts of the said dikes, or of any other bāk, being parcel of the rind & vttermost part of the said countrey of Marshlād aforesaid, made for the defence & saluation of the same countrey of Marshland, at euery time & times from henceforth, by any persō or persons cōmitted & done, otherwise then in working vpon the said banks or dikes for ẏ repairing, fortifying & mending of ẏ same, be take, reputed & adiudged felony, & that the offenders & doers of the same, & euery of them be adiudged & reputed felōs. And that the Iustices of the Peace of the saide counties of Norff. & Cambridge within the same Isle, at euery of their Sessions within the same Isle and counties to be kept, by the authoritie aforesaid, haue ful power to cause enquirie to be made, of euery such offence, so at any time in forme aforesaid hereafter to be committed and done, & to award like proces against euery of the said offenders, with like iudgement & execution of the same (if they or any of them be therof found guiltie by verdict or otherwise) as the said Iustices haue vsed & accustomed to do vpon other felonies, being felonie at the common lawe. An. 22. H. 8. cap. 11.

Cut down. Breake downe. Marshland. Repayring. Felony. Iust. of P. Enquire. Proces. Execution.

* This act was repealed by the generall words of An. 1. E. 6. ca. 12. but it is reuiued by An. 2. & 3. P. & M. cap. 19.

12 ¶ An. 23. H. 8. cap. 11. wilfull breaking of ẏ Ordinaries prison by a clerke conuict of felony, and escape therby, was made felony. But it is repealed by 1. M. 1. Sessione.

Breaking of the Ordinaries prison. Clerk conuict.

☞ 13 ¶ Where before this time diuers of the kings subiects, & namely of the North part of this Realme, aswell in time of peace as of warre, haue solde & delinered out of this Realme into Scotland, great multitude of horses, geldings & mares, which hath bin thought not onely great occasion of strēgth & boldnes to the Scottish men in time of warre to inuade this Realme, but also great infeebling of the kings subiects, in ẏ defence of this realm: Be it &c. that if any person or persons, after the feast of S. George the Martir next cōming, sel, exchange or deliuer wōin the Realme of Scotland, or in any place or ground called the batable ground betweene England & Scotland, to the vse of any Scottish man any horse, gelding or mare without licēce obtained of ẏ kings highnes, by his letters patents vnder his great seale so to do, or sel, exchange or deliuer to any Scottish man within this Realme of England, Wales, the town of Berwicke or Marches of the same, or in any of ẏ said batable ground, to the intēt to be conueyed into Scotland, any horse, gelding or mare, wout special licēce obtained of ẏ kings highnes by his letters Patēts vnder his great seale so to doe: ẏ then the same sale, exchange or deliuerie of such horse, gelding or mare, contrary to this present act, shalbe adiudged & deemed by the law felony, aswel in the seller, exchāger or deliuerer, as also in him or them to whom the same sale, exchange or deliuerie shalbe made. And ẏ it shalbe lawful aswel to the warden and wardens of the East, West, and middle Marches for the time being in their warden Courtes, as also to the kinges Iustices of his peace in their Quarter Sessions in euery shire of this Realme, to enquire, heare and determine all and euery such felonies, after like maner, as is vsed in other felonies at the comon law: whether the same sales, exchanges or deliueries be made, had or done by any person or persons contrary to this act, in the Realme of Scotland, or in any part of the saide batable grounds, or within the realm of England, Wales, Berwike or Marches of the same. And that it shall be lawfull to euery person or persons being the kings subiects, and inhabiting in the foresaid Marches for and against Scotland, to arrest any Scottish man, leading or cōueying any such horse, gelding or mare out of this Realme, into the said Realme of Scotland: and that the one halfe of the price of the saide horse, gelding or mare, shall be to the vse of the setter and arrestor of the same, after due trial of the same made, and the other moitie to the kings highnesse. An. 23. H. 8. ca. 16. This statute was repealed by the generall words of Anno. 1. E. 6. cap. 12. but it is reuiued by Anno 1. Eliz. cap. 7. See after in horses 9.

Deliuer Scotland. Horse. Felony. Wardens. Iust. of P. & Sessions. Arrest. Moitie.

☞ 14 ¶ For asmuch as there is not yet condigne punishment appointed for the detestable & abominable vice of Buggerie,

Buggery.

Felony

rie cõmitted with mankinde or beast: Be it enacted &c. that the same offence be frõ henceforth adiudged felony, & such order and forme of prayes therein to be vsed against the offenders, as in cases of felony at ỹ comon law, & that the offenders being hereof conuict by verdict, confession or outlawry, shall suffer such paines of death, & losses & penalties of their goods, cattels, debts, lands, tenements & hereditaments, as felons beene accustomed to doe, according to the order of the comon lawes of this Realme. And that no person offending in any such offence shall be admitted to his Clergie. And the Justices of peace shall haue power and authoritie, within the limits of their commissions and iurisdictions, to heare and determine the said offence, as they do vse to do in cases of other felonies. This act to endure till the last day of the nert parliament. Anno 25. H.8. cap. 6. This act is reuiued to continue for euer, by Anno 5 Eliz. cap. 17.

Clergie
Iust. of P.
Determine

15 ¶ An. 31. H.8. cap. 12. and An. 32. H. 8. cap. 11. taking of Haukes egges out of the kings ground was made felony, and taking vp of the kings Haukes, & not restoring them within a time was made felony, & hunting in the day with visers or painted faces, or faces hid or disguised, or in the night in ỹ kings grounds, & diuers other grounds, was made felony, except Wales & the borders of Scotland. And after Anno 1. E. 6. cap. 12. these actes were repealed. And after An. 3. E. 6. ca. 17. they were reuiued to cõtinue for iij. yeres, and after they were continued Anno 5. E. 6. cap. 1. to continue to the last daye of the next Parliament, and then they expired.

Haukes egges
Haukes
Hunting with visers
Painted faces
Wales
Scotland

16 ¶ Anno 33. H.8. cap. 8. deuising or practising Coniuration. Witchcraftes, Sorcerie or inchantments, and digging vp of crosses, was made felonie, & the offender not to haue his Clergy. But it is repealed by An. 1. E. 6. cap. 12. and by An. 1. Mar. 1. Session.

Cõiuratiõs
Witchcraftes
Sorcerie
Digging vp of Crosses
Clergie

17. ¶ Anno. 33. H. 8. ca. 12. stealing of the kings goods of the value of xij. d. or aboue, or breaking or entring the kings house to the intent to steale &c was made felony, & the accessary also a felon (without Clergie or Sanctuarie) and the triall thereof there appoynted. But these felonies bee repealed by An. 1. Mar. 1. Session by generall words.

Kings goods
Breaking of the K. house
Clergie
Sanctuary

18. ¶ An. 33. H. 8 cap. 14. Prophesying vpon declaration of armes, names, cognisances, or badges was made felony, & the offender not to haue his Clergie. But it is repealed by Ed. 6. ca. 12. and by 1. Mar. 1. Sess. by general wordes.

Prophesying
Clergie

19 ¶ Anno 37. H. 8. cap. 6. Burning of frames was made felony. But it is repealed by E. 6. cap. 12.

Burning of frames

20 ¶ Anno. 37. H. 8. cap. 10. Casting of slaunderous bils was made felony. But it is repealed by 1. Ed. 6. ca. 12.

Sladerous billes

21 ¶ Be it &c. that all wilfull killing by poisoning of any person or persons, ỹ at any time hereafter shalbe done, perpetrated or committed, shalbe adiudged, taken & deemed wilfull murder of malice prepensed: and that the offenders therin, their ayders, abbettors, procurers & coũsellors shal suffer death, & forfait in euery behalfe, as in other cases of wilfull murder of malice prepensed. An. 1. E. 6. cap 12. and in this act, all offences made felony by statutes since xxiij. Aprilis, An. 1. H. 8. not being felony before were repealed. But diuers of them be reuiued againe by statutes made since that time.

Poysoning
Wilfull murder
Abbettors
Fo. 1.
*

22 ¶ An. 2. Ed. 6. ca. 2. Departing of a Souldier without licẽce is made felony. See hereof Captaines 6.

A Souldier departing without licence

23 ¶ All offences made felony, or limited or appointed to be within the case of Præmunire, by any act or actes of Parliament, statute or statutes, made sithence the first day of the first yeere of King Henry the eighth, not being felony before, nor within the case of Præmunire, and also all and euery branch, article and clause mentioned or in any wise declared in any of the same statutes, concerning the making of any offence or offences to be felony, or within the case of Præmunire not being felony, nor within the case of Præmunire before, and all paines and forfaitures concerning the same, or any of them, were repealed by Anno. 1. Mar. 1. Sess. But diuers of those statutes be reuiued since that time.

*
Felony Præmunire

24 ¶ See Amendment 3. of imbeseling or auoiding of records to be felony.

Imbeseling of records

25 ¶ See Executors 6. of felony of seruants taking their masters goods after their death.

Seruants

26 ¶ See Faires and Markets 6. for stollen cattell.

Stolen cattell

27 ¶ See Foreste 10. that hunting was not then felony.

Hunting

28 ¶ See Triall 8. of felonies don vpon the Sea.

Felony on the Sea

29 ¶ See

Castels

29 ¶ See Treason 28. for practising to take or destroy the Quenes Castels to be felony by An. 14. Eliz. ca. 1.

30 ¶ Be it enacted &c. that if any person or persons, at any time after ỳ end of this present Session of Parliament, shall imagine, conspire, deuise, inuent or goe about, vnlawfully and maliciously to enlarge or set at libertie any pson or psons cõmitted or to be cõmitted to any prison, gard, or custodie, being or which shalbe indicted of any treason, in any wise cõcerning ỳ person of our said saueraigne Lady the Quæne, & the same conspiracies, imaginations, deuises or inuentions, shal by expresse words, writing or other matter or act, expressly or manifestly set forth, vtter or declare: that then euery such person so offending, shalbe deemed & adiudged a felon, & suffer, lose & forfait, as in cases of felony, by the due course of ỳ lawes of this Realme. An. 14. Eliz. cap. 2. To endure during her Maiesties life.

Conspire Inlarge Deuise

Indicted

Words Writing

Fork.

*

Feasants and Partridges.

FOrasmuch as diuers persons vse by nets and other engins to take Feasants & Partridges vpon the lands & tenemẽts of diuers owners & possessioners of the same, without their licence, by the which they lose not only their disport, that they, their frinds & seruants should haue about hauking & taking of the same, but also ỳ profit that should grow to their houshold to the great hurt of all lords & gentlems, & other hauing any great liuelode within this Realme: Wherefore it is &c. that it shal not be lawful to any person of what condition he be, to take or cause to be taken any Feasants or Partriges by net, snares, or other engins, out of his owne Warren, vpon the freehold of any other person, without the assent, agreement, & speciall licence of the owner or possessioner of the same, vpon paine of forfaiture of x li. The one halfe therof to the partie that wil sue for ỳ same, by action of debt, or by bill or otherwise, and the other halfe therof to the owner or possessioner of the said ground, vpon the which the said Feasants and Partriges be so taken. Also it is ordained by the said authoritie, that no maner of person of what condition or degree he be, take or cause to be taken (be it vpõ his own ground or any other mans) the egges of any Faukon, Gosshawkes, Laners, or Swannes, out of the nest vpõ paine of imprisonment of a yere & a day, & fine at the kings will: The one halfe therof to the king, & the other halfe to the owner of the ground where ỳ egges were so taken, & that the Justices of the peace haue authoritie by this present acte to heare and determine such matter, as well by inquisition, as information and proues. Also it is ordained by the said authoritie, that no man from ỳ feast of Pasche next comming, beare any Hauke of ỳ breed of Englande called a Nielle, Gosshauke, Tassel, Laner, Laneret or Faukon, vpon paine of forfaiture of his Hauke to the king, & the said Hauke to be at the kings pleasure. And that al such persons that bring any Nielle Hauke or Haukes, frõ any of the parts beyond the sea, bring a certificat vnder ỳ customers seale of the port where he first landed wt the said hauke or hauks, or if he come out of Scotland, then vnder the seale of the Warden or Lieutenant of the Marche ỳ he commeth through, testifying that the same hauk or hauks be of the parties beyond the sea, or of Scotland, vpon ỳ same paine. And that person that bringeth any such hauke or haukes to the king, shall haue a reasonable reward of the king, or els the same hauk or haukes for their labour. Also it is ordeined by the same authoritie, that no man take any Ayer, Faukon, Gosshauke, Tassell or Laner or Lanerets in their waren or woods, or in other place, nor purposely driue them out of their couerts accustomed to breede in, to cause them to goe to other couerts to breed, nor slay them for any hurt by them done, but suffer them to passe at their libertie, vpon paine of x li. The one halfe therof to the party ỳ wil sue for the same, by action of debt, by examination before ỳ Justices of the peace, information or otherwise, and the other halfe to the king. Prouided alway that the mottie of ỳ forfaiture aboue said, giuen to the owner of the ground, for taking of Swannes eggs be vnto the owner of the said Swannes, and not to the owner of the ground. An. 11. H. 7. cap. 17.

Take Feasants or Partriges

Without licẽce

Fork.

Hawkes egs Swannes eggs

*

Just. of P.

Beare Hawkes

Nielle Hawkes

Ayer Hawkes

Just. of P.

Swannes eggs

*

2 ¶ Where the game of Felants and Partriges is within these seuẽ yeres in manner vtterly decayed, by meanes of such as take them with nets & other engins, & of such as do vse hauking in ỳ beginning of haruest, before ỳ yong Fesants & Partriges be of any bignes, to ỳ great spoile of corne & graile then growing in the fields: For reformatiõ wher of

be it &c. that no maner of person or psons, of what estate, degrē or conditiō soeuer, shal at any time or times, from & after the first day of Aprll next ensuing, take, kill, or destroy any Fesants or Partridges with any maner of nets, snares, gins, engins, rowsking, lowsking or other deuises whatsoeuer, in the night time, vpon paine of forfaiture for euery Fesant so takē, killed or destroied, cōtrary to ỳ true meaning of this acte the summe of xx. s. for euery Partrige so taken, killed or destroyed the summe of x. s. The which said penalties & forfaitures, if euery person or persons so offending, do not pay within x. dayes next after his or their conuiction, then to haue one moneths imprisonment without baile or mainprise. And further, ouer & besides such forfaiture or imprisonment, to put in bond with good sureties for the space of two yeres, ỳ he shall not take, kil or destroy any Partriges or Fesants, contrary to the true meaning of this act: the same bond to bee taken by some Justice of the peace, of the Countie where the said offence shalbe committed: The one half of al which said seuerall forfaitures to be to the chiefe Lord or lordes of the liberties, lordships, or manors, vpō & in which the same shalbe so takē, killed or destroyed, and the other moitie to such person or persons as will sue for the same, in any of her Maiesties courts of record, by bill, plaint or information, in which suit no essoine, protectiō or wager of lawe shalbe allowed. Prouided alwaies that if such person to whome the one halfe of the said forfaiture is appointed for ỳ taking, killing or destroying of Partriges & Feasants, contrary to the tenor & true meaning of this act shal dispence with, licēce or procure any taking, killing or destroying of any Partriges & Fesāts, contrary to the forme of this act: that then all such forfaitures & penalties, as such persō or persons should haue by vertue of this act, shalbe to ỳ poore of the Parish, where such taking, killing or destroying shalbe committed, & that to be leuied or recouered in maner & forme aforesaid, by any one of the Churchwardēs of ỳ Parish where the offēce shalbe cōmitted. And be it likewise further enacted &c. that no maner of person or persons, from & after ỳ said first day of Aprll, shal hawke or with his spaniels hunt in any ground where corne or other graine shal then grow (except it be in his owne ground) at such time as any eared or codded corne or graine shalbe standing & growing vpō the same, nor before such time, as such corne & graine shalbee shocked, cocked, hyled or topped, vpon paine of forfaiture for euery time that he shall so hawke or hunt as aforesaid (without the consent of ỳ owner of the corn or graine) to such person or persons as shalbee owner of the saide eared or codded corne or graine xl. s. and the same to bee leuied or recouered in maner & forme aforesaid.

Prouided alwais & be it &c. that the Justices of Assise in their circuites, & Justices of the Peace in euery Shire, County & towne corporat within this Realme, in their sessions, within the seuerall limits of their commission, & Stewards of Leetes, Liberties & Lawdaies, within their seuerall iurisdictions, shal and may by vertue hereof heare, enquire & determine, of all & euery offence & offences, which shalbe cōmitted within the precins of their liberties, iurisdictions or franchises, against ỳ tenor of this act. And further that euery Justice of the peace within euery countie of this Realme, shal within the limits of his commission, haue power & authoritie by vertue hereof, to examine al offenders in the premisses within ỳ County where he is or shalbe Justice, if so be that the said offence or offences, shal not before be heard or determined by the saide Justices of assise in their circuites, or by the Stewards of Leets, Liberties or Lawdaies, within the said seuerall iurisdictions, and also to take bond with good suerties, for his & their apparance that shal so offend, to appeare at the next generall Sessions of the peace, to be holden within ỳ same Countie, where the same offence shal be committed, to answere the said offence, & to pay ỳ penalties, or receiue the punishment by this acte appointed or limitted. Prouided alwaies that this acte shall not in any wise extend to lowbellers, tramellers or others, which shall vnwillingly happē to take any Patriges or Fesants by night, vnder any tramel, lowbel, road net, or other engin, so as they & euery of them do presently loose & let go euery Fesant & Partrige so taken, & suffer them presently to flie & go at large, at the place where they shall happen so to be taken, without willingly killing, or wilfully hurting any such Fesant or Partridge so taken in any maner of sort: any thing in this act contained, to the contrary notwithstanding. An. 23. El. cap. 10.

Destroy Fesant Partrige

Night

Forfeit

Mainprise

Bond

Just. of P.

Lord

Poore of the parish

Church wardens

Hawke

Corne

Forfeit

Just. of P.

Sessions

Leetes

Liberties

Just. of P.

Examine

Bond

Next Sess.

Vnwillingly

Flie

¶ Fighting

¶ Fighting and quarrelling.

FOrasmuch as of late, many barbarous behauiors haue bin committed by irreligious persons, by brauling and fraying openly in the Churches & Churchyards: Be it &c. that if any person whatsoeuer, shal at any time after the first day of May next comming, by words onely, quarrell, chide or braule in any Church or churchyard, that then it shalbe lawful to the Ordinary of the place where the same offece shalbe done & proued by two lawful witnesses, to suspend euery person so offending, that is to say: if he be a Lay man, ab ingressu Ecclesiæ: and if he bee a Clerke, from the administration of his office, for so long time as the said Ordinary shal by his discreation thinke mete & conuenient according to the fault. And further it is &c. that if any person or persons, after the said first day of May, shall smite or lay any violent hands vpon any other, either in any Church or Churchyard, that then ipso facto, euery person so offending shall be deemed excommunicate, & be excluded from the fellowship & company of Christs congregation. And also it is &c. that if any person after the said first day of May shal maliciously strike any person with any weapon in any Church or Churchyard: or after the same first daye of May shall drawe any weapon in any Church or Churchyard, to the intent to strike another with the same weapon: that then euery person so offending, & being thereof conuicted by verdict of twelue men, or by his own confession, or by two lawful witnesses before the Iustices of assises, Iustices of oier and terminer, or Iustices of peace in their sessions, by force of this Act shalbe adiudged by the same Iustices before whom such person shal be so conuicted, to haue one of his eares cut off. And if the person or persons so offending haue none eares, whereby they should receiue such punishment, as is before declared, that then he or they to be marked & burned in the cheeke with an hoat yron, hauing this letter F. wherby he or they may be knowē or take for fray makers & fighters: Besides that euery such person to be & stand in ipso facto excommunicated, as is aforesaid. An. 5 E. 6. cap. 4.

Quarell Braule Church Churchyard Ordinarie

Suspend

Lay men

A clerke

Smite

Church Churchyarde Excommunicate

Church Strike with weapon

Conuict Clerkes Confessing

Iustices

Iust of ij. Adiudged

One eare cut off.

Burned in the cheeke

Excommunicated.

¶ Fines.

FOrasmuch as fines leuied in our court ought & doe make an end of al sutes, & thereof are called fines, chiefly when after waging of battel, or the great assise in their cases, they hold the last and finall place for euer, & nowe by a certaine time passed, aswel in the time of king Henry of famous memorie our father, as in our time, the parties to such fines and their heires, cōtrary to the lawes of our realm of auncient time vsed, were admitted to annul and defeat such fine, alleaging, that before such fine leuied, and at the leuying thereof, & since, the demandants or plaintifs, or their ancestors were alway seised of the landes conteined in the fine, or of some parcell therof, and so fines lawfully leuied, were many times vniustly defeated & annulled by iurors of the countrey, falsly & maliciously procured: We therefore intending to prouide a remedy in the premisses, in our Parli. at Westminster haue ordeined, that such exceptions, answeres or inquisitions of the countrey, shal from henceforth in no wise be admitted, cōtrary to such recognitions or fines. And further, wee will that this statute shall extend aswell vnto fines heretofore leuied, as vnto them ỳ shalbe leuied hereafter. And let the Iustices see that such notes & fines, as hereafter shall be leuied in our court, be read openly & solemnly, & that in the meane time al plees shal cease, & this must bee two certeine dayes in the weeke, according to the discreation of the Iustices. An. 27. E. 1. Stat. 1. cap. 1.

Annul Defeate

Demandats Plaintifes

Exceptions

Answeres

Iustices

Read openly

2 ¶ The king vnto the Iustices of his bench greeting: Wheras of late we haue ordeined, that al such fines as are to be leued in our court, bee lawfully leuied, which we wil in no wise to be broke, or to be annulled of their power, we haue sent to you our minde in writing, firmly to be obserued, that is to wit, ỳ aswel ỳ parties demandant or plaintif, as the tenants or defendants, that wil yeeld or knowledge right of lands or tenements vnto other, in plees of warrantie of charter, couenāt & other, wherupon fines are to be leuied afore you, before such fines do passe, ỳ parties shal appeare personally, so that their age, ideocy, or any other default being in them, may be iudged & discerned by you. Prouided alway, that if any person aged or decrepit, or impotēt by casualtie, be so oppressed & holden, that by no mean he is able to come before you in our court, then in such case we will, ỳ two or one of you, by assent of the residue of the bench, shall visit the partie so diseased, & shall receiue his

Warrant Charter Couenant

Appeare personally

Impotent

Visit the party diseased

his cognisances vpon the plee & forme of the plee that he hath in our court whereupon the same fine ought to be leuied. And if there goe but one, he shal take with him an Abbot, a Prior or a Knight, a man of good fame & credence, & shall certifie you therof by record, so that all things incident to the same fine being examined by him or the, the same fines according to our forme & ordinance, may bee lawfully leuied: yet we will not that any of our Barons of the Exchequer, or our Iustices, shal admit any atturnies but only in plees & matters that passe afore them in the benches, & in places where they be assigned by vs. And the same power of admitting Atturneis, we prohibite & denie to the clerkes & seruants of the said Barons & Iustices: And do ordeine, that if any atturneis be admitted hereafter by any of the persons aforesaid, their admission shalbe of none effect: Reserued alway to the Chancelor for the time being, his authoritie in admitting atturneis, according to whose discreation they shall be admitted, & to those our Iustices as heretofore hath bene obserued in the admission of atturneis: wee will also that this our ordinances shall take effect & begin at the vtas of the Trinity next ensuing. Giuen at our Parli. at Carlile the xb. yere of our raigne. An. 15. E. 2. Stat. of Carlile.

Abbot Prior Knight

Barons of the Exchequer Atturnies

Clerks Seruants

Note

Chancelor

3 ¶ When the writ original is deliuered in presence of the parties, a plead shall saye this: Sir Iustice conge de accorder, and the Iustice shall say to him, sir R. and shall name one of the parties: then when they be agreed of the sume of money, that must be giue to the R. the Iustice shal cõmand the peace to bee cried, and after the plead shal say: In so much as the peace is licenced thus vnto you W. S. and A. his wife, that here be to knowledg the manor of B. with the appurtenances, contained in the writ, to bee the right of our soueraigne Lord the R. which he hath of their gift: To haue and to hold to him & to his heires, of the said W. & A. & to the heires of the said A. as in demeans, rets, seignories, plees, purchases, wardes, mariages, reliefs, escheats, mils, aduowsõs of churches, & al other fraõchises & free customes, to the said manor belõging, paying yerely to R. and his heires, as chefe Lords of the fee, the seruices & customes due for all seruices. And it is to be noted, that the order of the lawe will not suffer a small accord to be leuied in the kings court, with

Originall

Money Proclamation.

out a writ originall, & that must be at the least before foure Iustices in the bench, or in eire, & not otherwise, & in the presence of the parties named in the writ, which must be of full age, of good memory, & out of prison. And if a woman couert be one of the parties, then she must be first examined, by foure of the said Iustices, and if she do not assent thereto, the fine shall not be leuied. And the cause wherefore such solemnity ought to be done in a fine, is because a fine is so high a barre, of so great force, and of so strong nature in himselfe, that it concludeth not only such as be parties & priuies thereto & their heires, but al other people of ỹ worlde, being of ful age, out of prison, of good memory, and within the foure seas, the day of the fine leuied, if they make not their claime of their action within a yere and a day by the countrey. An. 18. E. 1.

Presence of the parties

Full age

Good memorie

Out of prison

Women couert

Examine

Assent

Claime within a yere & a day

4 ¶ The plees of Nonclaime of fines, which from hencefoorth be to be leuied, shal not bee taken nor holden for any barre in time to come. An 34. E. 3. cap. 16.

Nonclaime

5 ¶ All the fines to be taken before any Iustices, shall be in the presence of the pledges, and that the pledges know the sume of their fine before their departing. An. 38. E. 3. cap. 3. Stat. 1.

In presence of the parties

6 ¶ All the writs of Couenant, and al other writs wherupon fines shalbe leuied in time to come, with ỹ writs of Dedimus potestatem if any be, with al knowledges and notes of the same, before that they be drawen out of the Common bench by the Chyrographer, shalbe inrolled in a rol, to be of record, for euer, to remain in the safe custodie of the chiefe Clerke of the Common bench, & of his successors, for the olde fee of xvii. d. accustomed to be paied to the chief clerke for the entring of the concord of euery fine, without paying any more: to the intẽt that if the notes in ỹ custody of the Chirographer, or the fines be embesiled, a man may haue recourse to the said rol to haue execution, as he should haue if the fines were not embesiled, and all the writs of the couenant, and al other writs wherupon fines haue ben leuied in times past, ſ albe also of record. And moreouer all the fines that were nowe late embesiled in the treasurie of our soueraigne lord the K. by persons vnknowen, if the notes and the same writs of Couenant of such fines embesiled, remaining in the custody of the Chyrographer may be found, that then to the partie shewing part of ỹ fines

Writs of couenant

Dedimus potestatem

C. place

Inroll

Fee

Embesil

Notes

embesiled,

Record

embellied, such notes and writs of Couenants shall remayne of record as farre forth as the same fines should haue bin, if no embesiling therof had bin made. An. 5 H. 4. cap. 14.

Ingrossing

7 ¶ After the ingrossing of euery fine to be leuied after the feast of Easter next comming in the kings court before his Iustices of the Common place, of any lands, tenements or other hereditaments, the same fine shall bee openly & solemnlie read & proclaimed in the same Court the same terme, & in three termes of the yere next insuing, after the same ingrossing in the same Court: at foure seuerall daies in euery terme. And in the same time þ it is read & proclaimed, all pleas shall cease, and moreouer a transcript of the same fine shalbe sent by the said Iustices of the common place, to the Iustices of assises of the countie where the saide lands & tenements bee, they to cause the said fine to be read & proclaimed openly and solemnly in euery their sessions of assises to bee holden the same yere, if assises do then holde, & all the plees in the meane time to cease. Also it is ordeined and established by the said authoritie of Parliament, that a like transcript of the same fine shall be sent to the Iustices of peace, of the county where the said lands and tenements be, and they shall cause open and solemne proclamation of the said fine to bee made at foure generall sessions of the peace to be holden in the same yeere. The saide Iustices of assises, and also Iustices of peace to certifie the same proclamation to the Kings Iustices of the Common place at the second day of returne of the terme then next following, after which proclamation had, made, & certified, the said fine to be a finall end, & to conclud aswell priuies as strangers to the same, except women couert, other then bee parties to the said fine, & euery person or persons then being within age, in prison, or out of this Realme of Englande, or not of whole memorie, at the time of such fine leuied. Also sauing to euery person or persons such right, title, claime and interest: which they haue to, or in the said lands, tenements & other hereditaments, at the time of such fine ingrossed, so that they do pursue their said right, title, claime or interest by way of action or lawful entrie, within fiue yeres next after þ said proclamation made, had or certified. And also sauing to all other persons, al such actions, right, title, claime and interest, in, and to all the said lands, tenements, and other hereditaments, which shall growe, remaine, descend or come to the, after the said fine ingrossed, by force of any gift in taile, or by any other cause or matter had or made, before the saide fine leuied, so that those persons take their saide actions, or pursue their saide right and title, according to the law within fiue yeres next after such actions, title, claim or interest growē, descended, remained or come to them. And also that the said persons and their heires, may haue their saide action against the taker of the profits of the saide lands, tenements, and other hereditaments, at the time of such action to be taken. And if the same persons at the time of such action, right and title growen, descended, remained or come to them, bee couert baron, or within age, or in prisō, or out of this lād, or out of whole memorie: It is ordeined, established and enacted by authoritie aforesaid, that their actiōs, right & title, be reserued & saued to them & their heires, til the time they come and be at their ful age, out of prison, within this lande, vnmarried, & of whole memorie, so that they or their heires take their said actions or lawfull entrie, according to their right and title, within fiue yeres next after they come, & be at their full age, out of prison, within this land, vnmarried, & of whole memorie, & pursue þ same actiōs, or take their lawful entrie wō effect, according to the law of Englād.

Also by authoritie of the saide Parliament it is ordeined, established and enacted, that al such persons, which be couert, not parties to the fine, and euery person being within age, in prison, or out of this Realme, or out of whole memorie, at the time of the said fines leuied and ingrossed, by this act of parliament before excepted, hauing any right or title, or cause of actiō to any of the said lāds, tenements, & other hereditaments: that they or their heires, take their said actiōs or lawful entry, according to their right & title, within fiue yeres next after that the said persons come or be of full age, out of prison, vnmaried, within this land, and also being of whole memorie, & also sue the same actions and take their lawful entrie, & to pursue with effect according to the lawe of the Realm of England. And moreouer if they do not, and take their said actions, and also their said

Proclaimed ill. Termes

Foure seuerall daies

Transcript Iust. of the Common place Iust of ass.

Proclamed

Transcript to the Iust. of peace

Proclamation. Foure generall sessions Iust. of ass. Iust. of P. Certifie

Women couert Within age Prisoners Out of the Realme Non sanæ memoriæ

Righte Fine yeres

Gift in taile

Actiō reserued

Fiue yeres

Fiue yeres

Within fiue yeres after full age, out of prison vnmarried, within this land, or of whole memorie

Concluded

saide lawfull entrie, in the maner as is aforesaid, that then they shalbe cõcluded by the saide fines for euer, in like forme as they be that be parties and privies to the said fines leuied & ingrossed. And by the said authoritie it is ordeined and established, that euery fine which shall bee from henceforth leuied in any of the K. Courts of any manors, lands, tenemẽts, or other possessions, after the manner, vsage and forme that fines hath bene leuied before the making of this acte before rehearsed, shalbe of like strength, effect and authoritie, as fines so leuied bee or were before the making of this act, this acte or any other act in this parliament, made or to be made notwithstanding. And that euery person shall be at his libertie, to leuie any fine hereafter, as hee will himselfe at his pleasure after the making contained and ordeined in and by this acte, or after the maner and forme before vsed. An. 1. R. 3. cap. 7.

Ingrossing

8 ¶ That after the ingrossing of euery fine to be leuied, after the feast of Easter that shalbe in the yere of our Lord 1490. in the kings Court afore his Justices of the Common place, of any landes, tenements, or other hereditaments, the same fine be openly and solemnly read and proclaimed in the same court the same terme,

Proclaimed three termes

and in three termes then next following the same ingrossing in the same Court at

Foure seuerall daies

foure seuerall dayes in euery terme. And in the same time that it is so read and proclaimed, al pleas shall cease, and the saide proclamation so had and made, the saide fine to be finall end, and conclude aswell privies as strangers to the same, except

Women couert
Within age
Prisoners
Out of the Realme
Non sanæ memoriæ

women couert, other then bin parties to the saide fine, & euery person then being within age of xxj. yeres, in prisõ, or out of this Realme, or not of whole mind at the time of the said fine leuied, nor parties to such fine.

And sauing to euery person or persons, and to their heires, other then the parties in the said fine, such right, title, claime &

Right

interest, as they have to, or in the saide lands, tenements, or other hereditamẽts, the time of such fine engrossed. So that they pursue their title, claime or interest by way of action or lawful entrie, within

Within fiue yeres

fiue yeres next after the said proclamations had & made. And also sauing to all other persõs, such actiõ, right, title, claime,

Action

and interest, in, or to the said lands, tenements or other hereditamẽts, as first shal grow, remaine, descend or come to them, after the saide fine ingrossed, & proclamation made, by force of any gift in the taile

Gift in taile

or by any other cause or matter had and made before the said fine leuied. So that they take their saide right & title, according to ỹ law, within fiue yeres next after such action, right, title, clayme, or interest, to them accrued, descended, remained, fallen, or come. And the said persons and their heires, may haue their said action against the pernour of the profits of

Pernor of profits

the said lands, and tenements, and other hereditaments, time of the said action to be taken. And if the same persons at time of such action, right and title, accrued, descended, remained, or come vnto them,

Couert baron
Within age
Prisoners
Out of this land
Non sanæ memoriæ

be couert baron, or within age, inprison, or out of this land, or not of whole mind: that then it is ordeined by the said authority, that their action, right and title to be reserued and saued to them and to their heires, vnto the time they come and bee

Full age
Out of prison
Uncouert
Whole minde

at their full age of xxi. yeeres, out of prison, within this land, vncouert, & of whole minde, so that they or their heires take their actiõs or their lawfull entrie according to their right and title, within fiue

Fiue yeres

yeeres next after that they come and bee at their full age, out of prison, within this land, vncouert, and of whole minde. And the same actions pursue, or other lawfull

Action Pursue

entrie take, according to the law.

And also it is ordeined by the authoritie aforesaid, that al such persons as be couert de Baron, not partie to the fine, and euery person being within age of xxi. yeeres, in prison, or out of this land, or not of whole minde at time of the saide fines leuied and ingrossed, and by this said act afore excepted, hauing any right or title, or cause of actions to any of the said lands, and other hereditamẽts, that they or their heirs inheritable to the same, take their said actions or lawfull entrie, according to their

Fiue yeres

right & title, within fiue yeres next after they come and be of full age of xxi. yeeres, out of prison, vncouert, within this land, and of whole minde, and the same actions sue, or their lawfull entrie take & pursue, according to the law. And if they doe and take not their actions and entrie, as is afore said, that they and euery of them and their heires, & the heires of euery of them, be concluded by the said fines for euer, in

Concluded

like forme, as they bene, that bene parties or privies to the said fines.

Sauing to euery person and persons,

Exception

not

not partie nor priuie to the said fine, their exception to auoide the saide fine, by that, that those that were parties to the fine, nor any of them, nor no person nor persons to their vse, ne to the vse of any of them, had nothing in the lands and tenements comprised in the saide fine, at the time of the saide fine leuied.

Nothing in the lands

And it is ordeined by the saide authoritie that euery fine that hereafter shalbee leuyed in any of the Kings Courts, of any Mannours, landes, tenements, or other possessiõs, after the maner, vse, and forme, that fines haue bene leuied afore the making of this acte, bee of like force, effect, and authoritie, as fines so leuied be, or were, afore the making of this act: This acte, or any other act in the sayde Parliament, made or to bee made notwithstanding.

Foyer

And euery person bee at his libertie to leuie any fine hereafter, after his pleasure, whether hee will, after the forme conteined and ordeined, in & by this act, or after the maner & forme afore time vsed. Anno 4. H. 7. cap. 24.

9 ¶ All and singuler fines, aswell heretofore leuied, as hereafter to be leuied before the said Iustices (s. of the Common place) with proclamations according to the said statute, (s. 4. H. 7. cap. 24.) by any person or persons of ful age of xxj. yeres, of any manors, lands, tenements, or hereditaments, before the time of the same fine leuied, in any wise entailed to the person or persons so leuying the same fine, or to any the auncestor or ancestors of the same person or persons, in possession, reuersion, remainder, or in vse, shall be immediatly after the same fine leuied, ingrossed, & proclamation made, adiudged, accepted, deemed, and taken, to all intents and purposes, a sufficient barre and discharge for euer, against the said person and persons, and their heires, clayming the saide landes, tenements, and hereditaments, or any parcell thereof, onely by force of any such entaile, and against all other persons clayming the same, or any parcell thereof, onely to their vse, or to the vse of any manner of heires of the bodies of them: any ambiguitie, doubt, or cõtrariety of opinion risen or growen vpon the saide Statute to the contrarie notwithstanding.

Proclamation

Full age

Intailed

Possession Reuersion

Barre

Heires

Prouided alwaies that this act nor any thing therein contained, shall extend to barre or exclud the lawful entrie, title or interest of any heire or heires, person or persons, heretofore giuen, or hereafter to be giuen, growen or accrued to them or any of them, in or to any manours, lands, tenements or hereditaments, by reason of any fine or fines heretofore leuied, or hereafter to bee leuied by any woman after the death of her husband, contrarie to the forme, intent and effect of the statute made in the eleuenth yeere of King Henry the seuenth (s. cap. 20. which is Discontinuance of right. 1.) of any manors, lands, tenements, and hereditaments, of the inheritance or purchase of the said husband, or of any his ancestors, giuen or assigned to any such women in dower, for terme of life, or in taile, in vse or in possession, but that the same act made in the said eleuenth yeere of the saide late king Henrie the seuenth (s ca. 20) shal stand, remaine, and be in full strength and vertue, in euery article, sentence and clause therin conteined, in like manner & forme, as though this present acte had neuer bene had ne made.

Women

Dower Terme of lyfe In taile

Prouided also that this act, ne any thing therin contained, do extend to any fine or fines, at any time heretofore leuied or hereafter to bee leuied, of any lordships, manors, lands, tenemẽts, or other hereditaments whatsoeuer they be, ỳ possessioners & owners whereof by reason of any expresse words cõteined in any special act or acts of parliamẽt, made or ordeined sithen the saide fourth yere of K. Henry the 7. stand, bee bounden, or restreined from making any alienations, discontinuances, or other alteratiõs of any of the same lordships, manors, landes, tenements, or hereditaments, contained in the said fine or fines: but that all and euery such fine or fines, at any time heretofore leuied, or hereafter to be leuied by any such person or persons, or their heires, of any such lordships, manors, lands, tenements, or other hereditaments, shall be of such like force and strength in the lawe & of none other effect, then that same fine so leuied or to bee leuied, should haue bene, if this present act had neuer bene had nor made: any thing therein contained to the contrary notwithstanding.

Lordship Manors

Alienation Discontinuances

Prouided also ỳ this act, nor any thing therein contained, shall not extend to any fine or fines heretofore leuied, of any mãnors, lands, tenements or hereditamẽts now in suite, demãd, or in proof any charters, euidences, or muniments cõcerning the

Lands in suite Charters Euidences

Chancerie

the same, be now in demand in the kings high Court of Chancerie: nor to any fine or fines heretofore leuied of any mānors, lands, tenemēts, or hereditamēts, which before the first day of this present parliament, haue bene recouered, gotten or obteined, by reason of any iudgement, entrie, decree, arbitrement, or other lawfull meanes, contrary to the purport, intent, or effect of any such fine or fines thereof heretofore leuied, nor to any fine or fines heretofore leuied, or hereafter to be leuied by any persō of any manors, lands, tenements or hereditaments, before the time of the leuying of the same fine, giuen, granted, or assigned to the said person or persons so leuying the same fine, or to any of his or their auncestors in taile by vertue of Letters Patents of our said soueraigne L. or any of his progenitors, or by vertue of any act or acts of Parliamēt, the reuersion whereof at the time of the same fine or fines so leuied, being in our said Soueraigne Lord, his heires or successors: but that euery such fine & fines, shalbe of like force, strength, and effect, as they were or should haue bene, if this act had not bin had or made. An. 32. H. 8. c. 36.

Ancestors in taile Letters Patents

Reuersion

10 ¶ Al & singuler fines which at any time hereafter shall bee leuied or knowledged before the Justices of our Soueraigne Lord the King, or of his heires or successors of the county Palantine of Lancaster, commonly called Justices of Assises of Lancaster, or before one of thē, of any lands, tenements, or other hereditaments, lying or being within the countie Palantine of Lancaster, which shalbe openly read & proclaimed three seuerall dayes in the open sessions, in the presence of the Justices of assises of Lancaster, or one of thē for the time being, at the same sessions that the same fine shall fortune to be ingrossed, and also that shalbe openly read & proclaimed in the presence of the Justices of assise at Lancaster, or one of them for the time being, at the two next generall sessions that shall bee holden in the said countie Palantine of Lancaster, before the Justices of the same Countie, cōmonly called Justices of Assise of Lancaster, or before one of them, next after the leuying or ingrossing of such saide fine, at three seueral dayes in either of the said two sessiōs, after such maner & forme as is commonly vsed in the kings court of his Common place at Westminster, shal bee of like force, strength and effect in the law to all intents, constructions, & purposes, as fines being duly leuied with proclamation before the kings Justices of his Common place be, or ought to bee of. An. 27. H. 8. cap. 19.

Countie palantine of Lancaster Just of ass.

Proclamed iii. daies Open sessiōs

Openly read

Generall sessions

Three daies

11 ¶ Fines which at any time hereafter shal be leuied or knowledged before the high Justice of our Soueraigne Lord the king, or of his heires and successors, of his Countie Palantine of Chester for the time being, or before the deputy or lieutenant Justice there for the time being, of any lands, tenements, or other hereditaments, lying or being within the sayde countie Palantine of Chester, which shal be openly read and proclaimed three seuerall dayes in the open sessions, in the presence of the Justice of the said county Palantine of Chester, for the time being, or before the deputie or lieutenant Justice there at the same sessions that the same fine shall fortune to be ingrossed. And also that shal be openly read & proclaimed in the presence of the Justice of the said coūtie Palantine of Chester, or before the deputie or lieutenāt Justice there, for the time being, at ẏ two next generall sessions that shalbe holden in the said countie Palantine of Chester, before the Justice of the same countie Palantine, or before the deputie or lieutenant Justice there, next after the leuying and ingrossing of such fine, at three seuerall daies in either of the saide two sessions, after such maner and forme, as is commonly vsed in the kings court of the Common plees at Westminster, shall be of like force, strength, & effect in the law, to al intents, constructions, & purposes, as fines duely leuied with proclamations before the kings Justices of his common plees, bee or ought to bee of. An. 2. E. 6. cap. 28.

County palantine of Chester Lieutenant

Proclamed three daies Open sessiōs

Ingrossed

Generall sessions

Force

12 ¶ All fines aswel heretofore leuied as hereafter to be leuied before ẏ Justices of the Cōmon place, of any manors, lāds, tenements, or other hereditamēts, wherupon the proclamations haue not, or shal not by reason of adiournmēt of any terme by writ, be duely made, shalbe of as good force, effect, & strength, to al intents, constructions and purposes, as if any terme heretofore so adiorned, or at any time hereafter shal be so adiourned, had bin holdē & kept from the beginning to the end therof not adiourned, & proclamations therein made according to the forme & effect of the said statute. Prouided alwaies that this act shal not in any wise extend to any fine

Proclamation Adiournement

heretofor &

Lands in suite

heretofore leuied of any the manors, lands, tenements, or hereditaments now in sute, demand or variance, in any of the Queenes courts, or whereof any charters, euidences or munimẽts concerning the same, bee nowe in demand in the M. high court of Chancerie: nor to any fine or fines heretofore leuied, of any manors, lands, tenemẽts or hereditamẽts, which before the first day of this present Parliament, haue bene recouered, gotten or obteined, by reason of any iudgment, entre, decrée, arbitrement, or other lawfull meanes, contrarie to the purport, intent, or effect of any such fine or fines thereof heretofore leuied. An. 1. M. 1. parlia. ca. 7.

Charters

Recouered

Proclamation

13 ¶ All fines with proclamations, from and after the feast of Easter next ensuing, to be leuied in the said court (viz. of Common plees) shalbe proclamed only foure times: that is to saie, once in the terme wherein it is ingrossed, and once in euery of the three termes, holden next after the same ingrossing. And that euerie fine proclamed as aforesaide, shall bee of as great force and effect in lawe, to al intents and purposes, as if the same had bin sixténe times proclamed, according to the statutes heretofore made (viz. 4. H. 7. ca. 24. before 8.) An. 31. Eliz. cap. 2.

¶ Fines to the King.

Writ of Inquisition

NOthing from henceforth shall be giuen for a writ of Inquisition, nor taken of him that prayeth inquisitiõ of liefe or of member, but it shal be granted frélye. Mag. charta cap. 26. 9. H. 3.

¶ First fruits and Tenthes.

Tenths

ANno 26. H. 8. cap. 3. An acte was made whereby the first fruits and yérely tenths of spirituall promotions were giuen to the King, his heires and successors, and diuers articles are there at large, expressing howe, and by what wates the King should bee aunswered of those first fruits and tenths, and diuers other things concerning the first fruits and tenthes. And that the first fruits of benefices accustomed to bee paied to the Bishop of Norwich within that diocesse, & to the Archdeacon of Richmond, within his Archdeaconry, or to any other person within this Realme, or the Kings dominions, shall cease and be extinct, and no longer bee paied, but onely to the King, his heires & successors. These first fruits graunted to the King bee extinct, and these tenthes granted to the king bee discharged from the King and Quéene, as hereafter appeareth. Anno 2. & 3. Ph. & Ma. cap 4.

Bishop of Norwich Archdeacon of Richmõd

Extinct

Leases

2 ¶ An. 26. H. 8. cap. 17. was enacted, that the Leasées of spirituall persons bee discharged of paying of the first fruits & tenths, notwithstanding any couenant, contract &c.

Compounds

3 ¶ Anno. 27. H. 8. cap. 8. was enacted that he that payeth or compoundeth for his first fruits, shalbe deducted of ỳ tenth for that yere, out of his first fruits, & shall paye the tenth.

Bishop

4 ¶ Ann. 32. H. 8. cap. 22. was enacted, how the Bishops should bee discharged of the tenth that they could not leuie, & how the King should bee answered of the tenth of any benefice omitted &c.

Bishop of Norwich Account

¶ 5 An. 32. H. 8. cap. 47. was enacted, that the Bishop of Norwich should collect the tenths in his diocesse, and account for the same.

New Bishops

6 ¶ An. 34 H. 8. cap. 17. was enacted, where the newe erected Bishops should pay their tenths &c.

Certificat Nonpayment Losse of benefice

7 ¶ Anno. 2. E. 6. cap. 20. was enacted, that by a certificate from the Bishop of non paiment of any tenth of any benefice, the Incumbent should but lose the benefice onely.

Collectours bound

8 ¶ An. 7. E. 6. cap. 4. was enacted how the collectors of the tẽths should be bound to collection. And a large daye giuen for the payment of the tenthes. And how the king should bee paied of the tenth, for the time of the vacation of the benefice. And how a patẽt of a collectorship of the tẽths should bee good, onely during the time of the grantor.

King Vacation

Patent of collectorship

9 ¶ All payments of the first fruits (s. granted by An. 26. H. 8. cap. 3.) were take away from the Crowne by one Acte. An. 2. & 3. P. & M. And after ward restored by 1. Eliz. ca. 4. as followeth.

Crowne Restored

10 ¶ That the saide act made in the second and third yére of the reigne of the said late King Philip & Quéene Marie, and all articles, clauses, and sentences therein contained, shall be from and after the first day of this present Parliament, vtterly and clearely repealed, made void, and of no force ne effect. And all authorities and liberties graunted, limitted & appointed, in and by the said act, to the saide late cardinal Poole, or made, or deriued by force,

Repealed

Liberties

Cardinall Poole

force, strength or colour of the said act, by or from the saide late Cardinall, to any other person or persons, bodies politike or corporate, to cease and be vtterly void & determined. And that the said first fruits, and all payments thereof, from and after the said first day of this parliament, shall be reuiued and haue their beeing & continuãce againe, and be deemed & adiudged, to all intents, constructions & purposes, to the Quéenes highnesse most royal person, her heires and successours, & vnited, and annexed to the Imperiall Crowne of this Realme, of and in such like, and the same estate, interest, title, qualitie, sort, degrée and condition, and in as ample and beneficiall maner and forme, as the same was or were in the person or possession of the said late Quéene Mary, at and before the said eight day of August, in the said act of extinguishment, mentioned and expressed: the same act of extinguishment, or any Letters Patents, or any other matter or thing had, done, or suffered by the saide late Quéene to the contrary thereof in any wise notwithstanding. And also that aswell so much of the said perpetuall and annuall Tenth and pencion graunted by the said act, made in the said xxvi. yeere of the reigne of the said late king Henry the eight, as also so much of the saide yeerely rents, reserued vpon the said seueral Letters patents nomine decimæ, and also so many of the said Rectories, Parsonages, and benefices impropriate, glebe landes, tithes, oblations, pencions, portions, and other profits & emoluments ecclesiasticall and spirituall aforesaid, and the reuersion and reuersions therof, & al rents, emoluments and profits incident to the same, as were in the hands and possession of the said late Quéene Marie, at and before the saide eight daye of August, shall from the feast of S. Michael tharchangel last past, be vested, adiudged, and deemed actually and really in the seisin & possession of our said Soueraigne Ladie Quéene Elizabeth, her heires & successours, to al intents, constructions, and purposes, of & in such like and the same estate, interest, order, degrée, qualitie, sort and condition, & as fully, wholy, largely, and beneficially, as the same were in the seisin and possession of the said late Queene Mary, at and before the same eight daye of August. And that aswell the said first fruits and tenthes and the order thereof, as also the saide annuall rents, reserued nomine decimæ, and the saide Rectories, Parsonages, Benefices, glebe landes, tithes, oblations, pencions, portions, and other profits and emoluments, ecclesiastical and spirituall aforesaid, and euerie of them, and the reuersion and reuersions of them, and of all rents and profits vnto the same, or any of them incident or belonging, shalbe within the said order, suruey, rule and gouernance of the said court of Eschequer, in euery degrée, sort, & condition, as they were (at and before the said eight daye of August) the saide Acte made in the saide second and third yeres, or any other matter or thing, to the contrarie thereof notwithstanding. And that so much of all and euery the saide acts and Statutes first recited, or of any other acte or Statute, touching or concerning the order, leuying, true answering, and payment or qualification of the sayde first Fruites and tenthes, and of the saide Rectories, Parsonages, and benefices impropriate, and of the rents, reuenues, emoluments, and profits thereof, and of all other the premisses, & also the charge, discharge, or alteration of them, or any of them, or any matter or thing in any wise sounding or tending thereunto, which were standing and being in force, effect and vnrepealed, at and before the sayde eight day of August, except only the saide acts of the erection of the Courts of Augmentations and first fruits & tenths, shalbe, remaine and continue in their full and perfect strength and forces, and be obserued and put in due execution, according to the tenors and purports of the same, & of euery of them. And that the Quénes Maiestie, her heires and successors, by authoritie of this present Parliament, shal from the said first day of this present parliament, haue, hold, possed and enioy for euer, the aduowsons, gifts and patronages of al vicarages, belonging or incident to any of the said Rectories and Parsonages impropriate, in the same sort, qualitie, condition and degrée, to all intents & purposes, as the same were in the person & possession of the said late Quéene Mary at and before the said eight day of August, any thing or acte done by the same late Cardinal, or any grant or grants by Letters Patents made by the saide late Q. Marie, of the saide aduowsons and patronages, or any of them, to any ecclesiasticall or spirituall person or persons, or any spirituall corporation, to the contrary

in

Oblations

Eschequer

Leuying Qualification

Vnrepealed

Augmentation

Aduowsons Patronags Vicarages

Graunts

Spiritual person Spirituall corporation

Cloyde

Crowne

Letters Patents

Rectories Parsonages Glebe lands

Possession

Annuall rents

in any wise notwithstanding. Hauing to al & euery person or persons, bodies politike & corporate, & their heires, executors, successors and assignes, and euerie of thē, other then such persons as be mentioned and named in anie letters Patents, made by the said Q. Mary, the said viij. daie of August, or at any time sithen, or claiming onely by or vnder the authoritie & strength of the same act, or letters Patents, or any of thē, all such right, title, interest, estate, offices, leases, grāts, annuities, pēsions, fées, corrodies, rents, & other yéerely profits and cōmodities, as they or anie of thē ought or should haue had, perceiued, or enioyed of, in, or by reason of any the parsonages, rectories, or of any other the premisses, in case the said former act now repealed, & this present acte of repeale, had neuer bene had ne made: anie thing in the same actes or either of them contained or sounding to the contrarie thereof in anie wise notwithstanding. And be it further enacted by the authoritie aforesaid, that frō and after the said feast of S. Michaell the Archangel last past, & so from thencefoorth from time to time, the said pensiōs, annuities, rentes, corrodies, fées, & other yéerely paiments, shalbe paied & paiable onely by our saide soueraigne Ladie, her heires and successors, at the receite of the Exchequer, or in such other places, as the Quéenes maiestie, heir heires & successors shall appoint, to al and euerie person and persons that ought to haue and enioy the same, in such sort, order, and forme, as the same should or ought to haue bin paied & paiable, in case the said act now repealed, had neuer bene had ne made: anie thing therein, or els in this act contained to the cōtrarie therof, in anie wise notwithstāding. And be it further enacted by the authoritie aforesaid, that all & singuler Incūbents, proprietaries, tenants, farmors, lessées, & occupiers of the premisses, or anie part thereof, their heires, executors, & assignes, which at the first day of this present Parliament were behind or in anie arrerages, of, and with the rents, farmes, tenthes, or other reuenues, profits & duties by them or any of them due & paiable, for or by reason of the premisses, or any of them, shall & may be by authoritie of this act severallie chargeable, accomptable, & answerable to the Quéenes Maiestie, her heires and successors, in & at the said court of the Exchequer, of, and for the same arrerages and duties, as other accomptāts bene & shal be in the same court: any thing in the said act now repealed in this act, or anie other matter or cause to the contrary therof, in anie wise notwithstāding. And yet nenertheless the Quéens most excellent Maiestie, at the hūble request of her said subiectes, of her aboundant grace and bountifulnes, is pleased & contented, that it be enacted by the authoritie aforesaid, that all and singuler Vicarages, not exceding the yérely value of x.li. after the rate and value vpon the records and bookes of the rates and values for the first fruites and tēths, now remaining in the Exchequer, or that shall hereafter come & remaine in the same court. And also al & singuler parsonages, not exceding the yérely value of x. markes, after the like rate & valuation, and the incumbents thereof, & euerie of them, their executors, administrators, successors & suerties, and euerie of them, from the said feast of S. Michael the Archangel last past, shalbe frely and clerly discharged, & acquited for euer against the Quéens Maiestie, her heires & successors, of, & from the said first fruites: anie thing in the said acte of first fruites and tenthes, made in the said xxvj. yére of the raigne of the said late King Henrie the 8. or in this act of repeale, or anie other act or acts before recited to the contrarie thereof, in anie wise notwithstanding.

Vicarages of x.li.

Parsonages of x. markes

Incumbēts Executors Suerties

Discharged

Prouided alwaies, and be it enacted by authoritie aforesaid, that if any Incūbent of anie such promotion spirituall, as is aforesaid, charged or chargeable to the paiment of the said first fruits, happen to liue to the end of one halfe yére next after the last auoidance of the same promotion spirituall, so as he hath receiued, or without fraud or coun might lawfully haue receiued or enioyed the rents or profits of that halfe yeere, And before the ende of the other halfe yeere then next following, shall happen to die, or to be lawfullie euicted, remoued, or put from the said promotion spirituall, by iudgement in anie action at the Common lawe, without fraude or couin: that then euery such Incumbent, his heires, executors, administrators, & suerties, shall be charged and chargeable but onely with the iij. part of the first fruites due to be paied for such his promotions, and with no more of the said first fruites: anie thing in this acte contained, or anie bond or writing to be made for the payment of the said first fruites, or anie other matter or cause to the contrarie notwithstanding.

Incumbent

Halfe yeers rent

Die Euicted

Heires Executors Administrators Suerties

Bond

standing. And if it shall happen anie such Incumbēt to liue by ẏ space of one whole yēere next after the last auoidance of the same promotion spiritual, and after before the end of one halfe yēere thē next following shall fortune to die, or to be lawfullie euicted, remoued or put from the said promotion spiritual, by iudgement in any action at the common law without fraud or couin: That then euerie such Incūbent, his heires, executors, administrators and suerties, shalbe charged & chargeable but onely with the moitie, and one halfe of the first fruites due to be paied for such his promotion spiritual, and with no more of the same first fruits: anie thing in this act cōtained, or anie bond or writing obligatorie to bee made for the payment of the same first fruites, or anie other matter or cause to the contrarie notwithstanding.

And if it shall happen anie such Incūbent to liue to the end of one whole yeere and a halfe, next after the last auoidāce of such promotion spirituall, and before the end of vj. monethes then next following, shall fortune to die, or to be lawfullie euicted, remoued, or put from the promotion spirituall by iudgement in anie action at the commō law, without fraud or couin: that then euerie such Incumbent, his heires, executors, administrators and suerties, shall be charged and chargeable but onelie with iij. parts of the first fruites of the same promotion spiritual, in foure partes to be diuided, & with no more: ame thing in this act contained, or anie bond or writing obligatorie had or made for the payment of the said first fruites, or anie other matter or cause to the contrarie notwithstāding. And if it shal happē any such Incūbent to liue to the end of ij. whole yeers next after the last auoidance of the same his promotion spirituall, & not to be lawfully euicted, remoued or put frō the same promotion spirituall, as is aforesaid: that then euerie such Incumbent, his heires, executors, administrators and suerties shall content & paie to our said soueraigne Ladie the Quēene, her heires and successors, the whole first fruits due to be paied for the same promotion spirituall, according to the statutes aforesaid.

Prouided also and be it enacted, that all grants, immuniments, & liberties, giuen to the vniuersities of Orford & Cābridge, or to any Colledge or Hall in either of the said vniuersities, and to the Colledges of Winchester and Eaton, & vnto euerie or any of them by our late soueraigne Lord king H. the 8. or anie other of the Quēens highnesse progenitors or predecessors, or by act of Parliament, for or touching the releasse or discharge of ẏ said first fruites & tenths, or any part therof, shalbe alwaies & remaine in their ful strēgth and vertue. And that al such lawful conueiances & assurances in the law, as were had or made before the making of this act, to either of the said Vniuersities of Orford and Cambridge, or to any Colledge or Hall, within anie of thē, by what name or names soeuer they or anie of thē be incorporated or named, of anie of the said parsonages or benefices impropriate, or of anie part of the same, or of anie patronages, for the maintenance of Studentes or learning: shal be as good & effectuall in the law, to al intents, constructions and purposes, as though this act had neuer bene made.

And be it further enacted by ẏ authoritie aforesaid, that the Deane & Canons of the frē Chappell of S. George the Martir within the Castel of Windsor, & al the possessiōs and hereditaments of the same frē chappel, Deanry & Canons, by whatsoeuer name or names they be incorporated or known, shalbe exonerated, & shall stand for euer discharged of the tenthes & first fruits before mentioned: anie thing in this act, or in anie other act or Statute before mentioned to the contrarie therof, in anie wise notwithstanding.

Prouided also and be it enacted, that all leases made before the xx. of December last past, for xxj. yéres, or iij. lines at the most, by anie person or persons, bodies politike or corporate, being lawfullie seised, of, or in anie of the said Parsonages impropriate, or of, or in anie other the premisses, wont commonlie to be let, or set to farme, then being out of lease, or wherof there was not at ẏ time of the making of the said lease or leases, any former lease to endure aboue one yēere then to come at the most, And vpon which new lease or leases, the old yērelie rent accustomablie wont to be paied for the same, by the space of xx. yéres last before the making of such lease or leases, or more yeerely rent is reserued and paiable during the said terme, and all other lawfull graunts by them or anie of them heretofore made of anie Office or Offices in olde time, wont commonly to be graunted: And all gifts and graunts of anie Parsonage or Parsonages impropriate, heretofore belonging

to

Whole yere

Die Euicted

Heires Executors Administrators Moitie

Bond

Yeere and halfe

Die Euicted

iij. partes

ij. yeeres

Grants Orford Cambridge Colledge

Winchester Eaton

Conueiance

Vniuersities

Parsonages Benefices Impropriat Patronage

Deane Canons Free chappell

Discharges

Leases for xxi. yeeres iij. Liues

Former lease

Old rent

Offices Offices of parsonages

Welles to the Archdeaconrie of Welles in ẏ coũtie of Somerſet, or to the Incumbent of the ſame office or dignitie, or to the Incumbent of the ſame lately giuẽ and reſtored, ſhalbe as good and effectual in the law, as though this act or anie thing therein contained had not bene had or made.

Archdeacon And be it further enacted by ẏ authoritie aforeſaid, that the ſaid Archdeaconrie, and al Rectories ꝛ ſpirituall promotions, giuẽ, aſſigned, limited, or appointed to the Incumbent ſame, and al and euerie Incumbent ꝛ Incumbẽts, which hereafter ſhall be preſented, collated, preferred and admitted vnto the ſaid Archdeaconrie, ꝛ the Rectories ꝛ ſpirituall promotions thereunto limited ꝛ appointed, or appertaining or belonging, ſhall ſtand, remaine, ꝛ be charged and Chargable chargeable with the payment of the firſt fruites and Tenthes for the ſame to the Quẽnes highneſſe, her heires and ſucceſſors, in ſuch like maner ꝛ forme, as other ſpirituall promotions, ꝛ the Incumbents of the ſame, be and ſhall be charged and chargeable by this act, or by any other act or ſtatute before ſpecified.

Prouided alwaies ꝛ be it further enacted by the authority aforeſaid, that ſo many of the ſaid Rectories, Parſonages, and benefices impropriate, glebe lãds, tithes, oblations, and other profites and emolumẽts eccleſiaſtical ꝛ ſpirituall, ꝛ euerie of them, ꝛ the reuerſiõ ꝛ reuerſions of them, ꝛ al rents and profits vnto the ſame, or any of them incident or belõging, as were at ꝛ before the ſaid viij. daie of Auguſt, in the hands or poſſeſſion of the ſaid late Q. Mary, ꝛ within the ſuruey, rule, ꝛ order of the Court of the Duchie of Lancaſter, ſhalbe againe within the order, ſuruey, rule and gouernment of the ſaid court, in ſuch and the ſame maner and forme, to all intẽts and purpoſes, as they were at and before the ſaid viij. daie of Auguſt, in the ſaid 2. and 3. yeares of the raigne of the late king and Quẽne: anie thing in this act, or in the ſame act of the ſame late king ꝛ Quẽne, to the contrarie thereof in anie wiſe notwithſtanding.

Duchie of Lancaſter

Prouided alwaies ꝛ be it further enacted by ẏ authoritie of this preſent Parliament, that no perſon nor perſons preſented, inſtituted, or inducted, at any time ſithence the firſt day of this preſent Parliament, or ẏ ſhal be preſented, inſtituted or inducted, on this ſide the feaſt of the Natiuitie of S. John Baptiſt next cõming, vpanie the ſaid ſpirituall or eccleſiaſticall promotions, chargeable to, or with the paiment of the firſt fruites or one yeares profits of ſuch promotion, ſhall incurre anie penaltie or forfaiture, by entring into any of the ſaid ſpirituall or eccleſiaſticall promotiõs, or by taking the profits thereof, for the nonpaimẽt or not cõpounding, of, or for the firſt fruits thereof, ſo that he or any other for him, ſhall, or do compound for the ſame firſt fruites, according to the true meaning of this Statute, before the ſaid feaſt of the Natiuitie of S. John Baptiſt: anie thing in this acte contained to the contrarie notwithſtanding.

Inſtituted Inducted

Compound

Prouided alſo that this act, or any thing therin contained, ſhal not in any wiſe extend, to charge anie Hoſpitall founded ꝛ vſed, ꝛ the poſſeſſions thereof imploied, to and for the reliefe of poore people, or anie ſchooles, or the poſſeſſions or reuenues of them, or any of them, with the paiment of any tẽths or firſt fruits: any thing in this act before mẽtioned to the cõtrary in any wiſe notwithſtanding. An. 1. Eliz. cap. 4.

Hoſpitall

Poore people Schooles

¶ Fiſhers and Fiſhing.

THe waters of Hũber, Oweſe, Trent, Doue, Arre, Derewent, Wherfe, Nidderze, Swale, Tẽſe, Tin, Eden, and all other waters (wherein Salmons be taken) ſhall be in defence for taking Salmons frõ the Natiuitie of our Ladie vnto S. Martins day. And likewiſe ẏ yong Salmons ſhal not be taken nor deſtroied by nets, nor by other ingins at mil poles, frõ the midſt of Aprill vnto the Natiuitie of S. John Baptiſt. And in places where as freſh waters be, there ſhall be aſſigned Queerſeers of this Statute, which being ſworne, ſhal oftẽtimes ſẽ ꝛ inquire of the offendors, ꝛ for the firſt treſpas they ſhal be puniſhed by burning of their nets and ingins: And for the ſecond time, they ſhal haue impriſonmẽt for a quarter of a yeare: And for the third treſpaſſe, they ſhall be impriſoned a whole yeare. And as the treſpaſſe increaſeth, ſo ſhall the puniſhment. Weſt. 2. cap. 47. An. 13. E. 1. See ſome alteration in part, Hauens 1.

Humber

Salmons

Nets Mil pooles

Queerſeers

I. Treſpaſſe Burning of nets

Impriſon.

2 ¶ Firſt that no herring be bought nor ſold in the ſea, till the fiſhers be come into the Hauen with their herring, ꝛ that the cable of the ſhip be drawen to the lãd. Stat. of Calice. An. 31. E. 3. cap. 1.

Herring

3 ¶ The fiſhers be free to ſel their herring to all that come to the faire of great Yarmouth, without anie diſturbance of

Faire

Hostelers

their hostelers, or anie other. And when the fishers wil sell their merchandizes in the porte, they shall haue their hostelers with them, if they there will be, & in their presence, & the presence of other merchãts openlie shall sell their merchandizes. And that euery man claime his part for the taking, after the rate of the same merchandizes so sold. And the said sale shal be made from the Sunne rising, till the sunne going downe, and not before nor after, vpon forfaiture of the same merchandizes. And that ỳ said fishers be frẽ to buy their victuals, & that that thẽ nedeth, where shall

Sale

Foyl.

Hostelers

please them. And that none hostelers nor other, buy anie for to hãg in their houses, by couin nor in other maner, at a higher

xl.s. the last

price the last, then xl. shillings, but lesse in as much as he may, according as he may agrée with the seller. And that none hostelers, nor none of their yeomen, nor none other whatsoeuer he be, comming to the said faire, shall goe by land nor by Sea, to forestall herring priuily nor apertly, but the herring shal come frely vnsold vnto ỳ hauen. Nor ỳ none make buying of fresh herring in the hauẽ of Yarmouth betwixt the tealles of S. Michael and S. Martin, vpon paine of imprisonment at the kings will, & to forfait al the herring so bought. And that no vessel called Picar of Lõdon, nor of none other place, shall enter in the said hauen to abate the faire, in dammage of the people, vpon the paine of forfaiture of their vessel, and al their chattels found within. And that all the Hostelers bee sworne before the Wardens of the said Faire, and enioyned vpon a great forfaiture to the king, to receiue their hostes well and conuenably, and to aide and ease the reasonablie, taking of euerie last that shalbe solde to other Merchants, then to the said hostelers xl.d. And that of herring sold to the same hostelers to take in their houses, the same hostelers shall take nothing, & that because of the profits, which they shal haue of victuals sold to their said hostes, & of the aduantage that they haue more then other, of cariage of herring, so by them bought and solde in their houses. And that the hostelers because of this ordinance, doe not refuse their hostes, but receiue them and intreate them in good and friendlie maner, as they haue done before this time. And that they for the aduantage of xl.d the last, take vpõ them for the paimẽt of al the herring that shalbe solde by their assent to anie persons.

Yarmouth Hauen Imprison. Foyl.

Hostelers sworne

Foyl.

And the hundred of herring shalbe accounted by fiue score, and the last of x. thousand. And that the Marchants of Yarmouth, of London, or ellwhere, sell the thousand of herring to the people, after the rate of the price of the last. And that the people of Yarmouth sell the last of red herring bought for xl. shillings fresh within fortie daies, for halfe a marke of gaine, and not aboue. And that the people of London at such faire, shall bring the last from Yarmouth to London for one marke of gaine and not aboue. And also two lasts of shotten herring fresh shall be sold for the price of the rate of the buying of a last of full herring. And so of more and lesse after the same rate, and of shotten herring red, the two lasts shall be solde dearer of a marke then the last of herrings full red. And that because the carriage of a last of shotten herring, draweth to as much as the last of ful herring, and so of more & lesse, according to the same rate. And that the ships called the Pikers, shall freely buy fresh herring & all other marchandises of fishes in Kirkley, and elsewhere vpon the coasts of the sea, without impeachmẽt or disturbance of the hostelers of Yarmouth, or of anie other. So alwaies that no more herring be discharged in the road of Kirkley of the fishers shippes, but asmuch as may reasonably suffice to the charge of the pikers, that thither commeth for the same cause. And that the fishers be cõpelled to bring all the remnant of their herring to the said faires to sell there: so that none sel herring in no place aboue the hauen of Yarmouth by vij. miles, except in three townes of Yarmouth, that is to say Eston, Weston & Southon, vnlesse it be herring of their owne fishing. And our soueraigne Lord the king will, that the barons of the fiue ports shall doe to be kept & gouerned the said faire according to the composition late made betweene them and the people of the towne of Yarmouth, confirmed by the kings grandfather. And that the same barons and bailifes of great Yarmouth do to be kept this present ordinance in all points, and to be tried inrouerie Sunday, betweene S. Michael & S. Martin, vpon paine to lose their frachise, & to be punished at the kings will. And that the people of Yarmouth suffer the said barons of the fiue ports, to gouerne & rule the said faire, after the purport of the said composition, and due execution to be made of this ordinance, vpon the payne last afore layd.

Dunwich Last Merchants

Red herrings

London Gaine Shotten herring

Pikers

Hostelers

Barons of v. portes Faire

Proclaimed

Losse of franchises

And

And these ordinãces in the right of buying and selling of herring shal be holden in al the townes of England, where herring is takẽ and searched, vpon the paines aforesaid. Stat. of Calice. An. 31. E. 3. cap. 2.

Chancelor Treasorer Justices

4 ¶ The Chancelor & Treasorer taking to thẽ Justices & other of the kings counsel, such as to them shal seeme conuenient, shal haue power to ordaine remedie of the buying and selling of Stockfish of S. Botulfe, & Salmon of Barwike, and of wines and fish of Bristruit & elsewhere, to the intent that the king and the people may the better be serued, and haue better market then they haue had before this time, and that the ordinaunces by them made in this part, be firmely holden. Stat. of Calice. An. 31. E. 3. cap. 3.

Stockfish Salmon

Ships Blackney

5 ¶ Al the ships called doggers, & land ships appertaining to the haue of Blackney, & the coasts therto adioining (that is to say) of Sutterley, Wintõ, Clay, Salthouse, Sheringhã & Crowmere, shal deliuer & discharge their fish within ỳ hauen of Blackney only, betwéne Benord and Hodléete, & in none other place, vpõ paine of imprisonment at the kings pleasure, & forfaiture of ỳ same fish. And that no fish be deliuered & caried out of the said ships into anie house or elsewhere, before the owner of the ship, in which the fish is, & the Merchant which bought the same fish, be agréed of the price. And this shall be done by daie light. An. 31. E. 3. cap. 1. stat. 3.

Deliuer fish

Imprison. Forf.

Ship

6 ¶ No fisher nor Lord of any ship, nor none other, set hãd vpon anie fisher within the ship, for to trie, chuse or impaire the fish, but onely ỳ buier or his attorney vpõ the said pain. And that no fish called Loich fishe, be chosen or tried but onely in thrée parts, that is to say, Lob, Ling and Cod. And that euerie of ỳ same iij. sorts of Lob, Ling, and Cod, be good and conuenable, as in old time hath bin vsed. And in case that no orgeis, that is to say, fish greater then Lob, be found in the ship, called a lãdship, in the hũdred of Lob, Ling & Cod, the maister & mariners shall haue of euerie hundred of Lob, Ling & Cod (the hundred accõpted to vj. score) xx. Orgeis if there be so manie, & if there be lesse, the master & mariners shal haue al the orgeis. And if there be more, the ouerplus aboue the score to euerie hũdred, shal be put to the ship boat, in amendment of the price of the same, to the profite of the buier. And also by the aduise of the Merchants and buiers of the Lordes cõming to the faire of Blackney, and of the Lords of the ships, a price shall be set at the beginning, and assessed vpon the fish of dogger fish, before that any sale be made, which price shal be holdẽ during the faire. And that the said fish be sold at such a price openly and not by couin priuilie. And that no Lord of ships, mariners, nor other, lodge nor do be lodged in their houses, priuilie nor apertly, fish in mud, nor fish serched, for to sell againe another time at retaile, but al such fish shal be sold reasonablie within the said bounds, at the faire and price aforesaid, vpon the same paine. And that no man buy nets, hookes, nor other instruments partaining to fishing in the coũtie of Norfolke, but Lordes, maisters & mariners of ships, that vse the misterie of fishing, & which haue to doe of such things, vpon paine of imprisonment, and to be ransomed at the kings wil, and to forfait the thing so bought. And that no Lord of ship, mariner, nor other, make impeachment, nor be rebell in anie point against this present ordinance: Nor that no mariner nor fisher, because of this ordinance, let not, nor refuse to goe in fishing as before times they were wont to doe, nor disturbe conenãt made betwéen merchant & Lord of ship, vpon paine of imprisonment, & to be ransomed at ỳ kings wil. And that vpon the same a Writ be sent to the shirife of Norfolke, that at euerie más complaint, that will sue for the King, or for himselfe, against those that in anie point commeth against this ordinance: he shal do the same rebels and trespassors to be attached, and them detaine in prison, till the king and his Counsell haue ordained of them that right requireth, after the quantitie of their trespasse. Ordinance for Fish. An. 31. E. 3. stat. 2. cap. 2.

Dogger fish

Price

Fish in mud Retaile

Nets Hookes

Norfolke

Imprison.

Forf.

Imprison.

Shirife

Attach

7 ¶ It shalbe lawful to euerie man, of what condicion that he be, merchant or other, to buy herring openly & not priuily at such price as may be agréed betwixt him & the seller of the same herring. And that no man enter in bargaine vpõ the buying of the same, till he that first commeth to bargain shal haue an end of his bargain greeable to the seller, & that none increase vpõ other during the first bargaine, vpõ paine of forfaiture against vs the double of his profer, but euery man shal haue ỳ herring so bought, according to the bargain therof made. And that euery fisher may deliuer & sell his herring & fish at euery Mart, whẽ he commeth to the said Towne of great Yarmouth, without anie disturbance or impeach-

Herring Buy openly

Forf.

Mart

Merchants Faire of Blackney

120. to the hundred

impeachment, notwithstanding anie ordinance made to the contrarie before this time. An. 35. E. 3.

Merchant stranger Denizen Salmon

S No Merchant stranger nor denizen, after the feast of S. Michael next coming, shal sel nor set to sale anie Salmon by butt, barrel or half barrel, or any other vessell, before that it be sene, except the same butt do hold & containe 84. gallons, the barrel 42. gallons, the half barrel xxj. gallons, wel and faithfullie packed, vpon pain of forfaiture for euerie butt, barrell & halfe barrell so failing their said measure vj. s. viij. d. Also ỹ no such Merchant being vnder the kings obeisãce, after the said feast of S. Michael, shall sell or put to sale anie maner of salmon by butt or other vessell, except it be well & faithfullie packed, that is to saie, the greater Salmon by himself, without mingling with them any grils or broken bellied Salmon. And that al smal fish called grils shall be packed by themselues only, without any mingling, vpon paine of forfaiture and losse of vj. s. viij. d. for euerie butt, barrel & halfe barrel, mingled, packed, & set to sale contrarie to this act. Also that no Merchants nor other person set anie herring to sale, by barrel, half barrell or firkin, except the same barrell containe xxxij. gallons, the halfe barrell & firkin after the same rate, & that the same herring be well, faithfully and iustly couched and packed, & that it be of one times taking & salting: And that the same herring be as good and as well packed in the midst, and in euerie part of the same barrell or other vessel, as it shalbe in the ends of the same barrels, and other vessels, vpon paine to forfait iij s. iiij. d. for euerie barrell, halfe barrell and firkin, so failing their said measure, and also vpon paine of forfaiture and losse of iij. s. iiij d. for euerie barrel, half barrel & firkin of herring, sorted, laied or packed contrarie to this act. Also that no such merchãt nor palingman sell or set to sale any æles by barrel, half barrel or firkin, except the same barrel containe xlij. gallons, the halfe barrell and firkin after the same rate. Nor that anie such Merchant nor palingman, doe mingle anie galebeaten, storued, or pulled æles with the good æles, but that the good æles be well and iustly packed & sold by themselues. Nor that they mingle with the good æles, or put to sale anie red æles, vpon paine of forf. and losse of xx. s. for euerie barrell, halfe barrell and firkin so failing their measure. And also vpon paine of forfaiture and losse of x. s. for euerie barrel, halfe barrel and firkin, so mixt, packed and set to sale, as afore is said, contrarie to this act. Also that no such Merchant after the said feast, sell or set to sale anie barrelled fish, except the same fish be well & faithfully packed, that is to say, the comptable fish, commonly called tale fish, by it selfe, & the small fish called grils by themselues, without anie mixting of the said fishes with the great fish, and without mixting or packing of thokes, or fish with brokenbellies with the said tale fish or smal fish. And that the said tale fish nor small fish be not laied double in the packing. And that euery tale fish containe in length from the bone in the finne to the third ioint of the taile xxvj. inches at the least, and that the napes of al such barrelled fish, shal be no longer then ỹ litle bone that sitteth vpõ the great finne. And that the bone of euerie such salt fish shalbe taken away to the navell of the same fish. And that euerie such fish be splatted, or opened downe to an handful of the taile, vpon paine of forfaiting & losing of iij. s. iiij. d for euerie barrell of fish, which hereafter shalbe found packed, sorted, mixt, naped, laied double, or not boned nor splatted open according to this act. Also in eschewing the common damage and deceit aforesaide Our said soueraigne Lord the King, hath ordained & enacted by the authoritie aforesaid, that al Maiors, bailifes and gouernors of cities, boroughs, towns, markets, & all other places of this his realme for the time being, where there be Maiors, bailifes or gouernours, shall haue power & authoritie to name and chuse discréet & expert person or persons, dailie to search & gauge al such vessels as aboue be rehearsed, that they be faithfullie packt, and kæpe their faithfull measure & assise, according to the ordinãces aforesaid. The one halfe of all the fines, forfaitures and paines, & euerie of them, to be to our soueraigne Lord the king, and the other halfe to him or them of his subiectes that shall seise or pursue for the same, by action of debt, by Writ at the common law, by bill or plaint, after the custome of the Citie or towne, where anie such fines, forfaitures and paines shal hereafter happen to be or fall. And that the defendant in anie such action be not admitted to wage nor do his lawe, nor that anie protection or essoine in the kings seruices for anie such defendãts be allowed.

Tel packed
Grils
Forf.
Herring
Barrell
Well packed
Merchant Palingman
Eeles Well packed
Forf.
Barrelled fish
Tale fish
Content in length
Forf.
Maiors Bailifes
Search Gauge
Moitie

Prouided

Prouided alwaies, that this act be not prejudiciall to anie person or persons, hauing the forfaiture of the goods of felons, fugitiues, and dãned persons. Moreouer it is ordained and enacted by the authoritie aforesaid, that euerie such person and persons shal haue & inioy like forfaitures, of & in euery of the premisses, within their franchises, as the king now hath in other places without. An. 22. E. 4. cap. 2.

9 ¶ It may please the king &c. to confirme, ratifie & establish the said act (s. An. 22. E. 4. ca. 2.) and euerie thing therein cõprised. And ouer that by the same authoritie to ordeine & establish, that euery such gauger, packer or searcher take no more for gauging of a barrell salmon, barrell herring, barrel fish, barrel eeles, half barrel, & firkin, for euerie peece so gauged but a farthing, & for his labor for serching and packing, if it be neede for a barrel salmon frõ head to head j.d. & for his labor for boning, naping and packing of a barrell fish if it be need j.d & for his labor in searching and packing of a barrell herring frõ head to head, if it be needful ij.d. & for searching and packing of euerie barrel of eeles ij.d. and for searching and packing of euerie halfe barrel of herring frõ head to head j.d for euery halfe barrel of eeles searching & packing j.d. and for searching & packing of euerie firkin of herring if it be needfull ob. And ouer that, that all and euerie such gauger, searcher and packer, that misbehaueth or offendeth in anie thing concerning the said offices of gauger, searcher & packer, contrarie to this Act, and so prouued before anie of the said Maiors, Baylifes or gouernors of anie Citie, Towne, borough, market or any other place within this realm, where he or they so be gaugers, packers or searchers, gauger, packer or searcher, shall lose and forfaite his said office, & the same from henceforth no longer to inioy, anie lease, graunt or graunts thereof made notwithstanding, and for further punishment, to haue and suffer imprisonment by the space of xl. daies, without baile or mainprise.

Gauger Packer Searcher

Gaugers fee

Packers fee

Offend

Proued Maiors Bailifes

Forf.

Imprison.

Prouided alway that the saide searcher and packer, or anie of them, shall nothing receiue of the said fees by colour of their office, but onely for such buts, barrels, half barrels and firkins, as by them hereafter shalbe sufficiently searched and packed, and be not afore sufficiently packed: This present act to begin and take effect at the feast of Easter next comming, and not before. An. 11. H. 7. cap. 23.

10 ¶ Anno 25. H. 8. cap. 4. An act was made against forestalling & regrating of fish, & against buying and selling of fish against Merchãts aduẽturers into Iselãd. But it is repealed by An. 35. H. 8. cap. 7.

Forstalling Regrating

11 ¶ An. 25. H. 8 cap. 7. An acte was made to endure for ten yeres, against the killing and taking of yong frie & spawne of eeles and Salmons, and kepper Salmon, vpon forfaitures there declared.

Killing of frie Spawne

12 ¶ Anno 31. H. 8. cap. 2. Fishing of pondes, stewes or motes, with intent to steale fish, betweene vj. a clocke in the euening, to vj. a clocke in the morning, against the will of the possessors, and also vnlawfull breaking of the heades of seuerall pondes, stewes or motes, by daie or night, whereby fish is taken or destroied against the will of the possessors is made felonie. But those felonies be repealed by 1. E. 6. cap. 12 and by 1. M. 1. Sess. An in the said act of An. 31. H. 8. cap. 2. It is further enacted, that if anie such euill disposed persons, after the feast before limited, doe fish in the daie time at anie other time then is before rehearsed, in anie such seuerall pondes, stewes, or motes, with anie maner of nets, hookes or baits, as is aforesaid, what kind soeuer they be of, against the will, pleasure and minde of the owners or possessors of the same seuerall pondes, stewes or motes, not hauing anie maner of colour of title so to doe, and thereof be lawfullie conuicted at the sute of our Soueraigne Lord the king, or of the partie grieued: that then the said parties so conuicted, shall suffer imprisonmẽt by the space of three moneths, and after the said three moneths expired, shall finde sufficient suertie for his or their good abearing, or else to remaine still in prison without baile or mainprise, vntill such time as he or they can finde such suertie. Anno 31. H. 8. cap. 2.

Pondes Stewes In the night

Breaking of dammes

Felonie

Seuerall waters

Conuict

Imprif.

Good abearing

13 ¶ Anno 33. H. 8. cap. 2. An acte was made against buying of fishe of strangers vppon the Sea, or beyond the Sea, to indure to the latter ende of the Parliament. And after Anno 37. H. 8. ca. 23. it was continued, and after Anno 5. E. 6. cap. 17. it was continued, and after Anno 7. Edw. 6. capitulo 11. it was continued. And after Anno 1. Mar. 1. Parliamento capitulo 13. it was continued to the end of the next Parliament, and then it expired.

Buying of fish Strangers

14 ¶ Forasmuch as within these fewe

yéares now last past, there hath bene leuied, perceiued and taken by certaine of the Officers of the Admiralty, of such Marchants and Fishermen, as haue vsed and practised the aduentures and iourneis into Iland, New found land, Ireland, and other places commodious for fishing, and the getting of fish, in, and vpon the Seas, or otherwise by waie of Merchandise in those parties, diuers great exactions, as summes of money, dole, or shares of fish, & such other like thinges, to the great discouragement and hinderance of the same Merchants and fishermen, and to no litle damage to the whole Common weale. And whereof also great complaints haue béen made, and informatiõ also yérely to the kings Maiesties most honorable cõsell: For reformation whereof, and to the intent also, that the saide Merchants and Fishermen, may haue occasion the rather to practise and vse the same trade of Merchandise and fishing frely, without anie such charges or exactiõs, as is before limited, wherby it is to be thought that more plentie of fish shal come into this realme, & therby to haue the same at the more reasonable prices: Be it &c. that neither the Admiral nor any other officer or minister, officers or ministers of the Admiralty for the time being, shal in anie wise hereafter exact, receiue or take by himselfe, his seruant, deputie, seruants or deputies, of any such Merchãt or Fishermen, anie summe or summes of money, doles or shares of fish, or anie other reward, benefite or aduantage whatsoeuer it be, for anie licence to passe this Realme to the said voiages, or anie of them: Nor vpon any respect cõcerning the said voiages or of anie of thẽ, vpon paine to forfait for the 1. offence treble the summe, or treble the value of the reward, benefit, or aduantage that anie such officer or minister shall hereafter haue or take of any such Merchãt or fishermã: For the which forfaiture the party grieued, & euerie other person or persons whatsoeuer he or they be, shall & may sue for the same, by information, bil, plaint or action of debt, in anie of the kings courts of Record: the king to haue the one moitie, and the partie complaining the other moitie, in which suit no essoine &c. and for the second offence, the party so offending, not onely to lose & forfaite his or their office or offices in the Admiralty, but also to make fine and raunsome at the kings will and pleasure. An. 2. E. 6. cap. 6.

Admirals officers Merchants

Ireland Newfound land

Exactions

Admirall Officer

Exact

Money Fée reward Licence

Fork. 1. Offence

Poitie

2. Offence

Forf. office Fine

15 ¶ An. 4. H. 7. cap. 21. An acte was made to indure to the beginning of the nert Parliament, for the keeping and saluing of the Frie of fish in the haue of Orford in Suffolke.

Frie Orford

16 ¶ For the preseruation of spawne, frie and yong brèd of fish in Riuers and streams, both salt & fresh, wherwith heretofore swine & dogs haue bène fed, to the great hinderance of the common wealth: Be it &c. ỳ no person or persons of what estate, degrée or conditiõ soeuer he or they be, from & after the first day of June nert comming, with anie maner of net, wele, butt, taining, kepper, line, crèle, rawe, sagnet, trolnet, trunnet, trimbote, stalbot weblisker, seur, lamet, or with any deuise or ingines made of haire, woll, line, cannas, or shall vse any heling net, or trimlebote, or by anie other deuise, ingine, cautels, waies or means whatsoeuer, hereto-fore made or deuised, or hereafter to bée made or deuised, shal take & kill anie yong brood, spawne or frie of èles, salmõ, pike or pikerel, or of anie other fish in any fludgate, pipe, at the taile of anie mil, weare, or in anie streits, streams, brookes, riuer salte or fresh, within this realme of England, Wales, Barwike, or the marches therof, or shal from & after the first day of June nert comming, by anie of the waies or meanes aforesaid, or otherwise, in anie riuer or place aboue specified, take & kill anie salmons or trouts not being in season, being kepper salmons, or kepper trouts, shedder salmõs or shedder trouts. And be it further enacted &c. that no person or persons, of what estate, degrée or condition he or they shalbe of, from & after the said first daie of June, by anie of the means aforesaid, in anie of the riuers or places aboue named, shall take & kill anie pike or pikerell not being in length ten inches fish and more, nor any salmon not being in length xvi. inches fish and more, nor anie trout not being in length viii. inches or more, nor anie barbel not being in length xii. inches or more. And to the intent the said yong frie, brood or spawne maie be preserued, according to the true meaning hereof: Be it further enacted by the authoritie aforesaid, that no maner of person or persons, from and after the first daie of June next comming, shall fishe or take fishe with anie manner of nettes, tramell, kéepe, wore, heule, crèle, or by anie other ingine, deuise, wayes or meanes whatsoeuer, in anie riuer or other

Spawne Fludgate Weare

Wales Barwike

Salmons Trouts Kepper

Pike or pikerel x. inches

Salmon xvi. inches

Trout viii. inches

Barbell xii. inches

Ingines

Nets

Nets Ingine Mesh Angling

Smelts Loches Eeles

Forf.

L. Admirall

Maior of London

Conseruatoꝛs

Inquire

Oths of xii. Dier & ter.

Forf.

other places aboue mentioned, but onely with net or tramel, whereof euery mesh or maske shalbe 2. inches & a halfe broad, angling excepted. Prouided neuertheles, & be it enacted by the authority aforesaid, that in al such places where Smelts, Loches, Minnies, Bulheads, Gudgeons, or Eeles, haue bin vsed to be taken & killed, that in al such places, it shalbe lawful only for the taking of smeltes, loches, minnes, gudgeons & Eeles, to vse such nets, lepes, & other ingines, deuises, waies and meanes, as heretofore hath bin vsed for the taking of the same, so that such person or persõs vsing or occupying such nets or other ingins, as is last before mentioned, doe not take, kill or destroy any other fish with the said nets or ingins, contrary to the tenor & forme aboue in this estatute contained. And be it further enacted, that if any person or persons, after the aforesaid day limitted in this present act, offend in any of the points before rehearsed, contrary to the tenor, forme & purport of any part of the same: that then euery such person & persons so offending, shall lose & forfaite for euery time of his or their offence, the summe of xx.s. and the fish so taken, contrary to the tenor hereof, and also the vnlawful nets, ingins, deuises & instruments whatsoeuer they bee, wherewith or whereby such offences shall fortune to be made, committed or done. And to the intent that a perfect execution may be had of this present act: Bee it further ordained by authority aforesaid, that the Lord Admirall of England, & the Maior of the citie of London for the time being, and all and euery other person & persons, bodies politike and corporate, which by grant or other lawfull waies or meanes lawfully haue or ought to haue any conseruation or preseruation of any Riuers, streames or waters, or punishments and correction of offences committed in anie of them: shal haue ful power & authority by vertue of this acte to inquire of all offences to be committed and done contrary to the effect and true meaning of this act, within his or their such lawfull rule, gouernment, iurisdiction & conseruation, by the othes of xii. men or more, and to heare & determine all and euery the same offences committed within his or their such iurisdiction, conseruation, rule & gouernment. And that all such paines & forfaitures as shall rise or growe by the reason of such conuiction, for any such offences aforesaid, shalbe to the vse of euery of the said person or persons, being no bodie politike or corporate, nor head of any body politike or corporate before whom such conuiction, as is aforesaid shalbe had, and to the vse of euery such body politique and corporat as heretofore haue lawfully had any fines, forfaitures, and amerciaments for any offence vnlawfully committed or done in any such their iurisdiction or conseruacies, vpon conuiction had before the head of any such body politike or corporat. And that also the Lorde of euery Leete within this realme of England & Wales, or the dominions of the same, shall haue full power and authority to inquire of all the offences contrary to the purport, tenor and forme of this statute within the precinct of their said Leete: such inquirie to be had in the maner and forme, and after such sorte, as common amerciaments or other thinges inquirable in their court or leete, haue bẽn lawfully vsed & accustomed to be had and made, and that vpon euery such presentment had in any court or léete, by the othe of xij. men or more, as is aforesaide, of any offence or offences, made contrary to the tenor of this estatute: that then al such forfaitures aboue in this statute limited and appointed for such offence, shall bée vnto the Lord of the said Leete for the time being, to his owne vse for euer, and shalbe leuied in such maner & forme, as amerciaments for affrais committed within the precincte of such léete, haue bẽn vsed & accustomed to bée leuied. And if any Léete after the said first day of June be kept within this realme of Englande or Wales, or the dominions thereof, & the steward of the said léete for the time being, or other for him, doe not charge the Jurie sworne in such léete, to inquire of all ỹ offẽces done within ỹ precinct of the said léete, contrary to the tenor & forme of this statute: that thẽ the steward of the said Léete to lose & forfaite xl.s. The one moitie of which forfaiture shall bee to the Quéenes Maiestie, her heires & successors & the other moitie to him that will sue for the same. And if any Jurie sworne in any Léete, and being charged to inquire of the offences cõmitted within the precinct of that Léete, do wilfully and willingly conceale and make default in presentment, or do not present the offẽce and offendors: that then it shall be lawful to the Steward or Bailife of the Léete, or his or their deputie for the time being, to im-

Alt.

L. of Leete

Inquire

Presentmẽt

Alt.

Leete

Steward

Forf.

Moitie

Juris

Conceale

Another Jurie

impanel one other Jurie within the sayd Leete, and to inquire of such concealement, default, and nonpresentment, and that vpon such concealement, default or nonpresentment founde and presented, euery of the said Jurors which so did conceale, make default, or not present, shall lose and forfait for euery such offence xx. s. to the Lord of the saide Leete, the same to bee leuied in maner and forme as is aforesaid, for the other offences limitted & expressed.

Forf.

And it is further enacted by authority aforesaid, that if the offences aboue mentioned, touching the taking, killing or destroying of fish, or frie and spawne, be not presented at the Leete where they shalbe committed within one yeere next after the offence committed, that the Justices of Peace in their Sessions, Justices of Oier and determiner, and Justices of assises in their seuerall circuites, shall haue ful power and authoritie to inquire therof, and to heare and determine all the offences committed contrarie to the tenor of this statute: hauing alwaies to all and euery person and persons, bodies politique or corporate and euery of them, al such right, title, interest, claim, priuiledg and conseruatiō, and inquirie and punishment of, and for any the offences aforesaid, as they or any of them lawfully haue and inioy, or of right ought to haue and inioy by any maner meanes: any thing in this acte to the contrary notwithstanding: this acte to indure to the end of the next Parliament.

Destroying of fish

Just. of P.
Just. of Oier
Just. of ass.

Inquire Oier & ter.

Bodies politique

Prouided alwaies, that this act or anie thing therein contained, shal not extende vnto the fishing of the Riuer or water of Twede, nor to any riuer or water wherof the Queenes Maiestie is answered of any yerely rent or profite, nor to the owners, farmers & occupiers of the riuer of Wike or Wye in ẏ county of Monmouth, for any fish hereafter to bee taken in anie the riuers or waters before mentioned & expressed, but that it may be lawful at al seasonable time and times hereafter for such as haue or shall haue any manner of interest therin, to take & fish ẏ said riuers & waters, in such maner & forme, as heretofore hath been vsed & accustomed, not vsing any net or ingine, to the intent willingly to take, kill & destroy the spawne, breede or frie breeding of any kinde of fish within the said seuerall riuers or waters: this act or any thing therin mentioned or contained to the contrary notwithstanding. An. 1. El. cap. 17.

Twede

Ingine

Spawne

This acte was discontinued 8. El. and reuiued 13. Eliz. cap. 25. and continued vnto the ende of the nexte Parli. ment. And 14. Eliz. cap. 11. likewise continued vntill the end of the nexte Parl. This act was continued by An. 27. El. cap. 11. vntil the ende of the next Parliament. And Anno. 29. Eliz. cap. 5. it was continued to the ende of the nexte Parliament. And Anno 31. El. cap. 10. it was continued to the ende of the next Parliament. And Anno 35. Eliz. cap. 7. it was continued to the ende of the Parliament next insuing. ¶ Note that Iustices of Peace seeme to haue beene Conseruators of Riuers at the making of this statute, by the statute of An. 17. R. 2. cap. 9. which see after Hauens 2.

Discontinued
Continued

17 ¶ Where diuers persons of great possessions, haue of long time had, & many now of late haue made in their seuerall grounds, pooles, &c. for the increase of fish for the prouision of their houses, and haue inclosed many parcelles of their grounds for deere, and haue hawks breeding in their woods for their commodity, and the same haue beene by euill disposed persons broken into, cut out, & set open, & the fish, deere, and haukes taken and stolen, wherby many ryots and other inconueniences haue beene perpetrated: For remedy whereof be it enacted &c. that if any person or persons, after ẏ feast of Pentecost next comming, shal at any time by day or by night, vnlawfully without authoritie, breake, cut downe, cut out, or destroy any head or heads, damme or dams of any pondes, pooles, motes, stagnes, stewes, or seuerall pits, wherin fish are or shal happen to be put in or stored withal, by the owners or possessioners thereof, or do or shall wrongfully fish in any the said seuerall pondes, pooles, motes, stagnes, stewes or pits, to the intēt to destroy, kill, take, or steale away any of the same fish, against the will, minde or pleasure of the owners or possessioners of the same, not hauing any lawful title, or authority so to doe, & thereof be lawfully conuicted at the suit of our Soueraigne Ladie the Q. her heires or successors, or the party grieued: shall suffer imprisonmēt of his or their bodies by the space of 3. moneths, and shall yeeld & pay to ẏ party grieued, his treble damages, & after the said 3. moneths expired, shall find sufficient sureties for his or their good abearing against the Queen our

Vnlawfully

Heads of ponds

Wrongfully Seuerally

Convict

Imprisonment

Good abearing

our ſouereaigne Lady, her heires & ſucceſſors, & al her liege people, for the ſpace of 7. yeeres after, or els ſhal remaine & continue ſtil in priſon without baile or mainprize, vntill ſuch time, as he or they ſo offending, can and ſhall finde ſuch ſufficient ſuerties, during the ſaid time & ſpace of 7. yeres, as is aforeſaid. And be it further enacted by the authoritie of this preſent Parliamẽt, that if any perſon or perſons, after the ſaid feaſt of Pentecoſt nexte cõming, at any time by night or by day in maner aforeſaide, wrongfully or vnlawfully breake or enter into any Parke empaled, or any other ſeuerall ground cloſed with wall, pale or hedge, and vſed for the keeping, breeding & cheriſhing of deere, & ſo wrongfully hunt, driue or chaſe out, or take, kil or ſlea any deere within any ſuch empaled parke or cloſed ground with wal, pale or other incloſure, and vſed for deere, as is aforeſaid, or do or ſhall take away any hauke or haukes, or the egges of any of them, by any waies or meanes vnlawfully out of any the woods or ground of any perſon or perſons (not hauing lawfull authoritie or licence ſo to doe) & thereof be lawfully conuicted at the ſuit of our ſouereaigne Ladie the Queene, or the partie grieued, as is aforeſaid, ſhal likewiſe ſuffer imprizonmẽt of his or their bodies, by the ſpace of 3. moneths, and ſhal yeld and pay to the party grieued his treble damages. And after the ſaid 3. moneths expired, ſhall find ſufficient ſuerties for his or their good abearing, for ỳ ſpace of 7. yeres after, againſt the Queens Maieſtie, her heires & ſucceſſors, and al her liege people, as is aforeſaid, or els ſhal remaine & continue ſtil in priſon without baile or mainprize, vntil ſuch time as he or they ſo offẽding, can & ſhall find ſuch ſufficient ſuerties during the ſaid terme of 7. yeeres as is afore rehearſed.

Prouided alwaies that this act, or any thing therin contained, extend not to any parke or incloſed ground hereafter to be made & vſed for deere, without the graunt or licence of our ſouereaigne Ladie the Q. her heirs, ſucceſſors or progenitors. Prouided alwaies, & be it enacted by authoritie aforeſaid, that it ſhalbe lawful for the partie grieued, to ſue & take his further remedie againſt all and euery ſuch offender or offenders for his loſſe and damage, & to recouer the treble value of the ſame in this behalfe, aſwell before Juſtices of Oier and determiner, Juſtices of aſſiſe in their circuits, & Juſtices of peace, as elſe-where in any other the Queens courts of Record, and that vpon the true ſatisfaction of the ſaid treble damages to the partie grieued, or vpon the confeſſion and knowledge therof by the ſame partie, before the Juſtices in open Seſſions, to bee holden within the countie where the offence was committed, it ſhall be at the libertie of the ſame partie grieued, to whõ the ſaid offence was committed, to releaſe at his pleaſure the ſaid ſuretiſhip of good abearing, at any time within the ſaide 7. yeres, or before: Any thing in this act before ſpecified or erpreſſed, to the contrary notwithſtanding. And bee it further enacted, by the authoritie aforeſaide, that the Juſt. of Oier and determiner, Juſtices of aſſiſes in their circuits, and Juſt. of the P. and gaole deliuerie in their Seſſions, ſhal by vertue hereof, haue power and authoritie to inquire, heare & determine all and ſinguler the offences aforeſaid, & to make and award prozes thereupon, aſwel vpon indictments taken before them, as by bill of complaint, information or any other action, in which ſuit or action, no eſſoine, wager of law, nor protection ſhall bee alowed. And bee it further enacted by the authority aforeſaid, that if any perſon or perſons, at any time hereafter ſhall fortune to bee bound before any of the Juſt. before mentioned, to the Q. her heires or ſucceſſors, for his or their good abearing for 7. yeres according to the tenor of this act, & the ſame partie or parties ſo bound, ſhall afterwards within the ſeuen yeeres come before the Juſtices of P. of the ſaid County, where the ſaid offence was committed, or ſome of them in open ſeſſions, & there in the ſaid open ſeſſions confeſſe and acknowledge his or their ſaide offence or offences, and be ſorie therefore, and ſatiſfie the partie or parties grieued, according to the tenor of this act: that then the ſame Juſtices before whom the ſaid confeſſion ſhall bee ſo made, ſhall & may haue power and authority by vertue of this act (in the ſame open ſeſſions, or in any other open Seſſions afterward to be holden before the ſaid Juſtices of the ſaid Countie, within the ſaid terme of 7. yeres, if it ſhal ſeem good to their diſcretions) to diſcharge the ſaid recogniſance and bonde ſo taken, and alſo the partie and parties ſo bounde: This acte or any thing therein contained to the contrarie thereof notwithſtanding. ✶

Anno 5. El. cap. 21.

¶ Flaxe

7. yeeres Without baile or mainprize.

Night or day Parke

Deere Hunt Kil any deere

Haukes Haukes egs

Conuict

Impriſ.

3. damages

Good abearing

Without baile or mainprize

Parke

M. graunt

Recouer 3. value Juſt. of oier Juſt. of aſſ.

Juſt. of P.

3. damages Confeſſion

Open ſeſſ.

Releaſe Good abearing

Juſt. of oier Juſt. of Aſſ. Juſt. of P.

Inquire Oier & ter.

Proces Indictmẽts

Being bound to good abearing noe confeſſe his fault

Open ſeſſ.

Diſcretion Diſcharge

¶ Flaxe and Hempe.

FOr ỹ better putting in practise of making of linen cloth within this realm, to the increase of the common wealth of the same, and to set a worke a number of idle people: Be it &c. that al maner of persons, of what degrée, estate or condition they be of, hauing to their occupatiõ three score acres of errable land or pasture, or three score acres of errable land & pasture, being apt for tillage, shal yerely for euer, after the feast of S. Michael the Archangell next comming, at their proper costs and charges, till, and sowe, or cause to be tilled and sowen in seasonable time, one Rode, that is to say, the 4. part of an acre of the land being in their occupation, as is aforesaid, with line sede, otherwise called flare sede, or hempsede, or with both, the said Rod to be sowen in one place together, or in seuerall places at their pleasure. And so from the said feast yerely shal till and sowe, or cause to be tilled and sowen one Rode for euery xl acres, which he or they shal happen to haue in occupation, as is aforesaid, without any fraud or couin, vpon paine to forfait iij.s. iiij.d. for euery fortie acres which any person or persons shall haue in occupation, as is aforesaid, and not till and sowe, or cause to be tilled and sowen one Rode, according to this act, in manner and forme afore rehearsed. And it is also enacted, that al Iustices of Peace in their Sessions, and Maiors, Shirifes and Bailifes, in Cities, Boroughs and Townes corporate, in their Sessiõs, or other Courts within the limits of their commissiõs and authorities, shall haue full power and authoritie, to inquire of the offendors in this act, aswel by the oths of xij. men, as otherwise by information, by their discretions. And if any person or persons be presented afore them, within the limits of their authorities, or any information giuen to them, of anie offendors of this acte: that then they shall haue full power and authoritie vpon euery such presentment, or information, to make proces against the offendors of this acte, like as is commonly vsed vpon indictments of trespasse. And if anie bee presented, and afterwarde bee conuicted by confession or otherwise, that hee hath offended contrary to this acte, that then he shall be put to no lesse forfaiture then is aforesaide, to the vse of the king our Soueraigne Lord, if the offence be without Cities, Boroughs or townes corporate. And if the offence be within any citie, borough, or towne corporate, thẽ the said fine to be to the vse of the Maior, Shirife, or bailifes of the said Citie, Borough or towne corporate, where the offence shalbe presented. And if any be conuict by confession, or otherwise by examination vpon any information made by any person or persons, against any offendor or offendors of this act: that then euery such person so conuict vpon any information, shal lose such forfaite, as is aboue remembred: The one halfe thereof to the king our Soueraigne Lord, and the other half to such as make the information. And that for the leuying of euery such forfaiture, aswel the Iustices of peace, as Maiors, Shirifes, and Bailifes, within the limits of their commissions and authorities, haue ful power & authoritie, to make such processe, as they shall seeme by their discretions.

60. Acres

Sowe

4. Part of one acre

Flaxe Hempe

40. acres

Iust. of P. Maiors

Proces

Forf.

Moitie

Execution

Discretion

Prouided alwaies, that none information at the suite of any person concerning this acte, shall bee of any effect to put any person to answere, or losse of forfaiture, except the said information bee exhibited within one yeere nexte after the offence done contrarie to this acte: Nor that anie information or presentment for the king bee of any effect to put any person to anie answere, or losse of any forfaiture by vertue of this act, except the said information or presentment for the King, be within two yeeres next after the offence done and committed contrarie to this act.

One yeere

2. yeeres

Prouided also, that Parkes for Deere, woods, groues, lowe groundes for meadowes, felles, fennes, salt marshes, heath grounde, Commons and such other like grounds, the nature whereof is not apt for tillage, nor any landes or pasture, which hath not bene putte in tillage, within the space of fiftie yeeres, shall not be accompted in, nor of the number of acres, for the which anie person shall bee bound to till and sowe any the sedes aforesaid, by vertue of this acte: any thing in this acte to the contrarie notwithstanding. And it is further ordred, that the acres shall be accompted, after the rate of eight score perches for the acre, and euery perch containing xvj. foote and a halfe of the rule, & not otherwise. Prouided alway that this act, or anie thing therin contained extend not to such landes as haue fortuned or shall fortune

Parkes

Fennes

Acres

2. yeres

foꝛtune to be plowed, tilled, oꝛ bꝛoken, 1. 2. oꝛ 3. yeres together in 10. oꝛ 12. yeres, oꝛ other longer season, onely foꝛ clensing of the same from mosse, molehils, bushes, oꝛ like thing, oꝛ foꝛ pꝛofe of the aptnes of the ground to beare coꝛne, and not tilled otherwise in time past in tillage, so that in those yeres, that it shall foꝛtune the same lands not afoꝛe excepted to be so plowed, tilled oꝛ bꝛoken, the same oꝛder bee obserued in sowing the poꝛtion thereof with line oꝛ hempseed, as is afoꝛesaid. ¶ Pꝛouided also that this shall extend to any grounds inclosed oꝛ tobe inclosed, wherin deere haue bin, be oꝛ shal be kept by the K. grant, oꝛ otherwise: any thing in this pꝛesent act made to the contrarie notwithstanding. And foꝛasmuch as spirituall persons, which doe, oꝛ shall haue in their hands ꝛ occupation lands foꝛ expences of their houshold, cannot cõueniently otherwise take any pꝛofit of such flaxe oꝛ hemp, as growe vpõ the same, vnlesse by sale to other persons: Be it ꝛc. that it may be lawful to all and singuler spiritual persons, hauing in their hands ꝛ occupation, any maner lands foꝛ expences of their houholds, not pꝛohibited by the law, to sel such flaxe ꝛ hemp, as shal growe vpon their landes so being in their owne hands ꝛ occupation, as is afoꝛesaid: any act, statute oꝛ pꝛouision made to the contrary notwithstanding. This act to continue to the last day of the herte Parliament. An. 24. H. 8. cap. 4. This statute was reuiued in some sorte with some alteration by 5. El. ca. 5. which see after in Ships. 13.

Inclosed ground foꝛ deere

Spirituall persons

* 2 ¶ It shal not be lawful to any persõ oꝛ persons, at any time hereafter, to water any maner of hemp oꝛ flaxe in any riuer, running water, stream, bꝛooke, oꝛ other cõmon pond, where beasts be vsed to be watred, but only on the ground oꝛ pits foꝛ the same oꝛdained, ꝛ to bee oꝛdained, made ꝛ pꝛouided, oꝛ els in other their owne seueral ponds, vpon paine euery person ꝛ persons offending oꝛ doing contrary to ỹ tenoꝛ, meaning ꝛ purpoꝛt of this statute, to lose and foꝛfait foꝛ euery time so doing xx. s. The one halfe thereof to be to our soueraigne Loꝛd the K. and the other halfe thereof to be to ỹ partie grieued, oꝛ to any other the K. subiects that will sue foꝛ the same foꝛfaiture, in any Courte of recoꝛd, leete, oꝛ lawday, by action of debt, bill, plaint, informatiõ, oꝛ otherwise, in which suit, no pꝛotection, wager of law, essoine, oꝛ other dilatoꝛie plee shall be admitted oꝛ allowed. An. 33. H. 8. cap. 17.

Watring of hemp oꝛ flaxe

Foꝛf. Poitie

Court of Recoꝛd Leete Lawday

¶ Fooles, Lunatikes, and Madmen.

King Warde No waste

THe K. shal haue ward of the lands of natural fooles, taking the pꝛofits of them without wast oꝛ destruction, ꝛ finde to them their necessaries, of whose fee soeuer that the lands be holden. And after ỹ death of such Idiots, hee shall render it to the right heires, so that such Idiotes shall not alien, noꝛ their heires shal be disherited, Prerogatiua Reg. An. 17. E. 2. cap. 9.

Heires

King

2 ¶ Also the king shall pꝛouide, when any (that befoꝛe time hath had his witte ꝛ memoꝛie) happen to faile of his witte, as there are many per lucida interualla, i. by euident spaces, that their lands and tenements shalbe safely kept without waste oꝛ destruction, and that they and their houshold shall liue and bee conueniently maintained with the pꝛofits of the same, and the residue besides their sustentation, shall be kept to their vse, to bee deliuered vnto them, whẽ they come to right mind. So that such landes and tenements shall in no wise be aliened. And the king shall take nothing to his owne vse, and if the partie die in such estate, then the residue shalbe distributed foꝛ his soule, by the aduise of the Oꝛdinarie. Prærogatiua Regis. An. 17. Ed. 2. cap. 10.

Lands kept without waste

Dueryns

Distributiõ

¶ Forcible entrie.

Enter with foꝛce

THe king defendeth, that none from henceforth make any entry into any landes and tenements, but in case where entry is giuen by the law, and in such case not with strõg hand, noꝛ with multitude of people, but only in peaceable and easie maner. And if any man from henceforth do to the contrary, ꝛ thereof bee duely cõuict, he shal be punished by imprisonment of his body, and thereof raunsomed at the kings will. An. 5. R. 2. cap. 7.

Conuict

Imprison Fine

* 2 ¶ The oꝛdinances ꝛ statutes made ꝛ not repealed, of them that make entries with strong hand into lands ꝛ tenements oꝛ other possessions, ꝛ hold themselues in with foꝛce: And also of al those that make insurrection oꝛ great ridings, riots, routs oꝛ assemblies, in disturbance of the peace, oꝛ of the common law, oꝛ in affray of the people, shall be holden and kept, and fully executed: Joyned to the same, that at all times ỹ such foꝛcible entries be made, and complaint thereof commeth to the Justices of Peace, oꝛ to any of them, that

Hold with foꝛce

Insurrectiõ Riots Routes

Complaint Just. of P.

Power of the Countie

that ỳ same Justices or Justice, take sufficient power of the County, and go to the

Enter with force

place wher such forcible entry with force is made, & if they find any ỳ hold such place forcibly after such entry made, they shalbe

The next gaole

taken & put in ỳ next gaole, there to abide

Connect of record

commit by the record of the same Justices or Justice till they have made fine & raunsome to the K. And that al they of the

Fine

Shirife

county, aswel the Shirife as other, shal attend

Assist

vpon the Justices, to go & assist thē to arrest such offendors, vpon paine of imprisonment, and to make a fine to the king.

Imprison

And in the same maner it shall be done of them that make such forcible entries into

Fine

Benefices

Benefices or offices of holy Church.

*

An. 15. R. 2. cap. 2.

☞

3 ¶ Forasmuch as the said statute (S. of An. 15. R. 2. before 2.) doth not extēd to entries into tenements in peaceable manner, & after holden with force, nor if ỳ persons which enter with force into lands or tenements, be removed & voided before ỳ cōming of the said Justices or Justice, as before, nor no pain ordained if the shirife do not obey the commandement & precept of the said Justices, for to execute the said ordinance, many wrongfull & forcible entries be daily made, in lands & tenemēts, by such as have no right, and also diners gifts, feoffments, & discontinuāces, sometimes made to Lords and other puissant persons & extortioners within the Counties where they bee conversant, to have maintenance, & sometime to such persons as be vnknowen to them so put out, to the intent to delay & defraude such rightfull possessors of their right & recouery for ever, to the final dishertion of diuers of the K. faithfull liege people, and likely daily to increase, if due remedy be not prouided in this behalfe. Our soueraigne Lord the K. considering the premisses, hath ordained, that the said statute, and al other statutes of such entries or alienations made in times past, shalbe holdē, & duly executed: Joined to the same, that from henceforth where any that doth make such forcible entry into lands, tenements, or other possessions, or them hold forcible, after complaint therof made (within the same cōtie where such entrie is made) to the Justices of P. or to one of them, by the party grieued, that the Justices or Justice so warned, within a conuenable time, do the said statute duely to be executed, & that at the costes of the partie so grieued. And moreouer, though that such persons making such entries be present, or els voided before the comming of the saide Justices or Justice: Neuertheles, the same Justices or Justice in some good towne next the tenements so entred, or in some other cōuenient place, after their discretion, and euerie of them, shall haue authoritie and power to inquire by ỳ people of the same county, aswel of them that make such forcible entries into landes and tenements, as of thē which the same hold with force. And if it be found before any of them, that any doth contrarie to this statute: then the said Justices or Justice, shall doe the lands and tenements so entred or holden, as afore, to be reseised, and put the partie so put out in full possession of the same landes and tenements so entred or holden as before. And if any person after such entrie in landes or tenements holden with force, make a feoffemēt or other discontinuance, to any Lorde or other person to haue maintenance, or to tolle & defraude the possessor of his recouery in any wise, if after in assise or other action thereof to be taken or pursued before Justices of Assises, or other the kings Justices whatsoeuer they bee, by due inquirie thereof to be taken, the same feoffements & discontinuances may be duly proued to be made for maintenance, as is aforesaid, that then such feoffements or other discōtinuances, as before made, be voide, frustrate, & holden for none.

Delay

Defraude

Hold forcibly

Complaint

Just. of P.

Execute at the parties costs

Tuquicie

Reseised

Put in possession

Feoffement

Discontinuance

Assise

Maintenance

Void

*

Just. of P. Precept to the shirife

And also when the said Justices or Justice make such inquiries as before, they shal do their warrāts & precepts to be directed to the Shirife of the same county, cōmanding him of the K. behalfe, to cause to come before them, & euery of them, sufficient and indifferent persons dwelling next about the lands so entred, as before, to inquire of such entries, whereof euery man which shal be impanelled to inquire in this behalfe, haue lands or tenements of the yerely value of xl.s. by yeere at the least aboue reprises. And that the shirifes returne issues vpon euery of them at the day of the first precept returnable xx.s. & at the second day xl.s. & at the third time C.s. at euery day after the double. And if any Shirife or bailife within a franchise, hauing returne of the K. writ, be slacke & make not execution duely of the saide precepts to him directed to make such inquiries, that he shall forfait to the king xx li. for euery default, & moreouer shall make fine & raunsome to the king. And that as well

Inquire of entries

xl.s. Land

Issues

Shirife Bailife

Fort.

Fine

Just. of P.
Just. of ass.
Dier & ter.
King
Indictment
Shirife
Bailife
Attaint
Moitie
Costes
Proces
Disseisen with force.
Put out peaceably
Holde with force
Feoffement
Assise of Nouel disseisin
Writ of Trespas
Recouer
Verdict
Enter with force
Hold with force
3. damages
Fine
Maiors Just. of P. Shirifes Bailifes
Hold with force
3. yeeres possession
Restitution
3. yeeres possession
Trauerst
Damages

well the Iuſtices or Iuſtice aforeſaid, as the Iuſtices of Aſſiſes at their comming into the countrie to take Aſſiſes, & euery of them haue power to heare & determine ſuch defaults and negligences of the ſaid ſhirifes and bailifes, and euery of them, aſwel by bill at the ſuit of the partie grieued for himſelfe, as for the king to bee tried, as by Indictment to bee taken for the king onely. And if the Shirife or Bailife be duely attainted in this behalfe, by Indictment or by bil, that he which ſueth for him and for the king, haue the one moitie of the forfaiture of xx.li. together with his coſts and expences, and that the ſame proces bee made againſt ſuch perſons indicted or ſued by bill in this behalfe, as ſhould be againſt perſons indicted or ſued by writte of treſpaſſe done with force and armes againſt the peace of the king.

*

And moreouer, if any perſon be put out, diſſeiſed of any lands or tenements in forcible maner, or put out peaceably, & after holden out with ſtrong hand, or after ſuch entrie, any feoffement or diſcontinuãce in any wiſe ther of be made to defraud & take away the right of the poſſeſſor, ỹ the partie grieued in this behalfe haue Aſſiſe of nouel diſſeiſin or a writ of treſpas againſt ſuch diſſeiſor, & if the party grieued recouer by aſſiſe, or by action of treſpas, & if it be found by verdict, or in any other maner by due forme in the law, that the party defendant entred with force into the lands and tenementes, or them after his entrie did hold with force, that the plaintife ſhal recouer his treble damages againſt the defendant. And moreouer that hee make fine and ranſome to the king.

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And the Maiors, Iuſtice or Iuſtices of Peace, Shirifes and Bailifes of Cities, townes, and boroughs, hauing franchiſe, haue in the ſaid cities, towns & boroughs, like power to inquire of ſuch entries or putting out, & in other articles aforeſaide riſing within the ſame, as the Iuſtices of peace and Shirifes in counties and countries aforeſaid haue. Prouided alwaies, that they which keepe their poſſeſſions with force in any landes or tenementes whereof they, or their anceſtors, or they whoſe eſtate they haue in ſuch landes and tenements, haue continued their poſſeſſions in the ſame by 3. yeeres or more, bee not indamaged by force of this ſtatute. An. 8. H. 6. cap. 9.

4 ¶ Whereas there is one very good Prouiſo or clauſe in the ſaid act (S. 8. H. 6. cap. 9. before. 3.) contained, as inſueth, Prouided alwaies, that they which keepe their poſſeſſions with force in any landes and tenements, wherof they or their anceſtors haue continued their poſſeſſion in the ſame by 3. yeres or more, be not indamaged by force of the ſaid Statute. And whereas diuers of the Quenes Maieſties good & louing ſubiects, & their anceſtors, or thoſe, whoſe eſtate they haue for manie yeeres together, abone the ſpace of three yeres or more, haue bin in quiet poſſeſſiõ of their dwelling houſes, and other lands and poſſeſſions: And now of late diuers of hir Maieſties ſaid ſubiects hauing entries made vpon their poſſeſſions, hauing had ſuch quiet and long poſſeſſion, for diſturbing of ſuch entries, & for keeping of their poſſeſſion againſt ſuch entrers, by colour of Indictments of forcible entrie, or forcible keeping poſſeſſion found againſt the, by meanes of the Othes of ſuch entrers, haue bin remoued and putte out of their dwelling houſes, and other their poſſeſſions, which they haue quietly held by the ſpace of 3. yeres together, or longer time, next before ſuch Indictmentes founde againſt them, againſt the true meaning and intent of the ſaide Prouiſo or clauſe contained in the ſaid acte: For remedy of which inconuenience, and for true declaration and explanation of the law therin: Be it ordained, declared, and enacted by the authoritie of this preſent Parliamẽt, that no reſtitution vpon any Indictment of forcible entrie, or holding with force, bee made to any perſon or perſons, if the perſon or perſons ſo indicted hath had the occupation, or hath been in quiet poſſeſſion by the ſpace of three whole yeeres together, next before the day of ſuch Indictment ſo found, and his, her, or their eſtate or eſtates therein not ended nor determined, which the party indicted ſhall and may alleadge for ſtay of reſtitution, and reſtitutiõ to ſtay vntil that be tried, if the other wil denie or trauerſe the ſame. And if the ſame allegation be tried againſt the ſame perſon or perſons ſo indicted: then the ſame perſon or perſons ſo indicted, to pay ſuch coſtes and damages to the other party, as ſhall bee aſſeſſed by the Iudges or Iuſtices before whome the ſame ſhall be tried, the ſame coſtes and damages to bee recouered and leuied, as is vſuall for coſtes and damages contained in Iudgements vpon other actions. Anno. 31. Eliz. cap. 11.

¶ Foreſts,

¶ Forests, Chaces, Parkes, and Warrens.

View — ALl Forests which king Henry our grandfather afforested & made, shalbe viewed by good & lawful men, & if he haue made forrest of anyother wood more then of his owne demesne, whereby the owner of the wood hath hurt, We will that forthwith it bee disforested. And if hee haue made forrest of no mens wood but of his owne, then we will that it remain forrest still: sauing the common of herbage, & of other things in the same forrest, to them which before were accustomed to haue the same. Charta de Forresta cap. 1.

Demesne

Disforested Woods

Common of herbage

Common summons — 2 ¶ When that diuel out of the Forrest from henceforth shall not come before the Iusticers of our forrest by no common summons, vnles they be impleded there, or be sureties for some other which were attached for the forrest, Charta de forresta cap. 2.

Sureties

Woods — 3 ¶ All woods which haue been made forrest by K. Richard our vncle, or by K. John our father, vnto our first coronatiō, shalbe forthwith disafforested, vnles it bee our demesne wood, Char. de foreſt. cap. 3.

Disafforest Demesne Woods

Archbishop Bishop Freeholder Woods — 4 ¶ All Archbishops, Bishops, Abbots, Priors, Earles, Barons, Knights, and other our freeholders, which haue their woods in forrests, shal haue their woods as they had thē at the time of the first coronation of the king H. our grandfather, so that they shalbe quite for euermore of all purprestures, wastes, & assertes made in those woods after that time, vntill the beginning of the second yeare of our coronation. And those that from henceforth doe make purpresture without our speciall licence, or waste or assert in the same, shall answwere vnto vs for the same wastes, purprestures, and assertes. Charta de forresta cap. 4.

Purpresture Wastes

Licence Waste

Rangers — 5 ¶ Our Rangers shal go through the Forrest to make range, as it hath been accustomed at the time of ye first coronation of king H. our grandfather, & none otherwise. Charta de forresta cap. 5.

Lawing of dogges — 6 ¶ The inquiry or view for lawing of dogs within our forrest, shal be made frō henceforth, when the range is made, that is to say, euery 3. yere, and then it shal be done by the view & testimony of honest men, & not otherwise. And he whose dog is not lawed & so found, shall be amerced, and shal pay for the same iij. s. And from hēceforth no ore shalbe taken for lawing of dogs. And such lawing shalbe done by the assise commonly vsed: that is to say, that 3. clawes of the forefoote shall be cut off by the skin. But from hence forth such lawing of dogs shall not bee done, but in places where it hath been accustomed frō the time of the first coronation of the aforesaid king H. our grandfather. Charta de forresta cap. 6.

View — Assise 3. Clawes cutteon

Forester — 7 ¶ No Foster or Bedle from henceforth shal make scotal, or gather garbe of otes, or any corne, lambe or pig, nor shall make no gathering, but by ye sight, & vpon the oth of the 12. rangers, whē they shal make their range. So many Forresters shal bee assigned to the keping of the forrests, as reasonably shall seem sufficiēt for the keping of ye same. Char. de For. ca 7.

Swanimot — 8 ¶ No Swanimote from henceforth shall bee kept within this our realme but thrise in the yeare. First the xv. day afore Michaelmas, when that our giltakers, & walkers of our woods come together to take agistment in our demesne woods, & about the feast of S. Martin in Winter when that our giltakers shal receiue our pawnage. And to these 2. swanimots shal come our Fosters, Verders, giltakers, & none other by distres. The 3. swanimote shalbe kept in the beginning, xv. daies before the feast of S. John Baptist, when that our giltakers or walkers bonnete to hunt our deare. And at this Swanimote shall meete our Fosters, Verders, & none other by distres. Moreouer euery xl. daies through the yeare our fosters and verders shall meete to see the attachment of the forrest, aswel for greene hugh as for hunting by the presentment of our forresters, and afore them shalbe attached. And the saide swanimotes shal not bee kept but within the counties in which they haue bin vsed to be kept. Charta de foreſt. cap. 8.

Agistment

Pawnage Fosters

View Attachmēt Green hugh Hunting

Freemen Agistment — 9 ¶ Euery freeman may take agistmēt in his owne wood within our forest at his pleasure, and shal take his pawnage. Also wee doe graunt, that euery freeman may driue his swine freely and without impediment through our demesne woods, for to agist them in their own woodes, or else where they wil. And if their swine tarrie one night and lie within our forest, there shalbe no occasion taken thereof, wherby he may leese any of his owne. Charta de foreſt. cap. 9.

Pawnage

Driue swine

Killing of deere — 10 ¶ No man from henceforth shal lose neither life nor member for killing of our deare, but if any man be take therewith, & convict for taking of our Venison, he shal make

Convict

Fine

Impriſ.

Abiure

make a grieuous fine, if he haue any thing wherof, & if he haue nothing to leeſe, hee ſhalbe impriſoned a yere & a day, & after the yere & a day expired (if he can finde ſufficient ſuerties) he ſhalbe delinered: And if not, hee ſhall abiure the Realme. Charta de Foreſta, cap. 10.

Archbiſhop Biſhop Earle Baron

Kill one or two deere

Blow an horne

11 ¶Whatſoeuer Archbiſhop, Biſhop, Earle or Baron, comming to vs at our commandement, & paſſing by our foreſt, it ſhalbe lawful for him to take & kil one or two of our Deere, with our Forker, if he be preſent, or els he ſhall cauſe one to blowe an horne for him, that he ſéeme not to ſteale our Deere. And likewiſe they ſhall do returning home from vs. Charta de Foreſta, ca. 11.

Free men

Wood Milles Errable

12 ¶Euery freéman from henceforth without danger, ſhall make in his owne wood, or in his lãd, or in his water, which he hath within his foreſt, milles, ſprings, pooles, marſhes, dikes, or errable groũd, without incloſing the errable ground, ſo that it be not to ẏ annoyãce of his neighbours. Charta de Foreſta. ca. 12.

Free men Ayries of hawkes

Hawks

13 ¶Euery freéman ſhal haue within his own woods, ayries of hawks, ſparow hawkes, fawcons, egles, & herons, & ſhall haue alſo the hony that is found within his woods. Charta de Foreſta, ca. 13.

Forker Chiminage

14 ¶No forker from henceforth, which is no forker in fee, paying to vs farme for his Bailiwike, ſhall take any chiminage or toll wiin his bailiwike. But a forker in fee paying vs farme for his bailiwik, ſhal take chiminage, that is to ſay, for cariage by cart, the halfe yere ii.d. & for another halfe yere ii.d. for an horſe that beareth loads, euery halfe yere an halfe peny. And but of thoſe only that come as marchants through his bailiwike by licence to buy buſhes, tymber, barke, coale, & to ſell it againe at their pleaſure. But for none other carriage by cart, chiminage or toll ſhalbe taken. For chiminage ſhall not be taken but in ſuch places onely where it hath bin vſed to be. Thoſe which beare vpon their backes brwſhment, barke or coale to ſell, though it be their liuing, ſhal pay no chiminage to our forkers, except they take it within our demeſne woods. Charta de Foreſta, ca. 14.

Fee

Marchãts

Demeine woods

Outlawed of treſpas

Surreties

15 ¶All that be outlawed of treſpas within our foreſt, ſince the time of king Henry our grandfather, vnto ẏ firſt yere of our coronation, ſhal come to our peace without let, & ſhal finde to vs ſureties that frõ henceforth they ſhal not treſpas vnto vs within our foreſt. Char. de For. ca. 15.

Conſtable Bailife Hunting Plea of Foreſt

16 ¶No Conſtable, Caſtellaine, or bailife, ſhal hold plea of foreſt, neither for greene hugh, nor hunting, but euery forker in fée ſhal make attachments for plea of foreſt, aſwell for greene hugh as hunting, and ſhall preſent them to the Verders of the prouinces. And when they be inrolled & incloſed vnder the ſeales of the verders, they ſhalbe preſented to our chiefe Juſtices of our foreſt, when they ſhall come thither to holde plea of foreſt, & before them they ſhal be determined. Char. de Foreſta, cap. 16.

Preſent Juſtices

Determine Treſpaſors Pondes

17 ¶Cõcerning treſpaſſers in parks and pondes, it is not yet diſcuſſed, for the Lordes demaunded the proper impriſonment of ſuch as they ſhould take in their parkes & ponds, which the king denyed. Wherefore it was deferred. Merton cap. 11. An. 20. H. 3.

Treſpaſors Ponds Attaint

18 ¶It is prouided alſo for treſpaſſers in parkes & ponds, that if any be thereof attainted at the ſuit of the party, great & large amends ſhalbe awarded according to the treſpas, and three yeeres impriſonment, & after ſhal make fine at the kings pleaſure (if he haue wherof) and then ſhal find good ſurety that after he ſhal not cõmit like treſpas. And if he haue not wher of to make fine, after three yeres impriſonment, he ſhal find like ſurety, & if hee cannot finde like ſuretie, he ſhall abiure ẏ Realme. And if any guilty thereof be fugitiue, & haue no land nor tenemẽt ſufficient (wherby he may be ſuffiſied) ſo ſoone as the king ſhall finde it by Enqueſt, hee ſhalbe proclaimed frõ County to County, & if he come not, he ſhalbe outlawed. It is prouided alſo & agreed, that if none do ſue within a yere & day for the treſpas done, the king ſhal haue the ſuit. And ſuch as be found guilty thereof by lawful Inqueſt, ſhalbe puniſhed in like maner in al points, as aboue is ſaid, & if any ſuch treſpaſſor bee attainted, that hee hath taken tame beaſts or other thing in his parkes by maner of robberie, in comming, tarying, or returning, let the common lawe be executed vpon him, as vpon him that is attainted of open theft and robbery, aſwel at the ſuit of the king as of the party Weſt. 1. cap. 20. An. 3. E. 1.

Abiure Fugitiue

Proclamation Outlawed

Yere & day

Attaint

Common lawe

Robberie

Foreſter Warreno Treſpaſſor

Hue & cry

19 ¶If any foreſter, parker, or warreno, do finde any treſpaſſor wandering within his libertie, intending to do damage therin, & that after hue & cry made to him to ſtand vnto ẏ peace, wil not yeld

himſelfe, but doth continue & execute his malice, and diſobeying the kings peace, doth flie or defend himſelf with force and armes, although ſuch foreſters, parkers, & warrenors, or any other comming in their companie, & ayding ſuch foreſters, parkers, & warrenors, in ỳ kings peace, do kil any offender or offenders, being ſo found, either in arreſting or taking them or any of them, they ſhall not be arraigned vpon the ſame before the king & his Juſtices, or before any other the king his Bailifes, or any other within any franchiſe or without, nor ſhal leſe for ſo doing either life or limme, or ſuffer any other puniſhment, but ſhal enioy ỳ kings peace as they did before: Notwithſtanding, let al ſuch foreſters, parkers, warrenners, & all other beware, that by reaſon of any malice, diſcord, debate, or other euil will had before time, they do not lie, nor maliciouſly pretend, againſt any perſon paſſing through their liberties, that they came thither for to treſpas or miſdoe, when of trueth they did nothing, nor were not found as treſpaſſors, and ſo kill them, for if they do & be conuict therupõ, the death of ſuch perſons ſhalbe inquired, & execution ſhalbe done in like maner, as is done for other of the kings ſubiects ſtãding in his peace, & like as it ought to bee done of right, & according to the law and cuſtome of the Realme. Statute of Treſpaſſers in Parkes. An. 21. E. 1.

Fly Force

Kill the offender

No arraignement

Neither loſſe of life or lumme

Malice

20 ¶ Whereas certaine people that be put out of the foreſt for the purliew, & by the great men, haue made requeſt to our ſoueraigne Lord the king at his Parliament, ỳ they might be acquited of their charge, & of things that the foreſters demaund of them, as they were wont to be: Our ſoueraigne Lord ỳ king anſwered: Firſt, that where he had graunted purliew, that he was pleaſed that it ſhoulde ſtand in like maner as it was graunted, albeit ỳ the thing were ſued & demanded in an euil point. Neuertheleſſe, he willeth & intendeth, that all his demeſne lãds whereſoeuer they be, that haue bin of the Crolon, being returned by way of Eſcheat, or otherwiſe, ſhall haue eſtate of frée chaſe & frée warren, & in ſuch manner ſhalbe ſaued & kept to his vſe for al maner of eſcheats, & for all maner of things that pleaſeth him. And in right of them ỳ haue lands & tenements diſaforeſted for ỳ ſaid purliew, & ſuch as demaund to haue common within the bounds of foreſtes: The intent & will of our ſoueraigne Lorde the king is, that from henceforth (where purliew is) they may claime to be quite of charge of ỳ foreſt. And wheras the kings beaſts cannot haue their haunt & repaire vpon the foreſt grounde, as they had ſo long as they were within the foreſtes, that ſuch folke ſhal not haue comon, nor other eaſement within the bounds of the woods, nor of ỳ lands, the which remaine in foreſt, but if any of them that be diſaforeſted by the purliew, would rather be within the foreſt as they were before, then to be out of the foreſt as they be now. It pleaſeth the king very wel, that they ſhalbe receiued therunto, ſo ỳ they ſhal remaine in their anciẽt ſtate, & ſhall haue common & other eaſement aſwell as they had before. Whereupon our ſoueraigne Lord the king willeth & commandeth, that his Juſtices of the foreſtes on this ſide Trent, & beyond Trent, in like maner ſhal keep & hold, & cauſe to be kept & holden ſtraitly the foreſaid points vpõ their liberties, in the forme aboue mentioned. Anno 33. E. 1. Stat 5.

Purliew

Demeſne lands Lands of the crolune

Free chaſe Free ward

Common

No Common Woods

Juſt. of Foreſt Trent

21 ¶ If any Foreſter ſhall finde any man attachable for greene yew in his foreſt, firſt he ſhall attach him by ii. pledges, if they be to be found, if not, he ſhall be brought to the nert towne where they may be found. And if they be afterward found, he ſhal attach him by iiii. pledges, & if the third time, he ſhalbe preſented before the verdors, & be put by viii. pledges, afterward after the third attachement, his body ſhalbe attached and retained for a remẽbrance that he is a Verdor. Know that all trees not bearing fruit, and theſe which beare fruit at any time in ỳ whole yere, and an Aſh if he be old, ſhal remaine in the foreſt, and arable, becauſe our lord the king is in poſſeſſion. If any man ſhal be found felling an oke without the demeſne wood, & within the precinct, without the view or deliuery of the Foreſter or verdor, he ſhalbe attached by iiii. pledges, and by the view of the verdor the oke ſhalbe praiſed, and the names of the pledges ſhalbe written in the roll of the foreſters and verdors. If any man ſhall bee found in the kings demeſnes aſſerting or doing purpreſture, his bodie ſhalbe forthwith retained, but if without the demeſnes within the precinct, he ſhalbe put by vi. pledges, & if he be afterward found, hee ſhall double his pledges, if the thirde time, hee ſhall retaine his body. If any

Arert Attach Pledge

Arreſt

Trees

Cut trees

Attach

Verdor Price

Aſſert

Purpreſture Arreſt

Pledges Arreſt

man

man attachable doe refuſe to put in ſure-
ties & pledges, he ſhalbe diſtrained by his
Diſtreſſe cattels found within the boundes of the
Foreſt, but if he haue none, his body ſhal
Arreſt be detained vntil he haue don that which
he ought, and if his abode be without the
bounds of the Foreſt, his name and the
Enroll Houſebote Haybote place whence he is ſhalbe inrolled. But
deliuerie of houſebote & haybote ſhall be
made as the woodleer may ſuffer ẏ ſame
to remaine in the ſtate in which it is, and
not at the requeſt of the demandant, nei-
Sell ther may he giue nor ſell any thing of the
wood without the kings warrant. If a-
Deere Dead Enquell ny Deere bee found dead, or wounded,
there ſhalbe an inquiſition made by fire
of the next Villages to the Foreſt, which
Pledges Spittle houſe ſhalbe written in the Rol, the finder ſhal
be put by fire pledges, & the fleſh ſhall be
ſent to a Spittle houſe, if by teſtimony of
the Verdors and the Countrey, there be
Poore folke any nigh: But if there be no ſuch houſe
neere, the fleſh ſhalbe giuen to the poore
and lame, the head and ſkinne ſhalbe gi-
uen to the poore of the next Towne, and
Arrow Enroll Greyhound the arrow (if there be any found) ſhalbe
preſented to the Verdor, and inrolled in
his roll. If there be any Greyhoundes
found running to do any hurt, the Foſter
ſhall retaine them, and preſent them in
the preſence of the Verdor, and ſend them
to the King or chiefe Juſtice of the Fo-
Maſtiue reſt. If any Maſtiue be found vpon any
Deere and ſhalbe muſled, he whoſe ma-
ſtiue he is ſhal be quite of the deed, but if
he be not muſled, the owner of ſuch ma-
ſtiue ſhalbe guilty, as if he had giuen it
Pledges him with his hand, and he ſhalbe put by
fire pledges, whoſe names ſhalbe writē,
& alſo what dog it was. If any man take
Deere Arreſt Deere in the Foreſt without warrant,
his body ſhalbe arreſted whereſoeuer hee
be found within the bounds of the foreſt,
& when he is taken he ſhal not be delive-
red without ſpecial commandement of ẏ
Ill doers king, or of the chief Juſtice of the Foreſt.
If any ſée any miſdoers within ẏ bounds
of the Foreſt, to take or carry away any
Arreſt Huy Amercia-ment Deere, he ſhall doe what he may to take
them, & if he cannot, he ſhal leuie hue and
cry, & if he do not ſo, he ſhal remaine in the
kings mercy. If any Woodward ſhal ſée
Woodward miſdoers within his wardſhip, or ſhal ſee
Dead beaſt a dead wilde beaſt, he ſhall ſhewe him to
the chief Foſter or Verdor, & if he do not,
& the Foſter of our Lorde the king finde
Wood ſuch a fault in his wood within the pre-
cinct, that wood ſhalbe takē into ẏ kings
hands by the kings cōmandement, or of
his chiefe Juſtice, & the woodward is to Woodwards Pledges Woods
be attached by iiii. pledges. If any man
ſhal haue a wood againſt the demeſne
wood of our Lord the king, it is lawfull
for him after that the demeſne hedges are
agiſted, to haue in the time of pawnage, Hogge
ſo many ſwine as the wood may ſuffer,
by the view of the Foſter, Verdor, Re-
gardor, Agiſtor, & other lawful men, and
this ſhalbe done of the profite of ẏ ſwyne.
Know that in the time of pawnage, whē
ẏ agiſtment ought to be made, ẏ Foſters, Agiſtment
Verdors & Agiſtors ought to craue ẏ aſ-
ſent of the Juſtices of our Lord ẏ kinges
Foreſt, & ſeeke their good will, & the agiſt-
ment ſhalbe made aſwell within the de-
meſne hedges & woods as without, & the
agiſtment ſhalbe made according to their
commandement, & tenor of their letters,
which letters he ſhall haue before ẏ Ju-
ſtices of the Foreſt in the next circuite.
And it is commaunded, that hereafter be
taken for euery hogge as much as may
be, to the vſe of our Lorde the king for
pawnage, that is to ſay, aus penie or ii.d. Pawnage & Hogges
but of little pigges there ſhalbe no more Pigges
paied then was before. If any man of an-
other County put, or willingly ſuffer his
cattel to go within the bounds of the Fo- Beaſtes
reſt, the Foſter may retaine the cattel by
ſureties & ſafe pledges, which if he can-
not do, by the teſtimonie of the Verdors,
be ſhal ſhew the Shirife of the County
therof, that he may make diſtres vntil he Shirif
finde pledges. If the Shirife do it not, the
Foſter ſhal ſhewe the ſame to the Juſti-
ces. No mower ſhall bring with him a
great maſtiue, to driue away the Deere
of our Lord ẏ king, but litle dogs to looke Maſtiue
to ſuch things as lie open. Of theſe which
claime to haue priuiledges, as dogs wout
clawes & Greyhounds within ẏ boundes Dogges
of the Foreſt, they ſhall haue nothing to
do without our Lord the kings warrant,
or his Juſtices. A wood remaining in the
hands of our Lord the king by one yere & Woods
one day, it is in the kinges pleaſure, ex- Yere & day
cept it be recouered by the iudgement of
the Juſtices. All the bounds of the whole
Foreſt are the kings. It is lawfull to the Bounds
Abbot of ẏ Borough of S. Peter, to hunt Peterbo-rough
& to take Hares & Fores within ẏ bounds
of the Foreſt, & to haue vnlawed dogges,
becauſe he hath ſufficient warrant there-
unto. When Verdors haue taken an En- Verdors Inquiſition
queſt, one ſhal ſet to his ſeale, and the o-
ther ſhal keepe the Roll, and ſo from time

to time vntil the cõming of the Justice: When the first day he & all the Ministers shal present the roll, or els they shalbe amerced, & malipernors that day shall be proffered for the Forest. A man attached for cutting of boughes, that plee apertamely to the Swanimote before ỹ Steward. And a man attached for felling of an Oke in the demeine of the king, or of any other tree, it belongeth to be tried before the Justices, & if he do it to any man in the night time, he shalbe imprisoned. A man arrested to the Swanimote for greene hugh, & not presented at the next, at another time the presentation shal not hurt him, but shalbe taken as a fault in ỹ Forster for the concealment, & he that is attached shal go quite by Assise. If a Forster doe agree vnto an offence in the demesne woods of the king, the king shall take from him his office.

Amercia-ment

Cutting Swanimot

Impriſon Veert Swanimot

Forster

22 ¶ First wee haue decreed for our selues & our heirs, that of trespasses hereafter to be done in our Forestes of greene hugh, and of hunting, the Forsters within whole Bailywikes such trespasses shall happen to be committed, shal present the same at the next Swanimote, before the forsters, verdors, regardors, agistors, & other ministers of the same forest, & vpon such presentations there before the Forsters, verdors, & al other ministers aforesaid, by the othe aswel of knights as of other honest & lawfull men of the nerest parts, where ỹ trespas (so presented) shal be don, not suspected, by whom the truth of the matter may be lawfully enquired of, & the trueth so enquired of, these presentations shalbe solempnely affirmed, & sealed with their seales by the common agreement, & assent of al the ministers aforesaid, & if the iudgemẽt be giuẽ otherwise, it shalbe vtterly void And if it happen any of the aforsaide forsters, regardors, or other ministers of the same Forestes to die, either by sickness, or by any other meanes, by reason whereof he cannot be present to such Swanimotes: immediatly the Justice of the Forest or his lieutenant shal put another in his place, so that the indictment may be made by all, in forme aforesaid, & that the officers which are to be put out, be put out, as hitherto it hath bene accustomed to be don: Saving the Verdors which shall bee appointed by election, & by our writ. And we will, that none of the forsaide ministers hereafter, be put in any Assises, Juries or Inquestes, to be taken without ỹ forest. And if any surcharge be found of the forsters, or other, which haue to doe as ministers of the forest, such surcharges shalbe amoued, and shalbe imprisoned according to the discretion of the Justice of the forest, or his lieutenant. And they also who surcharged shalbe punished likewise at our pleasure. And at every swanimote, it shalbe inquired of the surcharge of the forsters, & other Ministers of the forest, & of their oppressions brought vpon our people, & they shall make thereof amends, & be punished as is aboue expressed. The wood which is cut & felled shall be removed, & the wood standing shall remain in the forest, & if it chance any such wood yet standing to be solde, it shall remaine in the forest, & the seller shall satisfie the buyer, according to the quantity of the portion of the wood standing in the forest, & so of wood sold in the mean time, & euen as he hath taken of ỹ same buyer. We will also, that the Justice of our forest, or his lieutenant, in the presence of our Treasorer, & by his assent, haue power to take fines & redemptions of them which are indicted of trespasses, committed in the forest before this time not enquired of in the Justices circuit. We will moreouer, that they which haue had common of pasture in the forest, before perambulation made, and they which afterwards were denied in the forest, & they which haue bin letten of the said common by the perambulation aforesaid, shal haue their common of pasture frõ henceforth in the forest, as largely & freely, as they were wont to haue before the perambulation aforesaid: sauing our rents in forme aforesaid &c. Teste &c. Westminst. xxviii. day of May. An. 34. E. 1.

Trespas

Forsters

Present Swanimot

Othe

Indictment

Cloyde

Ministers Dye Absent Swanimot

Verdors Election

Jurors

Surcharge

Punishmẽt. Swanimot Surcharge

Woods

Just. of fo.

Fines Indictment

Common

Perambulation

23 ¶ That the great Charter of the liberties, & the Charter of the forest be obserued & kept in euery article. And that ỹ old perambulations of the forest, in time of king Edward grandfather to the king that now is, be from henceforth holden in like forme, as it was then ridden & bounden. And thereupon a Charter to be made to euery shire, where it was ridden and bounden, and in such places wher it was not bounden, the king will that it shal be bounden by good men and lawfull, and ỹ a Charter be thereupon made, as is aforesaid. An. 1. E. 3. cap. 1. Stat 2.

Charter

Bounden

24 ¶ Wheras diuers people be disherited, rgunisoned and vndon by the chiefe

Disherit

keepers

Trent

keepers of the foreſt on this ſide Trent & beyond, & by other miniſters, againſt the forme of the ſtatute of the great Charter of the foreſt, & againſt ẏ declaratiõ made by king Edwarde, ſonne of king Hẏ. in forme following, that is to ſay: We wil & graunt for vs & our heires, that for any treſpas done in the foreſt of vert & veniſon: That the foreſters in whoſe bailiwike ſuch treſpaſſe ſhalbe cõmitted, ſhall preſent ẏ ſame treſpaſſes at the nert ſwanimote, before the foreſters, verdors, regardors, agiſtors & other miniſters of the ſame foreſt. And that ſuch preſentmẽt be made before the ſaide foreſters, verdors, regardors, agiſtors & other miniſters aforeſaid, aſwell by the othes of knights, as by other diſcreete & lawfull men & not ſuſpicious, of the parties ioyning neere where ſuch offences ſhalbe preſented, & where the trueth may beſt & moſt clearely be knowen. And the trueth perfectly knowen, then ſuch preſentments by the common aſſent and conſent of al the ſaide miniſters, ſhalbe ſolemnly written, and with their ſeales enſealed. And if any indictment be in any other maner made, the ſame ſhalbe void. And therfore becauſe ẏ chiefe Wardens of the foreſtes haue not obſerued the ſame hitherto: It is agreed & ordained, that from henceforth no man ſhalbe taken nor impriſoned for vert nor veniſon, vnleſſe he be taken with the maner, or els indicted after the forme before ſpecified. And then the chiefe Warden of the foreſt ſhall let him to mainprize, till the Eire of the foreſt, without any thing taking for his deliverance. And if the ſaid Warden will not ſo doe, he ſhall haue a writte out of the Chauncerie, which hath bin in old time ordained for ſuch perſons indicted to be at mainprize, till the Eire. And if ſuch Warden after he hath receiued the Writ, do not incontinently deliuer ſuch perſons indicted to mainprize, without taking any thing: then ẏ plaintife ſhal haue a writ out of the Chauncerie to the ſhirife, to attach the ſaid Warden, to be before the king at a certain day to anſwere wherefore he hath not repleuied him that is ſo taken. And the ſhirife (the Verdors being called to him) ſhal deliuer him that is ſo taken by good mainprize, in the preſence of the verdors, & ſhal deliuer the names of the mainpernors to the ſame Verdors, to aunſwere the eire of the Juſtices. And if the chiefe Warden be therof attainted, the plaintife ſhal recouer his treble damages, & the ſaid warden to be committed to priſon, & raunſomed at the kings will. And from henceforth it ſhalbe written to them as ẏ chief Wardens of the foreſt, becauſe they may not be Juſtices, nor to haue any Record. An. 1. E. 3. ca 8. Stat. 1.

Treſpaſſe Clamion

Preſent Swanimot

Othes of knights

Sealed Indictmẽt

Voyde

Take with the maner Chief warden

Mainprize

Writ to the Shirif Attach

Attaint

iii. damages Impriſ.

25 ¶ No foreſter nor keeper of foreſt or chace, nor none other miniſter, ſhal make or gather ſuſtenance, nor none other gathering of vitailes nor other thing, by colour of their office, againſt any mans will within their bailiwike nor without, but that that is due of olde right. An. 25. Ed. 3. cap. 7. Stat. 5.

Foreſter Keeper

26 ¶ No maner of Jurye ſhalbe from henceforth compelled by any miniſter of the foreſt to trauell from place to place out of the places where their charge is giuen to them againſt their gree, nor by malice, nor by manace, or other dureſſe conſtrained to ſay their verdict of a treſpas done in ẏ foreſt, otherwiſe then their conſcience will clearely informe them, but they ſhal ſay their verdicts vpon their charge, in the places where the charge is giuen them, as aboue is ſaide. Anno. 7. R. 2. cap. 3.

Jurie

Dures

Verdict

27 ¶ That no man be taken nor priſoned by any miniſter of the foreſt, without due indictment, or by minouerie, or treſpaſſing in ẏ foreſt, nor alſo ſhal not be conſtrained to make any obligation or ranſome, to any miniſter of the foreſt by any maner, againſt their gree & the aſſiſe of the foreſt. And if any do againſt this ordinãce in any point, & therof be attainted, he ſhall paye to the partie damnified their double damages, & fine & ranſom to the king for his offence. An. 7. R. 2. ca. 4.

Impriſ.

Treſpaſſe

Obligatiõ

Attaint ii. damages Fine

28 ¶ From henceforth al & enery the Juſtice & Juſtices of the kings foreſtes, parkes and chaſes within this Realme, which now be, or hereafter ſhalbe, by the writing ſealed with ẏ ſeale of their Office, ſhal make, aſſigne, depute & appoint as many deputie or deputies for the exerciſing of ẏ ſame office of the Juſtice or Juſtices of ẏ foreſtes, as to ſuch Juſtices frõ time to time ſhalbe thought conuenient, which deputy & deputies ſo apointed ſhal haue like power & authoritie to do and execute al things concerning the Kings foreſts, parkes & chaſes, & all other things cõcerning the office & offices of ẏ Juſtice of the foreſts, to al intents and purpoſes, and in as large & ample maner & forme, as the ſame Juſtice or Juſtices might, or

Juſtices

Deputie

may lawfully do or execute by the lawes of this Realme, and as though the same Iustice or Iustices were there personally present in his or their own person or persons. An. 32. H. 8. cap. 35.

¶ Forfaiture.

Landis Comict of Felony L. of the fee

WE shall not holde the landes of them that be conuict of Felonie, but one yere and one daye, and then these landes shalbe deliuered to the Lordes of the fee. Mag. Char. cap. 22.

2 ¶ See Assise 6. of forfaiture of the statute of a particuler tenant by alienatiõ.

3 ¶ See Contra formam collationis. 1. How Abbots and religious houses should forfait their lands by alienation.

Escheates Archbishops Bishops Vacation

4 ¶ The king shal haue Escheates of lands of the freeholders of Archbishops & bishops, when such tenants be attainted for felony in time of vacation, whiles their temporalties were in the kinges hands to giue at his pleasure. Sauing to such prelates the seruice that thereto is due & accustomed. An. 17. E. 2. ca. 14.

Seruice

Felons goods Flye

5 ¶ The king shal haue al the goods of al felons attainted, or that runne away where soeuer they be found. And if they haue freehold, then it shalbe forthwith taken into the kings hands. And ỳ king shal haue all profits of the same by one yere & one day, and the lande shalbe wasted and destroyed in the houses, woods, gardeins, & in all maner of things belonging to the same land, excepting men of certaine places priuileged by the king. And after the king hath had the yere, day & waste, then the land shalbe restored to the chiefe Lord of the same fee, vnles that he fine before with the king for the yere & day, & the waste: Neuertheless it is vsed in the countie of Glocester by custom, that after one yere & one day, the lands & tenements of felons shall reuert & be restored to the next heire, to whom it ought to haue discended, if the felony had not bin done. And in Kent in Gauelkind: The father to the bough, the sonne to the plough, there al heires males shal diuide their inheritance, but women shall not make partition with men. And a woman after the death of her husband shalbe indowed of the moitie. And if shee commit fornication in her widowhood, or take an husband afterward, shee shall leese her dower. An. 17. Ed. 2. ca. 16.

Freehold Yere & day Waste L. of fee

Custome

Next heire

Gauelkinde heirs males Women

Dower Fornicatiõ Losse of dower

6 ¶ In the seconde volume of the olde statutes is an ordinance, intituled, Exiliũ Hugonis le Dispenser patris & filij, wherby they two were disherited & banished, where is recited their ill doing, and then followed an act of Pardon of felonies and trespasses don in the persecuting of them, which is entituled, Ne quis occasionetur pro felonijs seu transgressionibus factis in persecutione H. le D. patris & filij, and then followeth the forme of the Pardon, entituled, Forma chartarum persequentibus Hugh le Dispenser patrem & filium concessarum.

Pardon

7 ¶ The king to the shirife, & all other his faithful subiects greeting: Know you, that it is prouided in our Court before our Iustices, that hereafter no man take for the death of a man, or for other felonie, for which he shalbe imprisoned, shall be disseised of his landes and tenements, or his cattalles, vntil such time as he shal be conuicted of felonie, whereof he shalbe arraigned, but as soone as he shal be taken, his tenements and cattels aforesaid shalbe seene by the viewe of the keeper of the plees of our Court, and by ỳ viewe of the shirife, or other our Officers and lawful men, and shalbe written, and shal be safely kept by the bailifes of him that is taken, who shall finde vs good suertie to answere our Iustices of the cattels or the price, if they bee demaunded of them: Sauing (notwithstanding) therof to him that is taken, and his housholde, his necessaries, as long as he shal bee in prison, and his reasonable estouer, that when he that is taken, shalbe conuicted before our Iustices of the felony, then the residue of his cattels besides his estouer, remaine to vs, according to the custome of our Realme, with the terme of one yere and one day of his lands and tenements. And if he can defend himselfe before our Iustices of the felony layed against him, then his cattels shal remaine to him quietly. And therefore wee commaund you, that hereafter you cause it so to bee done in your Bailiwikes: And we straightly forbid you, that for the cause aforesaide, you do not otherwise lay your handes on the lands, tenements or cattels of any man taken in forme aforesaid. Witnesse &c. De catallis felonum.

Arrest

Felony

Lands

Kept

Suertie

Yere & day

8 ¶ If any man or towne be charged at the Eschequer by estreats of the Iustices, of ỳ cattels of the fugitiues, & of felons, & wil alleage in discharge of him another which is chargeable, he shalbe heard, and right

Eschequer Estreats Iustices

right done to the other. Anno 31. Ed. 3. cap. 3. ſtat. 1.

Eſchetors

9 ¶ Wheras the commons haue complained them of Eſchetors, which by colour of their office haue ſeiſed much lands and tenements as forfait to the king, for treaſon ſurmiſed in dead perſons, which were neuer attainted in their liues: The king therof hath good regard: but becauſe he and his progenitors haue bin ſeiſed of the forfaitures of wares of all times, the king wil not extend himſelfe of ſuch right wherof he found his Crowne ſeiſed, & his right wil cõtinue of ſuch forfaitures falle in his time, & in the time of his father, in the maner as hath been vſed: Neuertheleſſe, of his ſpecial grace, he will & graunteth, that of ſuch forfaitures fallen in the time of his grandfather, & all his progenitors before, as ſoone as an inqueſt ſhal be therof returned in the Chancery, by ỳ Eſchetor, or other which hath power to inquire, that the tenant ſhal not be out of his poſſeſſion, but ſhalbe warned by Scire facias, to be at a certaine day to anſwere to his Scire facias if he will. And if any ſuch forfaiture be now, or ſhalbe ſeiſed of the ſame time, that the kings hand ſhal be out therof: ſo alwaies that in all other caſes of forfaiture of Treaſon, of dead perſons not attainted or iudged in their liues, their heires nor their land tenants ſhal not be impeached nor chalenged, nor of none other forfaiture except the forfaitures in old times iudged after the death of the perſons by preſentment in Eire, or in the kings bench, as of felons of themſelues and other. An. 34. Ed. 3. ca. 12.

Lands Goods Attaint Tailed lands Joyntures

10 ¶ Anno 11. R. 2. cap. 5. & 6. All the lands and goods of certaine attainted in the parliament were giuen to the king, except the lands whereof they were ſeiſed to others vſes, & except tailed landes or ioyntures.

11 ¶ Anno 11. R. 2. cap. 6. It was enacted that all lands and profits that came to the king by forfaiture, ſhould remaine in his hands during the warres, and that none ſhould aſke any of them: ſauing ỳ they that had right might ſue it, and that the king might ſell part therof.

12 ¶ An. 21. R. 2. ca. 10. & 11. certaine lands of certaine perſons attainted were giuen to the king. But this parliament was repealed by 1. H. 4 cap. 3.

13 ¶ Anno 2. H. 4. cap. 22. It was enacted, that none ſhould be grieued for ſuing contrarie to the ſtatute of Anno 11. R. 2. cap. See the ſtatute.

14 ¶ An. 5. H. 4. cap. 1. And An. 7. H. 4. cap. 12. It was enacted, that lands wherof certaine there named attainted, were ſeiſed to others vſes, ſhould not be forfaited by their attainders, & graunts therof made to be void: but their owne lands, or whereof other were ſeiſed to their vſes ſhould be forfait.

Shirif Eſchetor Bailife

15 ¶ No Shirife, Vndershirife, nor eſchetor, bailife of franchiſe, nor any other perſon, take or ſeiſe the goods of any perſon arreſted or impriſoned, before that the ſame perſon or perſons ſo arreſted & impriſoned, be cõuict or attainted of ſuch felony, according to the law of England, or els the ſame goods otherwiſe lawfully forfait, vpõ pain to forfait the double value of the goods ſo taken to him or them, ỳ is or be therby indammaged, by action of debt in this behalfe to be purſued by like proces, iudgemẽt & execution, as is accuſtomably vſed in other actiõs of debt purſued at the comon law. And alſo that no eſſoine nor protection be allowed in any ſuch action: Nor that the defendant in any ſuch actiõ be in any wiſe admitted to wage or no his law. An. 1. R. 3. ca. 3.

Conuict of Felony Forf.

Eſſoine

Wage law

16 ¶ No maner of perſon ne perſons whatſoeuer he or they be, that attẽd vpõ the king & ſoueraigne Lord of this lande for the time being, in his perſon, & do him true & faithfull ſeruice of allegeance in ỳ ſame, or be in other places by his cõmaundement in his warres, within this land or without, that for the ſame dede & true ſeruice of allegeance, be or they be in no wiſe conuict or attaint of high treaſon, ne of other offences, for that cauſe by act of parliamẽt, or otherwiſe by any proces of law, wherby he or any of them ſhal loſe or forfait life, lands, tenements, rẽts, poſſeſſions, hereditaments, goods, cattels, or any other things: but to be for ỳ dede & ſeruice vtterly diſcharged of any veration, trouble or loſſe. And if any act or acts, or other proces of the law hereafter therupon for the ſame happen to bee made, contrarie to this ordinance: that then the act or acts, or other protes of the law whatſoeuer they ſhalbe, ſtand & bee vtterly void. Prouided alway, that no perſon or perſons ſhal take any benefit or aduantage by this act which ſhal hereafter decline from his or their ſaid allegeance. Anno 11. H. 7. cap. 1.

K. Seruãts

Diſcharge

Proud

17 ¶ Foraſmuch as it hath bin in queſtion & ambiguitie, that if any euil ſpo-

Attempt to murther High way

sed person or persons, do attempt feloniously to robbe or murther any person or persons, in, or nigh any common high way, cartway, horseway or footeway, or

Houses

in their mansion messuages, or dwelling places, or that feloniously do attempt to breake any dwelling house in the night time, whould happen in his or their being

Slaine

in their such felonious intent, to be slaine by him or them, whom the said evil doers whould so attempt to robbe or murder, or by any person or persons being in their

Burglary

dwelling house, which the same evil doers should attempt burgularly to break by night: if the saide person so happening in such cases to slay any such person so attempting to commit such murther or burglarie, should for the death of the said evil disposed person, forfait or lose his goods & cattels for the same, as any other person should do, that by chance medley should happen to kill or slay any other person in his or their defence: For the declaration of the which ambiguitie & doubt, Be it &c. and by authoritie, that if any person or

Indicted Appealed

persons at any time hereafter, be indicted or appealed, of, or for the death of any such evill disposed person or persons, attrempting to murther, rob, or burgularly to break mansion houses, as is aforesaid, that the person or persons so indicted or

Verdict Shal not forf.

appealed therof, & of the same by verdict so found & tried, shal not forfait or lose any lands, tenements, goods or cattels for the death of any such evil disposed person, in such maner saiditte, but shalbe thereof &

Acquited

for the same fully acquited and discharged, in like maner, as the same person or persons should be, if he or they were lawfully acquited of the death of the said evil disposed person or persons. Anno 24. H. 8 cap. 5.

18 ¶ See Treason. 15. of forfaitures of

Traitors Lands Goods

of Traitors lands & goods, to be in reall possession of the king, without office fonde therof, where they be attainted by course of the common lawe.

19 ¶ See Warre 8. of forfaitures of fees, offices and landes, given or graunted by the king, and not being attendant on him in his warres.

¶ Forger of false deedes.

WHereas many of the kings liege people, which have manors, landes, and tenements by purchase, or by discent of inheritance, or in any other manner, intending to be in peace & rest in their saide tenures, as they were wont to be, diuers evil disposed persons, some of their owne head, & some by false conspiracie & coun-

Conspiracies

subtilly imagine & forge of newe, diuers false deeds & munniments, & them do openly to be pronounced, published & read, to trouble & change the lands of good people of the countrey, & to undoe & trouble the possessions & titles of the said kings liege people, by the which imagination & falsitie, many of the forsaid liege people bee troubled & vexed, & at all times abyding in doubt of their possessions & estate: Our soueraigne Lorde the king, willing to provide a remedie in this case, by the advise & assent aforesaid, & at the request of the said Commons, hath ordained & established, that the partie so grieued, shall haue his sute in that case, and recouer his

Action of the case Damages

damages, & the partie convict shall make

Fine

fine and ransome at the kings pleasure. An. 1 H. 5. ca. 3. This statute is repealed by 5. El. cap. 14. after 2.

2 ¶ Be it enacted &c. that if any person or persons whatsoeuer, after the first day of June nowe next comming, vpon his or their owne head & imagination, or by false

Conspiracy

conspiracie & fraud with others, shal wittingly, subtilly & falsely forge or make, or subtilly cause or wittingly assent to bee forged or made, any false deed, charter or

Forge Charter Court roll Testament

writing sealed, Court roll, or the will of any person or persons in writing, to the intent that the estate of freehold, or inheritance of any person or persons, of, in, or to any lands, tenements or hereditaments,

Inheritice

freehold or copyhold, or the right, title or

Copyholds

interest of any person or persons, of, in, or to the same, or any of them, shall or may be molested, troubled, defeated, recouered or charged, or after the saide first daye of June, shall pronounce, publish or shewe forth in euidence any such false & forged

Shewe in euidence

deed, charter, writing, Court roll, or will, as true, knowing the same to be false and

Knowing the euidēce

forged, as is aforesaid to the intent aboue remembred, and shalbe thereof conuicted, either vpon any action or actions of forger of false deedes, to be founden vpon

Knowing the forgerie Conuict

this statute, at the sute of the partie grieued or otherwise, according to the order & due course of y laws of this realme, or vpon bill or information to be exhibited into the court of y Starre Chamber,

Starre Chamber

according to the order & vse of the court, shall paye vnto the partie grieued his

li. damages

double costs and damages, to be found or assessed

Pillorie

Eares cut off. Noſtrils ſlit & ſeared

Forf. of lands Perpetual impriſonment

Conſpiracie

Forge & falſifie

Annuitie Fee ſimple Fee taile Liues Yeeres Obligatiõs Acquitances Releaſe

Giue in euidence

Knowing the forgerie Conuict ii. damages

Pillorie

One eare cut off Impriſon.

aſſeſſed in the court where ſuch conuictiõ ſhalbe, and alſo ſhalbe ſet vpon the Pillorie, in ſome open market towne, or other open place, & there to haue both his eares cut off, and alſo his noſtrils to be ſlit and cut, & ſeared with an hote iron. ſo as they may remain for a perpetual note or mark of his falſhod, & ſhal forfait to the D. our ſoueraigne Ladie, her heires & ſucceſſors, the whole iſſues and profits of his landes and tenements during his life, and alſo ſhall ſuffer and haue perpetual impriſonment during his life. The ſaide damages & coſtes to bee recouered at the ſute of the partie grieued, as is aforeſaid, to bee firſt paied and leuied of the goodes & cattels of the offenders, and of the iſſues and profits of the ſaid lands, tenements & hereditaments of ſuch partie conuicted, or of one or both of them: the ſaide title of the ſaide Soueraigne Lady the D. her heires and ſucceſſors, to the ſame notwithſtanding.

And bee it &c. that if any perſon or perſons, after the firſt day of June, vpon his or their owne head or imagination, or by falſe conſpiration of fraud, had with anie other, ſhall wittingly, ſubtilly and falſely forge, or make, or wittingly, ſubtilly and falſely cauſe or aſſent to be made or forged, any falſe charter, deede or writing, to the intent that any perſon or perſons ſhal or may haue or claim, any eſtate or intereſt, for terme of yeeres, of, in, or to any manors, lands, tenements or hereditaments not being copyhold, or any annuitie in fee ſimple, fee taile, for terme of life, liues or yeares, or after the ſaide daye, ſhall as is aforeſaide, forge, make, or cauſe, or aſſent to bee made or forged, any obligation or bill obligatorie or any acquitãce, releaſe or other diſcharge of any debt, accompt, action, ſute, demand, or other thing perſonall, or if any perſon or perſons, after the ſaid firſt daye of June, ſhall pronounce, publiſh or giue in euidence any ſuch falſe or forged charter, deed, writing, obligation, bil obligatorie, acquitãce, releaſe or diſcharge as true, knowing the ſame to bee falſe & forged, & ſhal be thereof conuict, by any the wayes or meanes aforeſaide, that then he ſhall pay vnto the partie grieued, his double coſtes & damages to be found & aſſeſſed in ſuch Court, where the ſaid conuiction ſhal be had, and ſhalbe alſo ſet vpon the pillorie, in ſome ope market town, or other open place, and there to haue one of his eares cut off, and alſo ſhall haue & ſuffer impriſonment, by the ſpace of one whole yeere, without baile or mainpriſe. And be it further enacted by the authoritie aforeſaid: that the partie and parties grieued by reaſon of any of the offences aforeſaid, ſhall and may at his and their pleaſure, haue and ſue his action of forger of falſe deedes, vpon this ſtatute againſt any the offendors in the ſame, by originall writ, out of the Quenes highneſſe court of Chancery, and ſhall & may haue like proces vpon the ſame, as in caſes of Treſpaſſe at the common lawe: or may at his pleaſure take his ſuite, againſt any ſuch offendors in any the premiſſes, by bil, before the Quenes highneſſe, her heires and ſucceſſors in her Court commonlie called the Kings Bench, or in the Court of the Exchequer, in which ſutes no eſſoine, iniunction or protection ſhall bee allowed for the partie defendant. And be it further enacted by the authoritie aforeſaid, that if the partie defendant ſhall bee conuicted for any the offentes aforeſaide, according to the order & forme aboue limited, & ſhal haue receiued therupon puniſhãt corporal, according to this act: & then he ſhall not eftſoones bee impeached for the ſame offence. And be it further enacted by the authoritie aforeſaide, that although the partie or parties plaintife, in any ſuch action or bill to bee ſued, as is aforeſaid, ſhall after verdict paſſed againſt the defendant or defendants, happen to releaſe or diſcharge the iudgement or execution vpon the ſame, or otherwiſe ſuffer the ſame to bee diſcontinued: that yet neuertheleſſe, the ſame releaſe, diſcharge or diſcontinuance ſhall extend onely to diſcharge ſuch coſtes and dammages, as the ſame plaintifes ſhould haue had againſt & defendant, and that the Iudges before whom the ſaide action or ſute ſhalbe take, ſhall and may proceede to iudgement, of, & vpon the reſidue of the ſaid penalties and forfaitures, and to commaund execution vpon the ſame: the ſaide releaſe, diſcontinuance or other diſcharge, had, made, done or ſuffered by the partie plaintife, in any wiſe notwithſtanding: this acte or any thing therein contained, to the contrarie in any wiſe notwithſtanding.

And bee it &c. that if any perſon or perſons, being hereafter conuicted or condẽned of any the offẽces aforeſaid, by any & wayes or meanes aboue limitted, ſhall after any ſuch his or their cõuiction or condemnation eftſoones commit or perpetrate any of the ſaid offences, in forme aforeſaid

Action of forger

Originall

Chancery Proces

Bill

K. Bench Eſchequer

Conuict

Releaſe Diſcontinuance Diſcharge of dãmages

Proceed to iudgement

foꝛesaid, that then euery such second offẽce oꝛ offences, shall be adiudged felonie, and the parties being conuicted oꝛ attainted, accoꝛding to the lawes of this realm, shal suffer paines of death, losse and foꝛfaiture of their goodes, catteis, landes, and tenements, as in cases of felonie by ꝯ common lawes of this realme ought to bee lost oꝛ foꝛfaited, without hauing any aduantage oꝛ benefite of Clergy oꝛ Sanctuarie: Sauing to euery person ꝛ persons, bodies politike ꝛ coꝛpoꝛate, their heiꝛs ꝛ succesoꝛs, other then the said offenders, and such as claim to their vses, all such rights, titles, interests, possessiõ, liberties of distresses, leases, rents, reuersions, offices ꝛ other pꝛofits ꝛ aduantages, which they oꝛ any of them shall haue at the time of such conuiction oꝛ attainder, of, in, oꝛ to any the lands, tenements oꝛ hereditamẽts, of any such person, so as is afoꝛesaide, conuicted oꝛ attainted, oꝛ at any time befoꝛe, in as large and ample manner, to all intents ꝛ purposes, as if this act had neuer bin had noꝛ made.

No clergie

Conuiction

Dower
Corruption of blood
Heires

Pꝛouided alwaies, ꝛ be it enacted by the authoꝛitie afoꝛesaid, that any such conuictiõ oꝛ attainder of felony, as is afoꝛesaid, oꝛ any foꝛfaiture by reason of the same, shall not in any wise extend to take away the doweꝛ of the wife of any such person attainted, noꝛ to the coꝛruption of blood, oꝛ disherison of any the heire oꝛ heiꝛs of any such person oꝛ persons so attainted: this acte oꝛ any thing therein contained, oꝛ any other statute, law, vsage, custom, oꝛ thing heretofoꝛe vsed, to the contrarie in any wise notwithstanding.

Ordinaries
Commissaries

Pꝛouided also, and be it ꝛc. that this act, oꝛ any thing therein contained, shall not extend to charge any Ordinarie, oꝛ any their Commissaries, officials, Registers oꝛ any other their Officers oꝛ Ministers with any the offences afoꝛesaid, foꝛ putting their seale of office to any will, to be exhibited vnto them, not knowing the same to bee false oꝛ foꝛged, oꝛ foꝛ writing of the saide will oꝛ pꝛobate of the same: This acte oꝛ any thing therein contayned to the contrary notwithstanding. And be it further enacted by the authoꝛity afoꝛesaide, that all and euery Iustices of

Iust. of oier. Iust. of ass.

Dier ꝛ determiner, and Iustices of assise in their circuites, and euery of them, shal haue full power and authoꝛitie, in euery

Generall sessions Inquire Dier ꝛ ter.

of their open and generall Sessions, to inquire, heare and determine, of all and euery the offences afoꝛesaid, committed oꝛ done within the limits of their cõmission; and to make pꝛocesse foꝛ the execution of the same as they may do against any person being indicted befoꝛe them of trespas, oꝛ lawfully conuicted thereof. And bee it further enacted by the authoꝛity afoꝛesaid that al other estatutes heretofoꝛe made ꝛ pꝛuided foꝛ foꝛger of false deeds, charters, muniments oꝛ writings, and all ꝛ euerie penaltie appointed by the same, shal from ꝛ after the said first day of June, be voyde and of none effect in the lawe: any such statute oꝛ thing therein contened, to the cõtrary in any wise notwithstanding.

Pꝛocesse

Void

Pꝛouided alwaies that this act, oꝛ any thing therein conteined, shall not extend oꝛ be hurtfull in any wise to any Pꝛoctoꝛ, Aduocate, oꝛ Register of any Ecclesiasticall Court within this realme, foꝛ the writing, setting foꝛth, oꝛ pleading of any pꝛorie made accoꝛding to the ecclesiasticall lawes oꝛ customes heretofoꝛe vsed and allowed by the ecclesiasticall courts of this Realme, foꝛ the apparance of any person oꝛ persons, being cited to appeare in any of the saide Courts ecclesiasticall, noꝛ to any Archdeacon oꝛ official, foꝛ putting their Autentique Seale, to the sayde pꝛories oꝛ pꝛorie, neither yet to any Iudg ecclesiasticall, foꝛ admitting of the same: But that they ꝛ euery of them, may hereafter do in all points concerning ꝯ same, as they and euery of them might lawfully haue done, befoꝛe ꝯ making of this act: any thing in this act to the contrary in any wise notwithstanding.

Proctor Aduocate Register

Pꝛorie

Apparance

Archdeacon Officiall Autentique seale Ecclesiasticall iudge

Pꝛouided alwaies, ꝛ be it ꝛc. that if any person oꝛ persons whatsoeuer, that hath of his oꝛ their owne head, oꝛ by false conspiracie oꝛ fraude with any other, wittingly, subtilly, ꝛ falsly foꝛged oꝛ made, oꝛ shall befoꝛe the first day of June foꝛge and make any false deede, charter oꝛ writing sealed, oꝛ the will of any person in writing, oꝛ any Court roll, to the intent that the state of freehold oꝛ inheritãce, oꝛ the right, title oꝛ interest of inheritance, oꝛ freehold of any persons, of, in, oꝛ to any manoꝛs, landes, tenements oꝛ hereditamẽts, being freeholde oꝛ copyhold, oꝛ that by any such foꝛged deede, charter, Court roll oꝛ writing, befoꝛe the said first day of June, shall oꝛ may be molested, troubled oꝛ defeated of any the saide estates of any landes, tenements oꝛ hereditaments, being freeholde oꝛ copiholde, oꝛ if any person oꝛ persons, haue heretofoꝛe published oꝛ shewed foꝛth in euidence, oꝛ befoꝛe

Conspiracie

Forge Charter Testament Court roll

Freehold Copyhold

Shew in euidences

foꝛe the ſaid firſt day ſhal publiſh, oꝛ ſhew in euidence, foꝛ the pꝛoofe of any title, any falſe and foꝛged deede, charter, wꝛiting, will oꝛ Court roll, as true, knowing the ſame to be falſe & foꝛged, as is afoꝛe ſaid, to the intent aboue remembꝛed, and ſhall be therof attainted, oꝛ cõuicted, accoꝛding to the oꝛder of the lawes of this Realme, either in an action of foꝛger of falſe faits, oꝛ in an action vpõ the caſe, at the ſute of the partie grieued, his heires, executoꝛs oꝛ aſſignes: that then the partie ſo conuicted, ſhall paye and yéld damages and coſts of ſute to the plaintife, as ſhal be aſſeſſed, accoꝛding to the oꝛder of the lawe of this Realme, in any ſuch like action oꝛ ſute, & ſhall ſuffer impꝛiſonment, and pay fine and raunſome at the pleaſure of the M. Maieſtie, her heires & ſucceſſoꝛs. And if any perſon oꝛ perſons ſhall after ẏ firſt day of June, plead, publiſh oꝛ ſhew foꝛth in euidence oꝛ otherwiſe foꝛ the pꝛoofe of any title, any falſe & foꝛged déed, charter, wꝛiting, will, oꝛ court Roll (heretofoꝛe falſely made, and foꝛged, oꝛ to bee falſly made & foꝛged, befoꝛe the ſaid firſt day of June) as true, knowing the ſame to bee falſe and foꝛged, to the intent to haue oꝛ claime therby, any eſtate of inheritance, fræholde, oꝛ leaſe of yéres, in oꝛ to any manoꝛs, lands, tenements oꝛ hereditamẽts, oꝛ any annuitie, rent oꝛ pꝛofit foꝛth of any manoꝛs, lands, tenemẽts, oꝛ hereditaments, oꝛ to ẏ intent to alter, defeat, moleſt, trouble, charge oꝛ recouer the eſtate of inheritance, fræhold, oꝛ foꝛ yéres of any perſon, in any manoꝛs, lands, tenements, rents, oꝛ hereditaments: that thẽ euery perſon oꝛ perſons that ſhall ſo offend, & ſhalde thereof conuicted, in foꝛme firſt aboue remembꝛed, ſhall pay vnto ẏ partie grieued double coſts & damages, & ſhall haue impꝛiſonment, loſſe of eares, ſlitting and ſearing of noſe, and foꝛfaiture of lands, in the ſame maner and foꝛme, as aboue is limitted foꝛ any perſon that ſhal offẽd by foꝛging, oꝛ publiſhing of any falſe déed oꝛ wꝛiting, as is afoꝛeſaide, after the ſaid firſt day of June. Pꝛouided alwaies, and bee it enacted by the authoꝛitie afoꝛeſaid, that this act, noꝛ any pain, foꝛfaiture oꝛ thing therein contained, ſhall extend to any Atturney, Lawier oꝛ Counſailoꝛ, that ſhall foꝛ his client pleade, ſhewe foꝛth, oꝛ giue in euidence any falſe and foꝛged deede, charter, will, court roll, oꝛ other wꝛiting, foꝛ true, and being not partie and pꝛiuy to the foꝛging of ẏ ſame, foꝛ the pleading, ſhewing foꝛth, oꝛ giuing in euidences of the ſame: any thing in this acte to the contrarie notwithſtanding. Pꝛouided alwaies & bee it enacted by the authoꝛitie afoꝛeſaid, that this acte oꝛ any thing therein contained, ſhall not extend to any perſon oꝛ perſons, that ſhall pleade oꝛ ſhew foꝛth any déed oꝛ wꝛiting exemplified vnder the greate ſeale of Englãd, oꝛ vnder the great ſeale of any other Autentique court of this realme. Noꝛ ſhall extende to any Judge oꝛ Juſtice, oꝛ other perſon, that ſhall cauſe any Seale of any Court to be ſet to any ſuch déed, charter oꝛ wꝛiting inrolled, not knowing the ſame to be falſe & foꝛged: any thing in this acte to the contrary notwithſtanding. Ann. 5. Elizabeth. ca. 14.

Knowing the foꝛgery
Attaint
Attaint of foꝛgerie
Action on the caſe
Damages
Impꝛiſ. Fine
Knowing the foꝛgery
Leaſes
Annuitie
Conuict ii. damages Impꝛiſon Loſſe of eares Slitting & Searing Foꝛf.
Atturney Lawyer Counſailoꝛ
Not pꝛiuy
Exemplification
Judge Juſtice

¶ Foreſtallers, Regrators, and Ingroſſers.

NO foꝛſtaller ſhalbe ſuffered to dwel in any towne, who manifeſtly is an oppꝛeſſoꝛ of the pooꝛe, a publike enemy of the whole communaltie & countrey, who meeting graine, fiſh, herring and other things comming by land oꝛ by water to be ſolde, doth make haſt to buy them beꝛe other, thirſting after wicked gaine, oppꝛeſſing the pooꝛe, & deceiuing the rich, & by that meanes goeth about to ſel ẏ ſaide things much dꝛerer, thẽ he which bꝛought them: who cõmeth about marchãt ſtrangers comming with their merchandiſe, and offereth them his helpe in the ſale of their wares, & infoꝛmeth them, that they maie ſell their ware dearer then they meant to haue done, and ſo the towne and countrey is deceiued by ſuch ſubtiltie: He that is conuict thereof the firſt time ſhall bee amerced, and ſhall leeſe the thing ſo bought, & that accoꝛding to the cuſtome & oꝛdinance of the towne: He that is cõuict the ſecond time ſhall haue the iudgement of the pilloꝛie: At the third time he ſhalbe impꝛiſoned and raunſonned: The fourth time he ſhall abiure the towne. And this iudgement ſhall bee giuen vpon all maner of foꝛeſtallers. And likewiſe vpon them that giue them counſel, helpe oꝛ fauoure. An. 31. E. 1.

Foꝛeſtaller
Buy
Marchants
Conuict Firſt
Second Third
Fourth
Counſel

2 ¶ The Foꝛſtallers of wines and al other victuals, wares and marchandizes, that come to the good Townes of England by land oꝛ by water, in dammage of our Soueraigne Loꝛd the King and of his people, if they be thereof attainted at the ſute of the King oꝛ of the partie beꝛe

Wines
Attaine

Maioꝛ

Maior Bailife Juſtices

Maior, Bailife or Juſtices thereto aſſigned, or elſwere in the Kings Court, and if they bee attainted at the kings ſute by inditement or other manner, the things foreſtalled ſhall bee forfait to the king, if the buier thereof hath made grée to the ſeller. And if he hath not made grée of al, but by arreſt, the buyer ſhall incurre the forfaiture of as much as the foreſtalled goods forfaited, do amoũt to, after the value as he bought them, if he haue wherof. And if he haue not wherof, then he ſhall haue two yeres impriſonment & more, at the K. wil, without being let to mainprize or deliuered in other maner. And if he bee attainted at the ſute of the party, the partie ſhall haue the one halfe of ſuch things foreſtalled & forfait, or the price of the K. gift, & the king the other halfe. An. 25. E. 3 ca. 3. Stat. 4.

Forf. Buier

Impriſon

Moitie

☞ 3 ¶ The ſtatute made in the time of king Ed. our grandfather, the xxv. yere of his raigne (3. ca. 3. before 2.) for foreſtallers of Wines, victuals, wares and marchandizes which come to the good townes within the realme by land or by water, ſhall bee holden & firmely kept in all points & put in due execution for the common profit of the ſaid realme. An. 2. R. 2. cap. 2.

* ☞ 4 ¶ Albeit diuers good ſtatutes heretofore haue bene made againſt Foreſtallers of marchandizes and victualls, yet for that good lawes againſt Regrators and ingrollers of the ſame haue not bene ſufficiently made. And for that it hath not beene perfectly knowen, what perſon ſhould bee taken for a foreſtaller, regrator, or ingroſſer, the ſaide ſtatutes haue not taken good effect. Therefore be it enacted and declared, &c. That whatſoeuer perſon or perſons, that after the firſt day of May next comming, ſhall buy or cauſe to bee bought, any merchandize, victuall, or any other thing whatſoeuer, comming by land or by water, toward any market or faire to be ſold in the ſame, or comming toward any Citie, port, hauen, créeke or roade of this Realm, or Wales, from any partes beyond the ſea to be ſold, or make any bargaine, contract or promiſe, for the hauing & buying of the ſame, or any part thereof ſo comming as is aforeſaid, before the ſaide marchandize, victuals, or other thing ſhall bee in the market, fayre, citie, porte, hauen, créeke, or roade, ready to bee ſolde, or ſhall make any motion by worde, letter, meſſage, or otherwiſe to any perſon or perſons, for the enhaunſing of the price, or dearer ſelling of any thing or things aboue mẽtioned, or els diſſwad, moue, or ſtirre any perſõ or perſõs comming to the market or faire, to abſtaine, or forbeare to bring or conney any of the things aboue rehearſed, to any market, faire, citie, port, hauen, créeke or roade to be ſold, as is aforeſaid, ſhall be deemed, taken, and iudged for a Foreſtaller. Further bee it &c. that whatſoeuer perſon or perſons, that after the ſaide firſt daye of May, ſhall by anye meanes regrate, obtaine or get into his or their hands or poſſeſſion, in any faire or market, any corne, wine, fiſh, butter, cheeſe, candles, tallow, ſheepe, lambes, calues, ſwine, pigs, geeſe, capõs, hens, chickẽs, pigeons, cunnies, or other dead victual whatſoeuer, that ſhall be brought to any faire or market within this realm, or Wales, to be ſold, & do ſell the ſame againe in any faire or market holden or kept in the ſame place, or in any other faire or market, within iiii. miles thereof, ſhal be accepted, reputed & taken for a regrator or regrators.

Enhaunſing of prices

Diſſwade

Regrator

Faire Market Corne Wine Fiſh Victual

Wales

iiii. miles

And be it &c. that whatſoeuer perſon or perſons, that after ỹ ſaid firſt day of May, ſhall ingroſſe, or gette into his or their hands by buying, contracting, or promiſe taking, (other then by demiſe, graunt or leaſe of land or tithe) any corne growing in the fields, or any other corne or graine, butter, cheeſe, fiſh, or other dead victuals whatſoeuer, within the Realme of England, to the intent to ſel the ſame againe, ſhal be accepted, reputed, & taken vnlawful ingroſſer or ingroſſers. And if any perſon or perſons ſhall at any time after the ſaide firſt daye of May, offend in any the things before recited, and being thereof duely conuicted or attainted by the lawes of this Realme, or after the forme hereafted mentioned: ſhall for his or their firſt offence, haue or ſuffer impriſonment by the ſpace of two moneths without bayle or mainprize, and alſo ſhall loſe and forfait the value of the goodes, cattels, and victuall, ſo by him or them bought or had. And if any perſon lawfully conuicted or attainted, of, and for any the offences aboueſaide, bee thereof eft ſoones lawfully conuicted or attainted: that then euery perſon or perſons ſo offending, ſhall haue and ſuffer for his ſaide ſecond offence, impriſonment by the ſpace of one halfe yere, without bayle or mainprize, and ſhall loſe the double value of all the goods, cattels, and victual, ſo by him bought or had,

Ingroſſe

Corne

Victuall

Conuict Attaint

1. Offence Impriſ.

Forf.

2. Impriſ.

Forf.

Marg. Letter

as is afore laide. And if any person being lawfully riwise conuicted or attainted, of ꝯ for any the laide offences, shall eftsones offend the third time, and be thereof lawfully conuicted or attainted: that then euery such person for the said third offfce, shalbe set on the pillory in the citie, towne or place where he shall then dwel and inhabit, and lose ꝯ forfeit all the goods and catteil, that he or they haue to their owne vse, and also be committed to prison, there to remaine during the Kinges Maiesties pleasure.

Third Conuict Pillorie Forf. Imprif.

Prouided alwaies and be it ꝛc. that the buying of any such barley, big or oats, as any person or persõs (not forstalling) shal buy to conuert into malt or otemeale in his or their owne house or houses, ꝯ so shal be conuerted indeed, or the buying of any such thing, by any such Fishmonger, butcher, or Powltrer, as concerning his or their owne facultie, craft or misterie (otherwise then by forestalling) which shal sell the same againe vpon reasonable prices by retaile, or the taking of any catteil, corne, graine, butter, cheese, or any other thing aboue mentioned, reserued without fraud or couine, vpon any lease for terme of life or lines, yeere or yeres heretofore made, or hereafter to bee made: Or the buying of any wine, or other dead victual aboue mentioned, being apt and meet for mannes sustenãce, by any Inholder or other victualler, to sell the same by retaile within his house, or to any of his neighbours for their sustenance, for reasonable prices: Or the buying of any dried or salted fish, hering or sprats (not forestalled) ꝯ sold for reasonable prices: Or the buping of any corne, fish, butter or cheese by any such badger, lader, kidder, or carrier, as shalbe assigned and allowed to that office or doing, by three Justices of peace, of the county where the said badger, lader, kidder, or carrier shall dwel, which shal sell or deliuer in open Faire or market, or to any other victualler, or to any other person or persons, for the prouision of his or their house or houses, al such corne, grain, butter and cheese, as any such person shall buy or cause to bee bought, (ꝯ that within one moneth next after he shall so buy any such corne, graine, putter or cheese) so that the same shal be bought without forestalling, or els that any common prouision, made or hereafter to bee made without fraud or couin by any person or persons, of any of the things aboue said, for any city, borough, or towne corporate, or for prouision of victualling of any ship, castle, or fort, within the K. dominions, without forestalling, which shalbe imployed only to that vse and purpose: Or the buying ꝯ prouisiõ of any of ẏ victuals aboue mentioned, necessarie ꝯ requisite for ẏ furniture and prouision of the inhabitants of Calice, Guisnes ꝯ other the marches of ẏ same, or of the towne of Berwike, Holy Island, or ẏ marches of Englãd against Scotland, which without fraud or couyn shalbe transported ꝯ conueyed, as soone as winde ꝯ weather may serue to such of the places afore laide, for the which the same shalbe so prouided, shal not in any wise be deemed, adiudged, or taken, any offence contrary to this act. And be it ꝛc. that if any person or persons, after the laide first day of May next comming, hauing sufficient corne ꝯ grain for the prouision of his or their owne house or houses, ꝯ sowing of their grounds for one yeere, doe buy any corne at any faire or market, for ẏ chãge of his or their seede, ꝯ doe not bring to the same faire or market ẏ same day so much corne, as hee shall forfund to buy for his seed, and sell the same if he can, as ẏ price of corne then goeth in the saide market or faire: that then euery such person or persons so buying corne for seed, shall forfeit ꝯ lose ẏ double value of ẏ corne so bought. Or if any person or persons, after the said first day of May, shall buy any manner of Oxen, Ronts, Steeres, Kine, Heifers, Calues, Sheepe, Lambs, Goats, or kidds liuing, ꝯ sell the same againe aline, vnles he or they do keepe ꝯ feede the same by the space of fiue weekes, in his or their owne houses, grounds, farme ground, or els in such ground or grounds where he or they haue the herbage, or common of pasture, by grant or prescription: That the euery person or persons so buying and selling again, shal lose the double value of the catteil, or thing so bought ꝯ sold againe: The moitie of all which forfeitures afore rehearsed, shalbe to the king, and the other moitie to him or them that will sue ꝛc. in which ꝛc. Be it ꝛc. that the Justices of the peace in euerie county within this realm or Wales, at their quarter sessions, shall haue full power and authoritie by vertue of this acte, to inquire, heare and determine, all and euerie the defaultes and offences perpetrated, committed or done contrarie to this acte, within the Countie where anie such Sessions shall bee

Barley Otes Malt Otemeale

Fishmonger Boucher Powltrer

Retaile

Sold victuals

Wine

Inholder Victualler

Salt fish

Badger

Licence ii. Iust. of Peace

Within one moneth

Common prouision

Victualing of shipps Castel

Calice Berwike

Marches

Buy seede corne

Forf.

Buy cattel

Forf.

Moitie

Iust. of P. Wales

Inquire Diet ꝛc.

kept

kept by inquisition, presentment, bill, or information, before them exhibited, by examination of two lawfull witnesses, or by any of the same waies or meanes, by the discreation of the said Justices, & to make processe thereupon, as though they were indicted before them by inquisition or by verdit of twelue men or more, or vpō the confession of the offender (by information or suite of any other the the king) to make extracts of the one moitie of the forfeitures to be leuied to the K. vse, as they vse to do of other fines, issues & amerciaments, growen in the session of peace, & to alwaies execution of the other moitie for the complainãt or informer against y offender, by Fieri facias and Capias, as the kings Justices at Westminster may do, and vse to doe. And if any such conuiction or attainder shall hereafter happen to be at the kings suite onely, that then the whole forfeitures to bee extracted and leuied to the kings vse onely. And it is ec. that whatsoeuer person shall at any time hereafter bee punished by vertue of this acte, for any thing mentioned in this act: that then the same person shal not otherwise bee vexed, troubled, sued, or put to any pain or punishmēt for y thing, wherefore he or they shal haue bin so punished. Prouided alwaies, and be it enacted by the authority aforesaid, that it shalbe lawful to euery person or persons, which shal be assigned and allowed by iii. Justices of the peace of the Countie where hee shall dwell, thereunto, to buy (otherwise then by forestalling) corne, graine or cattel, to be trāsported or caried by water from any port or place within this Realme or Wales, vnto any other port or place within the same Realme or Dominions, if he or they shall without fraud or couyn shippe or imbarke within xl. dayes next after hee or they shall haue bought the same, or taken conenant or promise for the buying thereof, & with such expedition and diligence, as wind & weather shall serue, to carie & trāsport the same to such port or place, as his or their cocket shall declare, and there to dis bark, vnlade, and sell the same, & do bring a true certificate thereof, from one Justice of Peace of the Countie, or Maior, or Baliffe of the towne corporate, where the same shalbe vnladen and also of the Customer of the port wher such vnlading shal be, of the place & day, where the said corne or cattell shalbe dis barked, vnladen and solde, to bee directed vnto the Customer and Controller of the port where the same was imbarked: any thing mentioned in this act to the contrarie notwithstanding. And ouer that, that at all times hereafter, when Wheat shal be commonly at the prices of vi. s. viii. d. the quarter, or vnder, Malt & barley iii. s. iiii. d. the quarter, or vnder, Oates or Otes malted, at the price of ii. s. the quarter, Peaze or Beanes at the price of iii. s. the quarter or vnder, and Rie or Pescelm at the price of v. s. the quarter or vnder, (all which quarters shall be intended to be of London measure) that then it shalbe lawfull to euery person & persons, (not forestalling) to buy, ingrosse and keepe in his or their graners or houses, such corne of the kindes aforesaid, as without fraud or couin shal bee bought, at or vnder the prices aforesaid expressed: any thing in this acte to the contrary notwithstanding.

Prouided alwaies and be it ec. that this acte, or any thing therein contained, extēd not to charge any person or persons for any the offences aboue mentioned, vnlesse hee or they bee sued for the same within two yeres next after such offence done or committed: This act to endure vntill the end of the nert parliament. Prouided alwaies and be it ec. that it shal be lawfull to all and euery of the K. Maiesties subiects, now dwelling & inhabiting, or that hereafter shall dwell or inhabite within one mile of the main sea, to buy al maner of fish, fresh or salted (not forestalling the same) and to sell the same againe at reasonable prices, this act or any thing therin conteined to the contrarie in any wise notwithstāding. Prouided also & be it ec. that it shal be lawfull to all & euery person & persons, knowing for a common drouer or drouers, being licenced, authorised, & allowed in writing by iii. Justices of P. whereof one to bee of the Quorum, of the coūtie or coūties wher the same drouer or drouers shalbe most abiding & dwelling to buy cattel in such shires & coūties, wher drouers haue bene wont in time past accustomable to buy cattell, at their free libertie and pleasure, and to sell the same, as is aforesaide, at reasonable prices, in common faires & markets, distant from the place or places where he or they shall buy the same xl. miles at the least, so that the same cattel be not bought by the way of forstalling: This act or any thing therin conteined to the contrarie notwithstanding. Prouided alwaies, that such licence

Witnesses

Procesle

Extracts

Fieri facias Capias

Conuiction

Kings suite

Licence Iust. of P.

Wales

Vnlade Certificate Iust. of P. Maior Bailife

Customer

Wheat vi. s. viii. d. the quarter Malt & barley iii. s. iiii. pence Otes

Peaze Beanes Rie

London measure

Two yeres

Wainers Fish

Drouer Licences Iust. of P. One of the Quorum

Buy cattel

Faires Markets

Licences but one yere

licence of the Iuſtices of the peace ſhall not indure aboue one yere, vnleſſe ỹ ſame be yerely renewed by ſo many Iuſtices as is aforeſaid. An. 5. E. 6. cap. 4.

This ſtatute was continued vntil Anno 8. Elizab. and then was diſcontinued. But nowe it is reuiued againe, and made perpetuall by An. 13. Eliza. cap. 22. with theſe two prouiſoes and alterations following.

Buyer

Prouided alwaies &c. that no perſon or perſons ſhal be a buyer, badger, kidder, or carier of corne, cattel, butter, cheeſe, & ſuch like kind of victual, in no other maner nor forme, nor ſhall bee any other waies admitted or licenced to be a buyer, badger, kidder or carier, as is aforeſaide, then is conteined, mentioned and appointed, by a ſtatute made in the fift yeere of the reigne of our Soueraigne L. Quéene Elizabeth (which ſee in Corne 7.) And prouided alway, that the ſaid act againſt Regrators, Forſtallers and Ingroſſes, is not ment to extend, nor ſhal extende to any wines, oiles, ſugers, ſpices, corants, nor other forein victuals, brought, or to be brought into this Realme from beyonde the Seas, Fiſh and Salt onely excepted

Licence

Wines
Oiles
Sugers
Spices
Fiſh
Salt
*

¶France and Frenchmen.

AS in the parliamẽt holden at Weſt. in the time of king R. the ſecond the xiii. yeere of his raigne: It was ordeined that none Alien Frenchmen, ſhould haue nor inioy any benefice within this realm, for certaine cauſes which might come or happen, but that they ſhould be deliuered and voided for euer out of this Realme, before a certaine time in the ſaid ordinãce limitted, as in the ſame is plainly conteined. And that at what time that any Priories aliens, Conuentuall, or any other benefice or office due by the R. title, doe void by the departing, or death of the ſaid Priors, and other occupiers, that thẽ there ſhould be during the warres, honeſt Engliſh perſons put in their place to accompliſh the diuine ſeruice, & none of the enimies aforeſaide. And notwithſtanding the ſaid ordinance, the ſaid aliens Frẽchmen, by euill imagination and brocage, to continue their euill miſchiefs, doe purchaſe the Kings Letters Patents to bee Denizens, and the kings liege people, & ſweare the ſame to continue, to the intent to occupie & enioy the ſaid benefices, and ſo yet occupy many benefices againſt the ſaid ordinances, whereby theſe alyens Frenchmen be increaſed, in deſtruction of the kings liedge people, & beare away out of the Realme great treaſure of ỹ kings, and of the Realme, & the kings councell diſcloſe to the enimies of France, to the great dammage of the king & his realm. Our Soueraigne Lord the king conſidering the ſaid miſchiefs, will that the ſaide ordinances bee firmely holden and kept, & put in due execution: Except the Priors aliens cõuentual, & alſo all other Priors, which haue inſtitution & induction, ſo that they bee Catholike, & that they ſhal finde ſurety, not to diſcloſe, nor to cauſe to bee diſcloſed the counſell nor the ſecrets of the Realme. An. 1. H. 5. cap. 7.

Aliens
Priors
Catholike
Surettie
Priories
Warres
Letters patents
Denizens

Note well, that the ſaide Statute of 13. Rich. 2. is not in the printed bookes of Statutes.

¶Franchiſes and liberties.

WE haue granted to God, and by this our preſent Charter haue confirmed for vs and our heires for euermore, that the Church of England ſhalbe free, & ſhall haue all her holy rights & liberties inuiolable. Mag. Charta ca. 1.

Free Church

2 ¶ The citie of London ſhall haue al the olde liberties and cuſtomes which it hath bene vſed to haue. Moreouer we wil & grant, that all other Cities, Boroughs, Townes, & the Barons of the fiue ports, & all other ports, haue all their liberties and free cuſtomes. Mag. char. ca. 9.

London
Townes
Barons of the v. ports

3 ¶ Reſeruing to all Archbiſhops, Biſhops, Abbats, Priors, Templers, Hoſpitilers, Earles, Barons, and all perſons, aſwell ſpiritual as temporal, all their liberties & free cuſtomes, which they haue had in time paſt. And all theſe cuſtomes & liberties aforeſaid, which we haue granted to be holden within this our Realme, aſmuch as appertaineth to vs and our heires, wee ſhall obſerue. And all men of this our Realme, aſwel ſpiritual as temporall (aſmuch as in them is) ſhall likewiſe obſerue the ſame againſt al perſons. And wee haue granted vnto them on the other part, that nether we nor our heires ſhall procure or doe any thing whereby the liberties in this Charter ſhall bee infringed or broken. And if any thing bee procured by any perſon contrarie to the premiſſes, it ſhall be holden of no force ne effect. Mag. char. cap. 37.

Archbiſhops
Biſhops
Spiritual perſons
Temporal perſons

4 ¶ Foraſmuch as writs of Quo warranto, and iudgement giuen vpon plees of

Quo warrãto

the

the ſame were greatly delaied, becauſe that Juſtices in giuing iudgement were not certified of the kings pleaſure therin. Our ſoueraigne Lord the King, at his Parliament holden at Weſtminſter after the feaſt of Eaſter, the xviii. yeere of his raigne, of his ſpeciall, grace, & for the ſingular affection that hee beareth vnto his Prelates, Earles and Barons, and other of this realme, hath granted, that al vnder his allegeance, as wel ſpiritual as other, which can proue and verifie by inqueſt in the countrey, or otherwiſe, that they and their anceſtors or predeceſſors, haue vſed any manner liberties wherof they were impleaded by ỹ ſaide writs before the time of king Richarde our coſin, or in our time, and haue continued hitherto (ſo that they haue not miſuſed ſuch liberties) that the parties ſhalbe adiorned further vpon a certaine daye reaſonable before the ſame Juſtices, with the which they may goe to our ſoueraigne Lord the King, with the record of the Juſtices ſigned with his ſeale, and alſo returne. And the king by his letters patents ſhall confirme their eſtate. And they that cannot proue the ſeiſin of their anceſtors, in ſuch maner as is before declared, ſhal be ordered and iudged after the law and cuſtome of the Realme, and ſuch as haue the K. Charters, ſhall bee iudged according to their Charters. Moreouer the king of his ſpecial grace hath granted, that al iudgements that are to bee giuen in plées of Quo warranto, by his Juſtices at Weſt. after the foreſaid Eaſter, for the K. himſelfe, if the parties grieued will come againe before the king, he of his grace ſhal giue them ſuch remedy, as before is mentioned. Alſo our Soueraigne Lord hath granted for ſparing of coſtes and expences of his people, that plées of Quo warranto from henceforth ſhalbe pleaded and determined in the circuit of the Juſtices. And that all plées now depending, ſhalbe adiorned into the ſhires vntill the comming of the Juſtices into thoſe parties. An. 18. E. 1.

Proue Inqueſt

Adiourned

Letters Patents

Judgement

Remedy

¶ Whereas Prelates, Earles, Barons, and other of our Realme, that claime to haue diuers liberties, which to examine and iudge, the King hath prefixed a day to ſuch Prelates, Earles, Barons, and other: It is prouided, agreed, and ordained, that the Prelates, Earles and Barons, and other, ſhall vſe ſuch maner of liberties, after the forme of the writ here following.

Prelate

Earles Barons

Rex Vicecom ſalutem. Cum nuper in Parliamento noſtro apud Weſt. per nos & Conſilium noſtrum prouiſum ſit & proclamatum, quod Prælati, Comites, Barones, & alij de noſtro Regno, qui diuerſas libertates per chartas progenitorum noſtrorum Regum Angliæ habere clamant. Ad quas examinandas & iudicandas diem præfixerimus in eodem Parliamento, libertatibus illis taliter vtentur, quod nihil ſibi per vſurpationem ſeu occupationem accreſcerent, nec aliquid ſuper nos occuparent. Tibi præcipimus, quod omnes illos de comitatu tuo libertatibus ſuis, quibus hucuſque rationabiliter vſi ſunt, vti & gaudere permittas in forma prædicta, vſque ad proximum aduentum noſtrum per comitem prædictum, vel vſque aduentū iuſticiariorum itinerantium ad omnia placita in comitatu, vel donec aliud inde præceperimus: Saluo ſemper iure noſtro, cum inde loqui voluerimus. Teſte &c.

In like manner and in the ſame forme writs ſhalbe directed to the ſhirifs & other bailifs for euery demandant, ỹ the forme ſhal be changed after the diuerſitie of the libertie which any man claimeth to haue in this wiſe.

Shirifs

Rex Vicecom ſalutem: Præcipimus tibi, quod per totam balliuam tuam, viz. tam in Ciuitatibus, quam in Burgis, & alijs villis mercatorijs, & alibi publice proclamari facias, quod omnes illi qui aliquas libertates per chartas progenitorum noſtrorum Regum Angliæ, vel alio modo habere clamant, ſint coram Iuſticiarijs noſtris ad primam Aſiſam, ad oſtendendum cuiuſmodi libertates habere clament, & quo warranto, & tu ipſe ſis ibidem perſonaliter cum balliuis & miniſtris, ad certificandum ipſos Iuſticiarios ſuper his & alijs negocijs illud tangentibus. This clauſe of liberties that beginneth in this wiſe, Præcipimus tibi quod publice proclamari facias &c. is put in the writ of common ſummons of the Juſtices in eire, and ſhal haue a præmonitis or warning before by the ſpace of fortie dayes, as the common ſummons hath, ſo that if any partie that claimeth to haue libertie, bee afore the king, it ſhall not be in default before any Juſtices in their circuits: for the king of his ſpeciall grace hath graunted, that hee will ſaue the partie harmeles as concerning the ordinance. And if the ſame party be impleaded vpō ſuch maner of liberties,

Summons

Fortie daies

Juſtices

berties before 1. or 2. of the foreſaid Juſt. the ſame Juſtices before whom the party is impleaded, ſhal haue him harmeles before the other Juſtices. And if the foreſaid party be afore the king, ſo that he cannot be the ſame day afore the ſaid Juſtices in their circuits, the king ſhal haue that partie harmeles before the foreſaid Juſtices in their circuites for the day, whereas hee was before the King. And if hee doe not come in at the ſame day, then thoſe liberties ſhall be taken into the kings handes in name of diſtreſſe, by the Shirife of the place, ſo that they ſhall not vſe them vntill they come to anſwere before the Juſtices. And when they doe come in by diſtreſſe, their liberties ſhall bee repleuied (if they demand them) in the which repleuin they ſhall anſwere immediately after the forme of the writ aforeſaid. And if perchaſe they will challenge and ſay that they are not bounden to anſwere in the originall writ, then if it may appeare by ante meane that they haue vſurped ante liberties vpon the king or his predeceſſors, of their own head or preſumption, they ſhal bee commanded to anſwere incontinent without writ. And moreouer they ſhall haue ſuch iudgement as the Court of our ſoueraigne Lord the K. will award. And if they will ſay further, that their anceſtors died ſeiſed therof, they ſhal be heard, and the truth ſhal be inquired incontinent, and according to that, iudgement ſhall be giuen. And if it appeare that their anceſtors died ſeiſed thereof, then the K. ſhal haue a writ out of the Chancerie in this forme, Rex Vicecom. ſalutem: Summ. per bonos ſummon. talem, quod ſit coram nobis apud talem locum in proximo aduentu noſtro in Comitatu prædicto, vel coram Iuſticiarijs noſtris ad proximam Aſſiſam, eum in partes illas venerint, oſtenſurus quo warranto tenet viſum francipleg. in manerio ſuo de N. vel ſic: quo warranto tenet hundredum de S. in comitatu prædicto, vel quo warranto clamat habere thelonium pro ſe & hæredibus ſuis, per totum Regnum noſtrum. Et habeas ibi hoc breue. Teſte &c. And if they come in at the ſame day, they ſhall aunſwere, and if they doe not come, nor be eſſoined before the king, and the king do tarrie longer in the ſame ſhire, ſuch order ſhal be taken as is in the circuite of Juſtices. And if the king depart from the ſame ſhire, they ſhal bee aſſigned vnto ſhorte dates, and ſhall haue reaſonable delates, according to the diſcretion of the Juſtices, as is vſed in perſonall actions. Also the Juſtices errant in their circuit, ſhall doe according to the foreſaid ordinance, and according as ſuch maner of plees ought to be ordered in the circuite. Concerning complaints made and to be made of the kings Baillifes, and of other it ſhall bee done according to the ordinance made before thereupon, and according to the inqueſts taken thereupon heretofore, and the clauſe ſubſcribed ſhall be put in a writ of common ſummons in the circuit of the Juſtices aſſigned to common plees directed to the ſhirife &c. and ſhalbe ſuch: Rex Vicecom. ſalutem: Præcipimus tibi, quod publicè proclamari facias, quod omnes conquerentes, ſeu conqueri volentes, tàm de Miniſtris & alijs Balliuis noſtris quibuſcunque, quam de miniſtris & balliuis aliorum quorumcunque & alijs, veniant coram Iuſticiarijs noſtris ad primam Aſſiſam, ad quaſcunque querimonias ſuas ibidem oſtendend. ad competentes emendas inde recipiendas, ſecundum legem & conſuetudinem Regni noſtri, & iuxta ordinationem per nos inde factam, & iuxta tenorem Statutorum, & iuxta articulos eiſdem Iuſticiarijs noſtris inde traditos, prout prædicti Iuſticiarij tibi ſcire facient ex parte noſtra. Teſte meipſo &c. decimo die Septembris, Anno Regni noſtri triceſimo. Anno 30. Ed. 1.

Diſtreſſe
Shirife:

Replevin

Vſurpe

Judgement

Anceſtors

Dates

Juſtice errant

Cõplaints

6 ¶ Concerning the writte which is called Quo warranto, it was eſtabliſhed by our Lord the King, vpon the feaſt of Pentecoſt, in the 18. yeare of his raigne, that all thoſe which claymed to haue quiet libertie and franchiſe, before the time of King Richard without interruption, and can ſhew the ſame by lawful inqueſt, ſhall well inioye their poſſeſſion: and in caſe that ſuch poſſeſſion be demanded for cauſe reaſonable, the King ſhal confirme it by title. And theſe that haue old charters of franchiſe ſhal haue the ſame charters allowed according to the tenor and forme of them: and theſe that haue loſt their liberties ſince Eaſter laſt paſt, by the foreſaid writ, according to the courſe of pleading in the ſame writ heretofore vſed ſhall haue reſtitution of their franchiſes loſt. And from henceforth they ſhall haue according to the nature of this preſent conſtitution. Anno 18. E. 1. Statut. de Quo warranto nouum.

Quo warrãto

Confirme

Reſtitution

7 ¶ We will e graunt for vs and our heires, that all clerkes and laymen of our

Clerkes Laymen

land, ſhal haue their lawes, liberties, and free cuſtomes, as largely & wholy as they haue vſed to haue the ſame at any time when they had them beſt. And if any ſtatutes haue bin made by vs or our anceſtors, or any cuſtomes brought in contrarie to them, or any maner article contained in this preſent charter: We will and grant, that ſuch maner ſtatutes and cuſtomes ſhall be void & fruſtrate for euermore. Statutum de Tallagio non concedendo. An. 34. E. 1. cap. 4.

Cloth

Cities Townes

8 ¶ The cities, boroughs, and franchiſed towns, ſhall inioy their franchiſes, cuſtomes & vſages, as they ought & were wont to doe. An. 1. E. 3. cap. 9. Stat. 2.

Church

9 ¶ Holy Church ſhal haue her liberties in quietnes, without interruption or diſturbance. And that the great charter & the charter of the Foreſt be holden in all points. And that the citie of London, & all other cities and boroughs of this realme of England haue al their franchiſes & cuſtomes, which they haue reaſonably had and vſed in times paſt. An. 14. E. 3. cap. 1.

London Cities

10 ¶ That al priuiledges & franchiſes graunted heretofore to the Clergie, bee confirmed and holden in al points. An. 25. E. 3. cap. 1. Stat. 3.

Clergie Confirme

11 ¶ The Church of England ſhall haue al her liberties whole and vnhurt, & the ſame fully inioy & vſe. An. 6. R. 2. cap. 1. & An. 6. R. 2. ſtat. 2. cap. 1.

Church

12 ¶ Holy Church ſhall haue and inioy all her liberties & franchiſes, as wholy as ſhe hath had and inioyed them in the time of our noble progenitors. Anno 7. R. 2. cap. 1. An. 3. R. 2. cap. 1. An. 2. R. 2. ſtat. 2. cap. 1.

Church

13 ¶ Holy Church ſhall haue and enioy all her liberties and franchiſes wholly. Anno. 5. R. 2. cap. 1. An. 8. R. 2. cap. 1. An. 12. R. 2. cap. 1.

14 ¶ An. 21. R. 2. cap. 1. All liberties and franchiſes were confirmed, but this Parliament was repealed by An. 1. H. 4. cap. 3.

Repealed

Church

15 ¶ Holy Church ſhall haue & inioy al rights, liberties & franchiſes entirely, & without imblemiſhing. An. 1. H. 4. cap. 1. An. 1. R. 2. cap. 1. An. 5. E. 3. cap. 1.

Church Lords

Cities Townes

16 ¶ That holy Church haue hir right & liberties, & that al the Lordes ſpirituall and temporal, & all the cities, boroughs, & townes infranchiſed, haue and inioy all their liberties and franchiſes, which they haue duely vſed, and which they haue of his noble progenitors and predeceſſors kings of England. An. 2. H. 4. cap. 1. Ann. 1. H. 4. cap. 1. An. 7. H. 4. cap. 1.

Church Lords

17 ¶ That holy Church haue all her liberties & franchiſes, & that al the Lords ſpiritual and temporall, & other the kings liege people, hauing liberties & franchiſes, And all Cities and Boroughs of this realme, haue and inioy all their liberties and franchiſes which they haue of the grants of the progenitors of our Soueraigne Lord the K. and of his owne grant or confirmation: Excepte the franchiſe now late granted to the Scholliers of the Miniers ſittie of Oxford. Ann. 9. H. 4 cap. 1. & 13. H. 4. cap. 1.

Cities Boroughs

Church Lords

18 ¶ That holy Church haue all her liberties and franchiſes, & that the Lords ſpiritual & temporall, and other the kings liege people, hauing liberties and franchiſes, and all the Cities and boroughs of the Realme, haue and inioy al their liberties and franchiſes, which they haue had of the grants of the Kings progenitors, and of the confirmation of the ſame our ſoueraigne Lord the king, or his own graunt: Except alwaies thoſe franchiſes and liberties which be repealed in this preſent Parliament, and thoſe that be repealed by the common Lawe. Anno. 3. H. 5. cap. 1.

Liegepeople Cities

Church Lords

19 ¶ Holy Church, and all the Lordes ſpirituall and temporall, and all other the kings people hauing liberties and franchiſes, & alſo all the Cities and Boroughs ſhal haue and inioy all their liberties and franchiſes wel vſed, and not repealed, nor by the common law repealeable. An. 2. H. 6. cap. 1.

Cities Boroughs

20 ¶ Where diuers of the moſt ancient Prerogatiues and authorities of Juſtice, appertaining to ỹ imperial crowne of this realme, haue bin ſeuered and taken from the ſame, by ſundrie giftes of the K. moſt noble Progenitors Kinges of this realme, to the great diminutiõ and detriment of the Royal eſtate of the ſame, and to the hinderance and great delay of Juſtice: For reformation whereof be it &c. that no perſon or perſons, of what eſtate or degree ſoeuer they bee of, from the firſt day of July, which ſhalbe in ỹ yere of our Lord God 1536. ſhal haue any power or authority to pardon or remit any treaſon, murders, manſlaughters, or any kinds of felonies whatſoeuer they bee, nor any acceſſaries to any treaſons, murders, manſlaughters, or any vtlaries for any ſuch offences aforeſaid, cõmitted, perpetrated, done,

Pardon Treaſons Murders Felonies

done or diſulged, or hereafter to be committed, done, or diſulged, by, or againſt any perſon or perſons in any parts of this Realme, Wales, or the Marches of the ſame: but that the Kings highneſſe, his heires & ſucceſſors Kings of this realme ſhal haue the whole and ſole power & authoritie thereof vnited and knit to the imperial Crowne of this realme, as of good right and equity it appertaineth: any grants, vſages, preſcription, act or acts of Parliament, or any other thing to the contrary hereof notwithſtanding.

Wales

King

Crowne

And be it &c. that no perſon or perſons, of what eſtate, degree, or condition ſoeuer they be, from the ſaid firſt day of July ſhal haue any power or authority to make any Iuſtice of Eire, Iuſtices of Aſſiſes, Iuſtices of peace, or Iuſtices of gaole deliuerie, but that al ſuch officers and miniſters ſhal be made by letters Patents vnder the kings great ſeale, in the name and by authoritie of the K. highnes, and his heires kings of this Realme, in al ſhires, Counties Palantine, and other places of this realme, Wales, and Marches of the ſame, or in any other his dominions, at their pleaſures & wils, in ſuch maner and forme, as Iuſtices of eire, Iuſtices of aſſiſes, Iuſtices of peace, & Iuſtices of gaole deliuery, bee commonly made in euery ſhire of this realme: any grants, vſages, preſcriptions, allowances, acte or actes of Parliament, or any other thing or things to the contrary thereof notwithſtanding.

Make any Iuſtices

Letters P.

Countie palantine

And be it &c. that al original writs & iudiciall writs, & all manner Indictments of treaſon, of felonie & treſpas, & all manner of proces to be made vpon the ſame in euery Countie Palantine of Englande, Wales, & Marches of the ſame, ſhal from the ſaid firſt day of July, be made onely in the name of our ſaid Soueraign Lord the K. & his heires kings of England. And ỹ euery perſon or perſons hauing ſuch coũty palantine, or any other ſuch liberty to make ſuch originals, iudicials, or other proces of Iuſtice, ſhall make the Teſte in the ſaid original writs and iudicial, in the name of the ſame perſon or perſons that haue ſuch County palantine or libertie. And that in euery writ & indictment that ſhalbe made within any ſuch Countie palantine or libertie, after the ſaid firſt daie of July nexte comming, whereby it ſhall be ſuppoſed any thing to bee done againſt the kings peace, ſhall be made and ſuppoſed to be done onely againſt the K. peace, his heires and ſucceſſors, and not againſt the peace of any other perſon or perſons whatſoeuer they be: any act of parliamẽt, graunt, cuſtome, vſage, or allowance in eire, before this time had, graunted or vſed, to the contrary notwithſtanding.

Originall Writs Indictmẽts Proces

K. name

Teſte

Name

Indictmẽt

K. peace

Prouided alwaies, that Iuſtices of aſſiſe, Iuſtices of gaole deliuerie, & Iuſtices of peace, to be made and aſſigned by the K. highnes, within the County palantine of Lancaſter, ſhal be made and ordained by Commiſſion vnder the K. vſuall ſeale of Lancaſter, in maner & forme as hath bẽn accuſtomed: any thing in this acte to the contrary notwithſtanding.

Iuſt. of aſſ. Iuſt. of G. Iuſt. of P.

Commiſſiõ Seale of Lancaſter

Prouided alſo, that al cities, boroughs, and townes corporat within this realme, which haue libertie, power and authoritie to haue Iuſtices of Peace, or Iuſtices of gaole deliuerie, ſhall ſtil haue and inioy their liberties and authorities in that behalf after ſuch like maner as they haue bin accuſtomed, without any alteratiõ by occaſion of this act, any thing in this act, or in any article therein contained, to the contrary therof notwithſtanding. And it is &c. that al Stewards, Bailifs, or other miniſters of any liberties or franchiſes, which in time paſt haue vſed, or ought to haue tended vpon the Iuſtices of aſſiſe, Iuſtices of gaole deliuerie, and Iuſtices of Peace, at large in any countie, ſhall be attendant to the Iuſtices of aſſiſe, Iuſtices of gaole deliuerie and Iuſtices of peace of the ſame ſhire, wherein ſuch liberties and franchiſes be, & make due execution of al proces to thẽ to be directed for miniſtration of Iuſtice, within ſuch liberties or franchiſes. And that alſo al ſuch Bailifes or their deputies or deputie, ſhal giue their attendance and aſſiſtance vpõ the ſhirife, together with the Shirifs bailifes, at al courts of gaole deliuerie, from time to time, for execution of priſoners, according to Iuſtice.

Cities Boroughs

Stewards Bailifes Officers

Iuſtices

Iuſt. of P.

Execute Proces

Bailife Deputie Shirife

Prouided alway that the article nexte aboue rehearſed, ſhall not in any wiſe bee preiudicial to any ſtewards or bailifes of any Cities, boroughes, or townes corporate, ſet in any ſhire of this realme, which haue priuiledge that they ſhould not bee cõpelled to attend or appeare out of ſuch cities, boroughs, or townes wherein they inhabite, but ỹ euery ſuch citie, borough, & towne corporate, ſhal vſe their ſaid priuiledges and liberties, as heretofore hath bin accuſtomed: any thing in any of ỹ articles aboue rehearſed, to the cõtrary ther-

Cities Townes

King

Fines Issues

Stewards Bailifes

Proces

Contempt

Amerciaments

Purueiors

Victuals

Commissions

K. person

Clerge

Stewards Marshal Coroner Courts

Clerkes of the market

of notwithstanding. And it is &c. that the king our soueraigne Lord, his heires and successors kings of this realme, from the said first day of Julie next comming, shal haue al maner fines, issues, amerciamēts and forfaitures that shal be lost, forfaited or assessed, by, or vpon any Stewardes, Bailifes or other Ministers or Officers of any franchises or liberties, for nonexecution, or misexecution or insufficient returnes of such writs, warrants, precepts or other proces, which to them or any of them, or to any their deputie or deputies, shal be directed, or for any contempt or other misdemeanor whatsoeuer it be, concerning their Offices, in and for the due execution or administration of Justice: any graunt or allowance or other thing to the contrary hereof notwithstanding. And that the amerciaments for insufficient returnes of writtes or other processe made by the Stewards or Bailifes of liberties or franchises, hauing returne of writs and execution of the same, shall bee put and set vpon the heads of such Stewards or bailifes and not vpon the shiriffes. And furthermore it is enacted by &c. that purueiors assigned by the kings commission, for prouisions for his grace, the Q. and their children, shall and may prouide all victualles, corne, and other kinde of things whatsoeuer it bee, according to their commissions, aswel within liberties and franchises as without: any grants, allowances, or other thing to the contrarie or let thereof notwithstanding.

Prouided alwaies, that such purueiors shall obserue the statutes for them prouided in euery behalfe. And ouer that it is &c. that in all such places whersoeuer the K. highnes in his own moste royall person shal come to rest, tarie, abide or make his repose, within this realme, or any his dominions, within the libertie or without, there, and within the vierge limitted and accustomed to his graces Court, during ỳ time of his abode, his Grace his Steward, Marshal, Coroner & all other his Ministers, shal & may kepe their courts for Justice, exercise their offices, as shal appertaine to them, according to the lawes customes and statutes of this realme, aswel within liberties as without. And that his graces clerkes of the market, & none other during ỳ same time, aswell within liberties as without, shal exercise the office of a Clerke of the Market: any priuiledge, graunt, allowance or other thing to the contrary therof notwithstanding. Prouided alway ỳ this article next afore rehearsed or any thing therein contained, be not in any wise prejudicial to the citie of London, but that the same citie shall haue and vse such liberties, as they mought, if this article had neuer bin made. And be it &c. that all & euery statute, act or acts heretofore made, & being in force against shiriffes, their vndershiriffes, bailifes, or other ministers, for making or returning of panels or Juries, or for due execution & seruing of any writs or other processe, or for taking of fees, or for reformation of extortions, or for any other thing or things concerning their offices, and al penalties contained in euery such statute, shal from henceforth be extēded to all stewards bailifes & other ministers & officers of liberties & franchises, hauing returns of writs & executions thereof, in like maner, forme & conditiō, as they extend to shiriffs, their vndershiriffes, bailifes & other ministers, & as if the said stewards, bailifes, and other Ministers or Officers of liberties & franchises had bin specially & particularly named & rehearsed in such statutes. Prouided alway, that this article next aboue rehearsed, shall not bee preiudiciall to any steward, bailifs of frāchises, or to their deputies or their clerks, for exercising & occupying their office ouer & aboue 1. yere: but that they & euery of thē may kepe & occupie their said office for so long time as they be, or hereafter shal be giuen to thē, as if this article next afore rehearsed had neuer bin made, any of the said acts, to be expounded & taken against them, or ante of them, to the contrary thereof notwithstanding. And it is &c. that all such Justices to bee made, as is afore rehearsed in this act, shall haue authority & power to kepe & hold their Sessions of P. & to deliuer the same gaoles from time to time only within the same liberties & franchises, & in such places, & in none other place, by reason and authority of the commission, & to doe and execute al other things within the same, in as ample and large manner, as any other Justices of P. and gaole deliuery in any shire within this Realme may do, and haue authority to do, any act, grant, vse, custome and allowāce heretofore had, made or vsed, or any article in this present act made to the contrary notwithstanding. Prouided alway that all & singuler Justices of the P. gaole deliuery & assise hereafter to be made, named and appoin-

London

Shiriffes

Returning of Issues Fees

Penalties

Stewards Bailife

Justices

Sessions of peace, Gaoles.

Just. of P.

Just. of P.

appointed by the kings highnes, his heirs and succeſſors, within any libertie where any ſuch Juſtice of P. gaole deliuerie, or aſſiſe, or any of them haue bin made by any perſon or perſons, by vertue or authoritie of any letters patents of the gift or grant of our Soueraigne Lord the K. or his moſt noble progenitors kings of this Realme, or otherwiſe, ſhal ſit and kepe their ſeſſions, gaole deliueries & aſſiſes, only in ſuch place and places as the Juſtices of the ſaid liberties lately haue commonly vſed within the ſaid liberties. And that no perſon or perſons within the ſaid liberties or any of them ſhal hereafter in no wiſe compelled by authoritie of this act, to appeare out of the ſaid liberties before any other Juſtices of aſſiſe, gaole deliuerie, or of the P. then before ſuch Juſtices, as ſhal be named and aſſigned to ſit & be by the kings highnes, his heires and ſucceſſors within the ſaide liberties, in forme aboueſaide. And that this act ſhall not extend or be expounded or taken to any other libertie, priuiledge or franchiſe, granted, vſed or had to any perſon or perſons, other then before in this preſent act is expreſſed & plainly declared & rehearſed: any thing in this act to ẏ cõtrary notwithſtãding, & as if this act had neuer bin made. Prouided alway, ẏ this act nor any thing therein contained, bee in any wiſe hurtful or prejudicial vnto ſir T. Engleſield knight, Juſt of the county palantine of Cheſter & Flint, nor to his deputie or deputies, nor to any of thẽ, of, for or cõcerning the office of Juſt. or Juſticer of the ſaid county Palantine & Flint, nor for or cõcerning any fées, profits or aduãtages to the ſame office in any maner wiſe appertaining or belonging: but that the ſaid ſir T. his deputy or deputies, and euery of them, may lawfully haue, occupie & exerciſe the ſaide office, & alſo receiue & take to their owne vſe, al maner of profits, cõmodities & aduantages, to the ſaid office belonging or appertaining, according to the tenor, purport & effect of ſuch letters P. as before this time were vnto ẏ ſame ſir Thomas made, vnder the ſeale of the ſaid county palantine, or vnder any other ſeale, by our ſaid ſoueraigne Lord the K. that now is of, for, or concerning the ſaid office, & other the premiſſes, or any parcel thereof, in as ample manner, as though this act had neuer bene had ne made any thing in this act contained to the contrary in any wiſe notwithſtanding.

Prouided alway, that this act nor anie thing therin cõtained, be in any wiſe preiudicial or hurtful to any citie, borough or towne corporat, by what name or names ſoeuer they or any of them be incorporate & their ſucceſſors, & the ſucceſſors of euery of them, of, or for any manner of liberties, priuiledges, cuſtomes & ancient vſages & franchiſes: And alſo of al maner of fines, iſſues, amerciamentes and forfaitures, which they or anie of them haue of the grant or grants of our ſaid ſoueraign Lorde the K. or of any of his noble progenitors kings of this realme of England: but that the ſaid cities, boroughs & towns corporate, & euery of them & their ſucceſſors, may haue, take, loule & inioy all & euerie ſuch lawfull liberties, priuiledges, frãchiſes, cuſtomes, & vſages, in as ample and large maner, and in like forme & condition, as they & euery of them haue lawfully taken, vſed & had the ſame, before the making of this act: any thing in this acte to the contrary notwithſtanding: & as if this act had neuer been had ne made.

Prouided alwaie, and be it enacted, that Thomas nowe Biſhop of Ely, & his ſucceſſors Biſhops of Ely, and their temporall Steward of the Iſle of Ely for the time being, and euery of them, ſhall from henceforth bee Juſtices of peace within the ſaid Iſle, and ſhal vſe & exerciſe al maner of thinges within the ſame Iſle, that appertaineth or belongeth to any Juſtices of Peace, within any county of this realme of England, to do, exercile & vſe by vertue & authoritie that they bee Juſtices of peace, in as large and ample maner, as any other Juſtices of P. in any Countie within this realme haue or might do, exercile or vſe: anie thing or things in this act contained to the contrary not withſtãding. Prouided alwaie and be it enacted, that Cutbert now Biſhop of Durham, & his ſucceſſors biſhops of Durham, & their temporal Chancelor of the county palantine of Durham, for the time being, & euery of them, ſhal from henceforth be Juſt. of P. within the ſame County palantine of Durham, & ſhal exerciſe and vſe al maner things within the ſame county palãtine, that appertaineth or belongeth to anie Juſt of P. within any county of this realme of England to doe, exercile & vſe by vertue and authoritie that they be Juſtices of P. in as large and ample maner, as any other Juſt. of P. in anie countie within this realme haue or might doe, exercile

ercise or vſe: Any thing or things in this act contained, to the contrarie notwithſtanding. Prouided alwaies & be it enacted, that Edw. now Archbiſhop of Yorke, and his ſucceſſors Archbiſhops of Yorke and their temporal Chācelor of the ſhire, and libertie of Yerham, otherwiſe called Yertoldſham, for the time being, and euerie of them, ſhall from henceforth be Iuſtice of peace within the ſaid ſhire and libertie of Yerham, otherwiſe called Yertoldſham, & ſhall exerciſe & vſe all maner things within the ſaid ſhire and libertie, that appertaineth or belōgeth to any Iuſtice of peace within any county of this realme of England to doe, exerciſe & vſe, by vertue & authority that they be Iuſtices of P. in as large & ample maner as anie other Iuſtices of peace in any countie within this realme, haue or might do, exerciſe or vſe: Any thing or things in this act contained to the contrary notwithſtanding. An. 27. H. 8. cap. 24.

Archbiſhop of Yorke Chancelor Yerham

Iuſt. of P.

21 Whereas diuers & ſundrie ſites, circuits, and precincts of late monaſteries, abbaties, priories, nunries, colledges, hoſpitals, and other eccleſiaſtical and religious houſes and places, & diuers honors, caſtles, manors, meſuages, lands, tenements, liberties, priuiledges & franchiſes, and other hereditamēts, by diuers and ſundrie ſtatutes heretofore made, bēn aſſigned, limitted and appointed, to the order, rule, ſurney, and gouernance of the court of our ſoueraigne Lord the K. called the court of augmentations of the reuenues of his Crowne, & of the Chancelor, officers and miniſters of the ſame, by ẏ which ſtatutes it is not fully, plainly or expreſſy declared or rehearſed, howe, & in what wiſe, and by what ſpecial officers & miniſters, the liberties, priuiledges & franchiſes, which the late owners of the ſame ſites, circuits, precincts, honors, caſtles, manors, meſuages, lands, tenemēts & other the premiſſes had, vſed & exerciſed, ſhould be ordered, vſed, exerciſed & put in execution: Be it therfore enacted &c. that al & ſinguler the ſame liberties, franchiſes, priuiledges & temporal iuriſdictions, which the ſaide late owners had, vſed or exerciſed lawfully by themſelues, or by their officers or miniſters, or might haue vſed or exerciſed within 3. moneths, next before that ẏ ſaid ſites, circuits, precincts, honors, caſtles, manors, meſuages, lands, tenements and other the premiſſes, came to the poſſeſſion of the Kinges highnes, ſhal by vertue of this preſent act be reuiued, & be really & actually in the K. highnes, his heires and ſucceſſors, & ſhalbe in the rule, order, ſurvey and gouernance of the K. ſaid court of augmentations of the reuenues of his Crowne, and the Chancelor, officers, and miniſters of the ſame. And that the ſame liberties, franchiſes, priuiledges, and temporal iuriſdictions, & al maner fines, iſſues, amerciaments and other profits and commodities, of what kinds or natures ſoeuer they be, cōming, growing or riſing, by reaſon and occaſiō of them, or any of them, ſhalbe vſed, exerciſed and occupied, to al intents, purpoſes, conditions and reſpects, & ſhalbe claimed, leuied, collected and taken by ſuch Stewards, Bailiſes, and other officers and miniſters, as ſhal pleaſe the kings highnes to name and appoint, in like manner and forme, faſhion & condition, as they or any of them were lawfully vſed, exerciſed, executed, claimed, leuied, collected and takē before that they came to the handes and poſſeſſion of our ſaid ſoueraign Lord. And that the ſame Stewards, bailiſes, officers and miniſters, ſhalbe accomptant for the iſſues and reuenues of their bailiwikes and offices, and ſhall bee compelled to accompt in the ſaid court of augmentatiōs, like as the Kings receiuors, or other officers accomptants in the court, heretofore haue done or ought to do. And where alſo ſundrie ſites, circuits and precincts of late monaſteries, abbeies, priories, nunries, colledges, hoſpitals, and other eccleſiaſtical & religious houſes & places, and alſo diuers honors, caſtles, manors, meſuages, lands, tenements, liberties, priuiledges, franchiſes and other hereditaments, which bēn cōmen to the kings hands by attainder or attainders of high treaſon, bēn aſſigned limitted and appointed to the order, rule, ſurvey and gouernance of the K. general ſurveyors: And foraſmuch as it is not fully, plainly, nor expreſſy, knowen or declared, how & in what wiſe, & by what ſpecial officers and miniſters, the temporal liberties, priuiledges, franchiſes and temporall iuriſdictions, which the late owners of the ſaid ſites, circuits, precincts, honors, caſtles, manors, meſuages, lands, tenements and other the premiſſes, had, vſed & exerciſed, ſhould be ordered, vſed and put in execution: Bee it &c. that all and ſinguler the ſame liberties, franchiſes, priuiledges and temporal iuriſdictions, which the late owners of the

Monaſteries

Owners

Lands

Rule Survey Augmentations Chancelor

Fines Iſſues Amerciaments

Leuied Stewards

Bailiſes Officers Accompt

Sites

Attainder

Temporal iuriſdictiōs

the ſaide ſites, circuits, p̄recincts, honoꝛs, caſtles, manoꝛs, and other the p̄remiſſes, which bē commen to the Kings handes by attainders as is afoꝛeſaide, lawfully had vſed and exerciſed by theſelues, oꝛ by their officers oꝛ miniſters, oꝛ which they might haue vſed oꝛ exerciſed within iij. moneths, next beſoꝛe y̆ the ſame ſites, circuites, p̄recincts, honoꝛs, caſtles, manoꝛs and other the p̄remiſſes, came to the poſſeſſion of the kings highnes, ſhall by vertue of this acte be reuiued, and bee really and actually in the K. highnes, his heires and ſucceſſoꝛs, and ſhal be in the rule, oꝛder, ſurney and gouernance of the kings ſaid generall Surueioꝛs, and of the Officers and Miniſters of the ſame. And that the ſame liberties, franchiſes, p̄uiledges and tempoꝛal iuriſdictions, & al manner fines, iſſues and amerciaments, and other p̄ofites and commodities, of what kindes oꝛ natures ſoeuer they bee, comming, growing oꝛ riſing by any reaſon oꝛ occaſion of them oꝛ any of them, ſhall bee vſed, exerciſed and executed, to all intents, purpoſes, conditions and reſpects, and ſhall be claymed, leuied, collected and taken by ſuch Stewards, Bailifes, and other Officers and Miniſters, as ſhall pleaſe the kinges highneſſe to name and appoynt foꝛ the ſame in like manner, foꝛme, faſhion and condition, as they oꝛ anie of them were vſed, exerciſed, executed, claimed, leuied, collected and taken, beſoꝛe they came to the hands and poſſeſſion of our ſaid Soueraigne Loꝛde, by attainder as is afoꝛeſaid. And that the ſaid Stewardes, Bailifes, Officers and Miniſters thereof, ſhall bee accomptant foꝛ the iſſues and reuenues of their Bailywikes and Offices, and ſhall bee compelled to accompt beſoꝛe the ſaide generall Surueioꝛs, as other Officers accomptants in that court heretofoꝛe haue done, oꝛ owe to doe.

Reuiued

Surney

Fines Iſſues Amerciaments

Collected Stewards Bailifes

And be it enacted &c. that the ſaid Stewardes, Bailifes and other Officers and Miniſters ſhalbe attendant and obedient to al other the kings Courts, aſwel foꝛ al executions & returns of writs, warrants and p̄cepts, as foꝛ their perſonal appearances and other dueties of their offices, like as the Officers and Miniſters of the ſaid late owners did, and ought to doe, oꝛ ſhould haue done, by reaſon of their ſaide ſeueral offices, beſoꝛe that the ſame liberties, p̄uiledges and tempoꝛall iuriſdictions did come to the poſſeſſion of our ſaide Soueraign Loꝛd, and that to be done and obſerued vpon al pains and penalties, by the lawes of this realme limitted and oꝛdained foꝛ any offence oꝛ defaulte in the ſame. And that no Shirife, vnder ſhirife, noꝛ other officer noꝛ miniſter of any ſhirife oꝛ other foꝛraine officer oꝛ miniſter, ſhall in any wiſe intromit oꝛ meddle in, with oꝛ vpon, any of the p̄remiſſes otherwiſe, oꝛ in any other maner, noꝛ foꝛ any other cauſe, thē they oꝛ any of them lawfully might haue done, beſoꝛe the ſame p̄remiſſes did come to the poſſeſſion of our ſaid Soueraigne Loꝛd.

Officers Attendant

Executions Returnes of Writs

Shirifs

Prouided alway and be it enacted, that all and ſinguler perſons and bodies politike, and the heirs, ſucceſſoꝛs and aſſignes of euery of them, ſhal haue, hold, vſe, execute & exerciſe, aſwel by themſelues, their officers, ſeruants & miniſters, as by and foꝛ their tenants, farmoꝛs and reſiants, all and ſinguler liberties, p̄uiledges & franchiſes, which they oꝛ any of them nowe haue, by oꝛ from the Kinges Maieſtie, by any letters patents, Indentures oꝛ writtings vnder any his highnes ſeals, oꝛ by authoꝛity of Parliaments oꝛ otherwiſe, oꝛ by the lawfull graunt oꝛ leaſe of any perſon oꝛ perſons, oꝛ by any other meanes, oꝛ lawful title, in as large, ample and beneficial maner, to all intentes, reſpects and purpoſes, as they oꝛ anie of them now haue, oꝛ of right ought to haue the ſaid liberties, franchiſes and p̄uiledges oꝛ any of them, and as though this act had neuer bin had ne made: any thing aboue written notwithſtāding. (The p̄uiledges of ſanctuaries, churches, churchyards oꝛ Sementoꝛies, foꝛ tuition of tranſgreſſoꝛs and offendoꝛs onely excepted.) Sauing to all and ſinguler perſons & bodies politike, and the heirs, ſucceſſoꝛs and aſſignes of euerie of them, all ſuch office and offices, fées, annuities, p̄ofites and commodities, which they oꝛ any of them now haue, oꝛ of right ought to haue in, oꝛ vpon, oꝛ by reaſon of the ſaide ſites, circuites, p̄recinctes, caſtles, honoꝛs, manoꝛs, meſuages, landes, tenements, liberties, franchiſes, p̄uiledges, and other the p̄remiſſes, oꝛ in parcell of them in as large & ample maner, foꝛme, faſhion and condition, to all reſpects and purpoſes, as if this act had neuer bēn had ne made, any thing in this acte to the contrary thereof notwithſtanding.

Letters P. Indentures

Sanctuaries Church Churchyards

Offices Fees Annuities

Sites

And furthermoꝛe be it enacted &c. that the Chancelloꝛ of the ſaide Court of Aug-

Chancelloꝛ of Augmentations

mentations now being, & euery of his succeſſors being chācelors of the same court, and the kinges generall Atturney, & his graces atturney of the said court of augmentations for the time being, & euerie of them and their ſucceſſors, and the ſucceſſors of euery of them, ſhall haue full power and authoritie by vertue of this act, to take to the vſe of the king our Soueraigne Lord, his heires and ſucceſſors, knowledges of all maner of concords for fines thereupon to be had and recorded in the court of our ſoueraign Lord the king, and of his heires and ſucceſſors commonly called the common place, of and vpō all and ſinguler manors, Lordſhips, landes, tenements, and other hereditaments being, and which by reaſon of thoſe fines, or otherwiſe ſhalbe vnder the order, rule or ſurvey of the ſaid court of augmentation, without any fine or fée to be paied for the ſame. And that the Judges and Juſtices for the time being of the ſaid court, called the Common place, and their ſucceſſors, ſhall accept, receiue and allow all the ſaid knowledges of concordes by the ſaide chancelor & atturnies, or any of them, to be certified or deliuered into ỹ ſaid court called the common place, And the ſame to be as effectuall in the law to al intents & purpoſes, as if the ſame knowledges of cōcords had bin made, taken, or knowledged beſore the chief Judge of the ſaid Cōmon place out of the ſame courts or openly in that Court. And alſo that the ſaide chancelor & atturnies for the time being, and euery of them, and the ſucceſſors of euery of them, ſhal haue ful power and authoritie to take knowledge for inrolments of all dēedes made, or to bee made to the vſe of the king our ſoueraign Lord, his heires and ſucceſſors, of any manors, lands and tenements and of all obligations to be made to the king, his heires and ſucceſſors, or to other perſon or perſons to the vſe of the king, his heires and ſucceſſors, for any matter or cauſe concerning the ſaid court of augmentations or concerning the ſaid manors, landes and tenements without any fée, gift or reward by them or any of them to be taken therefore. And the ſame dēede ſo knowledged, to be inrolled or regiſtred in the ſaid Court of Augmentation, and ſo being there inrolled and regiſtred amongſt other recordes there remaining, and the inrolments and regiſtrings of the ſame, to ſtand and be of record, and of as good ſtrength and effect, as if the ſame were or had bēn knowledged beſore any other Judge or Juſticer of Record, and inrolled in any other Court of Record.

Prouided alway and be it &c. that in al ſuch of the ſaid liberties, franchiſes & places priuiledged, and in euery of them limitted to the ſaide court of Augmentations, and to the ſurueiors court, whereſoeuer the kings highnes in his owne moſt royal perſon ſhal come to reſt, tarie, abide or make his repoſe within this his realm or anie of his dominions, within libertie or without, there and within the vierge limitted and accuſtomed to his graces Court during the time of his abode, the Steward or great Maſter of his graces houſhold, the Marſhal, Cozoner, Clerke of the market, and al other his miniſters, ſhal & may kéepe their courts for Juſtice, and exerciſe their office & offices, as ſhall appertaine to them, according to the laws, cuſtomes & ſtatutes of this realme, aſwel within liberties and franchiſes as without. And that his graces Clerkes of the market, and none other during the ſame time, aſwel within the ſaid liberties and franchiſes, as without, ſhal exerciſe the office of Clerks of the market, within the ſaid vierge: Any priuiledge or grant, allowance or other thing to the contrary thereof notwithſtanding. Prouided alway, that this article next beſore rehearſed, or any thing therein contained, be not in any wiſe hurtful to the citie of Londō, but that the ſame citie ſhall haue and vſe ſuch liberties, as they mought if that article had neuer bēn had ne made. And where alſo the ſites, circuites, & precincts of the late Monaſteries of Furnes, and of the late monaſteries & Priories of Cartmele, Coningſhed, Burſtough & Holland, & alſo diuers honors, caſtles, manors, meſuages, landes, tenements, liberties, priuiledges, franchiſes and other hereditaments, late parcell & appertaining to the ſaid late Monaſteries and Priories, or to any of them, which bēn commen into the kings hands, bēn aſſigned, limitted & appointed, to the order, rule, ſurvey and gouernance of the Chancelor, Officers and Miniſters of the County Palantine and Duchie of Lancaſter. And forasmuch as it is not fully, plainely nor expreſſly knowen or declared how and in what wiſe, and by what eſpeciall Officers and Miniſters the tempozall liberties, priuiledges, franchiſes and tempozall iuriſdictions

R. Atturney

Fines

C. place

Iuges

Inrolmēts of dēedes

Obligatiōs

Surueiors court King

Clerke of the market Courts

Clerkes of the market

Cozoner

Marſhal

Great M.

Steward

Vierge

London

Sites Monaſteries

Chancelor County Duchie of Lancaſter

dictions, which the late owners of the said sites, circuits, precincts, honors, castels, manors, messages, lands, tenements and other the premisses, had, vsed or exercised, should be ordered, vsed and put in execution. Be it therefore enacted by the authoritie aforesaid, that al & singuler the same liberties, frãchises, priuiledges and temporal iurisdictions, which the late owners of ỳ said sites, circuits, precincts, honors, castles, manors and other the premisses, lawfully had, vsed and exercised by themselues, or by their officers or ministers, or which they might haue vsed or exercised, within iij. Moneths next before the same sites, circuits, precinctes, honors, castels, manors and other the premisses, came to the possessiõ of the kings highnes: shal be by vertue of this acte reuiued, & be really, and actually in the kings Highnesse, his heires and successors, and shal be for euer in the rule, order, survey and gouernance of the Kings said Chancelor, officers and ministers of the said Countie Palantine, & Duchie of Lancaster. And that the same liberties frãchises, priuiledges and temporal iurisdictions, and al maner fines, issues and amerciamẽts, and other profits and commodities, of what kindes or natures soeuer they be, comming, growing or rising, by reason or occasion of them or of any of them, shalbe vsed, exercised & executed, to al purposes, intents, conditions & respects, and shalbe claimed, leuied, collected and taken by such stewards, bailifs and other officers and ministers, as shall please the kings Highnesse to name & appoint for the same in like maner, forme & condition, as they, or any of them were vsed, exercised, executed, claimed, leuied, collected and take̅ before they came to the handes and possession of our said Soueraigne Lord. And that the said stewardes, baylifes, officers and ministers shalbe cõpelled to accompt for the same, before the said Chauncelor, Officers and Ministers of the said Countie Palantine and Duchie of Lancaster, as other Officers and accomptants in the Court of the said duchie heretofore haue done, or owe to do. And be it &c. that the said steward, bailifs and other officers & ministers shalbe attendant & obedient to all other the Kings courts, aswell for all executions and returnes of writs, warrants & precepts, as for personall apparances, & other dueties of their offices, like as the officers & ministers of the saide late owners did, and ought to do, or should haue done by reason of their said seuerall offices, before ỳ ỳ same liberties, priuiledges & temporall iurisdictions did come to the possessions of our said Soueraigne Lord: and that to be done and obserued vpon al paines and penalties, by the lawes of this Realme, limitted and ordained for any offence or default in the same. And that no shirife, vndershirife, or other officer or minister of any Shirife, or other forreine Officer or minister, shall in any wise intromit or meddle in, with or vpon any of the premisses, otherwise, or in any other maner, or for any other cause, then they or any of the̅ lawfully might haue done before the same premisses did come to the possession of our said Soueraigne Lord.

Prouided alwaies that this Acte nor any thing therein cõtained shal in any wise extend to abrogate, adnul, diminish nor to take away any liberties, franchises, priuiledges, iurisdictions, roialties, or any other profites, commodities and aduantages whatsoeuer they be, belonging or in any wise appertaining to any the Kings castels, honors, manors, lands, tenemẽts or other his possessions of his said Countie Palantine of Lancaster and Duchie of Lancaster, or of either of the̅, but that all such liberties, franchises, priuiledges, iurisdictions, royalties & all other such profits, commodities and aduantages whatsoeuer they be, shall be receiued, taken & answered to the Kinges Highnesse, his heires and successors, by the Chauncelor, Officer and Minister of the saide Countie Palantine of Lancaster, and Duchie of Lancaster, and eyther of them, as heretofore hath bene vsed and done, at any time before the fourth daie of Februarie, in the xxxvij. yere of his most noble raign: any thing, matter or clause in this Act cõtained to the contrarie hereof in any wise notwithstanding. Prouided alwaies, that this Acte, or any thing therein contained, do not extend to disanull, or be hurtfull to any of the liberties or priuiledges of the v. Ports, or the members of the same: but that they and euerie of them shall inioy, possesse and haue all & singuler liberties, customes and graunts to them graunted heretofore, by the most famous Prince of memorie King Edw. 4. and other his noble progenitors, confirmed by our Soueraigne Lord the kinges Maiestie, that now is, in like maner & forme, as though this Acte had neuer bene had ne made.

Owners

3. Moneths

Fines Issues Amerciaments

Castels Honors Manors Lancaster

Chancelor

v. Ports

Steward Bailife Accompt Chancelor

Duchie

Steward Bailife

Executions Returns

Anno

Anno 32. H. 8. cap. 20. This Act is confirmed by An. 33. H. 8. cap. 39.

¶ Fraudulent deedes, gifts, graunts, alienations &c.

FOr the auoiding and abolishing of fained, couenous and fraudulent feoffements, gifts, graunts, alienatiõs, conueiances, bonds, suits, iudgements & executions, aswel of lãds and tenements, as of gwds and cattles more cõmonly vsed and practised in these daies, thẽ hath bin séene or heard of heretofore: which feoffemẽts, gifts, graũts, alienations, conueyances, bonds, suits, iudgements and executions, haue bene and are deuised & contrined of malice, fraud, couin, collusion or guile, to the end, purpose and intent, to delay, hinder or defraud creditors & others, of their iust and lawfull actions, suites, debts, accompts, damages, penalties, forfaitures, heriots, mortuaries, and reliefs, not only to the let or hinderance of the due course & execution of law and iustice, but also to the ouerthrow of all true and plaine dealing, bargaining & cheuisance betwéene man & man, without the which no cõmon wealth or ciuill societie can be maintained or continued. Be it therefore &c. that al & euery feoffement, gift, grant, alienation, bargaine & conueyance of landes, tenements, hereditaments, gwds & cattels, or of anie of them, or of anie lease, rent or common, or other profit or charge, out of the same lãds, tenements, hereditamẽts, gwds & cattels or anie of thẽ, by writing or otherwise, and all and euery bond, suit, iudgement and executiõ, at anie time had or made sithence the beginning of the K. Maiesties raigne that now is, or at anie time hereafter to be had or made, to, or for any intent or purpose before declared and expressed, shal be from henceforth déemed & taken (onely as against that person or persons, his or their heires, successors, executors, administrators & assignes, & euerie of them, whose actiõs, suits, debts, accompts, damages, penalties, forfaitures, hariots, mortuaries and reliefes, by such guilefull, couenous, fraudulent deuises and practises, as is aforesaid, are, shall or mought be in any wise disturbed, hindered, delated or defrauded) to be clærely & vtterly void, frustrate, & of none effect: anie pretence, colour, fained consideration, expressing of vse, or anie other matter or thing, to the contrarie notwithstanding.

Feoffement
Gift
Graunt
Landes
Goods
Lease

Bond
Suit
Iudgemẽts
Executions

Void

Use

And be it &c. that al and euerie the parties to such fained, couenous or fraudulẽt feoffement, gift, graunt, alienation, bargaine, conueyance, bondes, suites, iudgements, executions & other things before expressed, or being priuie and knowing of the same, or anie of thẽ, which at any time after the 1. of June then next comming, shall wittingly and willingly put in vre, anowe, maintaine, iustifie or defende the same, or anie of them, as true, simple and bone, had or made bona fide, & vpon good consideration: or shall alien or assigne anie the lands, tenements, gwds, leases, or other things before mentioned, to him or them conueied as is aforesaid, or any part thereof: shal incurre the penaltie and forfaiture of one yéres value of the said lãds, tenements & hereditaments, leases, rents, cõmons, or other profits, of, or out of the same, & the whole value of the said gwds & cattels, and also so much money, as are or shalbe contained in anie such couenous and fained bond: The one moitie whereof to be to the Quéenes Maiestie, her heires and successors, & the other moitie to the partie or parties grieued by such fained and fraudulent feoffement, gift, graunt, alienation, bargaine, cõueyance, bondes, suits, iudgements, executiõs, leases, rents, commons, profits, charges and other things aforesaid: to be recouered in any of the Quéenes Courts of Record, by action of debt, bill, plaint or information, wherein none essoine, protection or wager of law shall be admitted for the defendant or defendants: And also being thereof lawfully conuicted, shal suffer imprisonment for one halfe yére, without baile or mainprise. Prouided alwaies, & be it &c. that wheras sundrie cõmon recoueries of lands, tenements and hereditaments, haue heretofore bene had, & hereafter may be had against tenant in taile, or other tenant of freehold, the reuersion or remainder, or the right of reuersion or remainder, then being in anie other person or persons, that euerie such common recouerie heretofore had, and hereafter to be had, of any landes, tenements or hereditaments, shall as touching such person and persons, which then had anie remainder or reuersion, or right of remainder or reuersion, and against the heires of euery of them stand, remaine, and be of such like force and effect, and of none other, as the same should haue bene, if this act had neuer bene had ne made.

Parties

Priuie

Iustifie

Alien

Forf.

Goods
Money

Moitie

Action
Bill

Imprisonment

Recoueries

T. in taile
Freehold

Prouided

Vncher Foxmedon

Bona fide

Attainders

Record Eschequer

Graunt

Prouided alwaies, & be it &c. that this act or any thing therein cõtained shal not extend to make void anie estate or cõueyance, by reason wherof any person or persons shal vse any voucher in anie writ of Foxmedon, now depending, or hereafter to be depending: but that all & euerie such vouchers in anie writ of Foxmedon, shall stand and be in like force and effect, as if this act had neuer bene had nor made: any thing before in this act contained, to the contrarie notwithstanding.

Prouided also, and be it enacted &c. that this act, or anie thing therein contained, shal not extend to any estate or interest in lands, tenements, hereditaments, leases, rents, cõmons, profits, goods or cattels, had, made, conueyed or assured, or hereafter to be had, made, conueied or assured, which estate or interest, is or shal be vpõ good cõsideration, & bona fide, lawfully cõueied or assured, to any person or persons, or bodies politike or corporate, not having at the time of such conueiance or assurance to them made, anie maner of notice or knowledge of such couin, fraude or collusion, as is aforesaid, any thing before mentioned, to the contrarie hereof, notwithstanding. This act to endure vnto ỳ end of the first Sessiõ of the next Parliament. Anno 13. Eliz. cap. 5. An. 14. Eliz. cap. 11. it is continued to the ende of the next Parliament. This statute in Anno 27. Eliz. cap. 11. is continued vntill the end of the next Parliament, and An. 29. Eliz. cap. 5. it is made perpetuall.

2 ¶ Forasmuch as the said pretended fraudulent estates (s. of the Rebelles late in the North) and conueyances, are yet kept secrete, and not openlie published, and in time to come, may be verie dangerous & likely to tend to disinherite the Quéenes Maiestie & her assignes of their estate and interest, in such lands, tenements & hereditaments, as her Maiestie & her assignes now haue, by reason of ỳ said attaindors, vnlesse some prouision be made, that such secret estates, conueyances, and assurances may in due and conuenient time be openlie published and brought to light.

For remedie whereof, be it enacted &c. that euerie person & persons, their heires or assignes, which haue, hath, or claimeth to haue anie estate of inheritance, lease or rent, not alreadie entred of Record, or certified in the Quéenes Maiesties Court of Eschequer, of, in, or to anie manors, lãds, tenements or hereditamẽts, by anie grãt, assurances or conueyances whatsoeuer, had, made or done, by anie the said rebels and persons attainted, named in the said Act or Statute, or in anie of the Recordes of their seuerall attaindors, at anie time within two yéres nert before the seuẽth daie of Nouember, in the xi. yére of the Quéenes Maiesties reigne, shall within the space of one yére next insuing the first daie of May nert comming openly shew and bring forth, or cause to be shewed and brought forth into the Quéenes Maiesties said Court of Eschequer, the same his or their graunt, conueyance and assurance which he or they haue or hath, or pretendeth to haue, of, in, or to anie ỳ said manors, landes, tenements, or hereditaments, and there in the terme time, shall offer & exhibite the same graunt, conueyance & assurance, to be entred and inrolled of Record, or els euerie such graunt, conueyance and assurance so had and made by anie of the said rebels and persons attainted, before in the said Act of Cõfirmation, and other the Recordes of their attaindors seuerallie named, and not so brought into the said court of Eschequer, & there exhibited within the yére aforesaid: shall be vtterlie voide and of none effect, to al intents and purposes: any thing in the same conueyance contained to the contrarie notwithstanding.

One yeere

Shew

Eschequer

Landes

Terme time

Inrolled

Void

And bee it further enacted by the authoritie aforesaide, that the Treasorer, Chauncelor, & Barons of the said Court of the Eschequer or anie of them, vpon euerie such offering and exhibiting of anie such graunt, conueyãce or assurance hereafter in forme aforesaid to be made, shall forthwith cause the same offer to be entred of Recorde, and shall likewise cause the saide conueyance and assurance, in the same Court to bee entred and inrolled of Record, without anie fée or reward to be taken or had of the partie for the doing thereof. And after such offer made & recorded, it shall and may bée lawfull for euerie person which hereafter shall so exhibite and offer any such graunt, conueyance and assurance into the said Court of the Eschequer, at his libertie & pleasure, at al times within one yére then next following, to produce and bring such testimonie, prowfes and witnesses, into the said Court of Eschequer, there to be examined, as he can, for the better prowfe of his said graunt and assurance to be made bona fide, and without any fraud or couin.

Treasorer Chauncelor Barons of the Eschequer

Fee

Witnesses

Bona fide

And

And yet neuertheleſſe, if at any time after, vpon anie informatiõ vpon that caſe, or other information to be preferred & exhibited into the ſaid Court of the Eſchequer, for, & on the behalfe of our ſaid ſouereaigne Ladie the Quéene, or vpon any action vpon the caſe or ſuit to be proſecuted by any the Patentées of the Quéens Maieſtie, her heires or ſucceſſors, or by anie the heirs or aſſignes of anie the ſame Patentées, it ſhall happen to be ſufficientlie tried & proued by verdict of xij. men, according to the cõmon courſe of the Lawes of this Realme, that anie of the ſaid eſtates, aſſurances, & conueiances made by any of the ſaid Rebels & perſons attainted, were made vpon anie fraude or couine, to the intent thereby to defraude the Quéenes Maieſtie of ſuch forfaiture as might haue growen or come to their Highnes, by reaſon of anie the ſaid attainders: That then euerie ſuch eſtate, conueyance & aſſuráce ſo tried & ſufficiently proued, as aforeſaid, to be had and made, by & vpon ſuch fraud or couine, ſhalbe vtterlie void and of none effect, to all intents, conſtructions & purpoſes, vntil ſuch time as ſuch trial by verdict ſhalbe lawfully vndone by Attaint or otherwiſe: anie thing in the ſaid conueyances to the contrarie thereof in anie wiſe notwithſtanding.

Action on the caſe

Patentees

Verdict

Couin

Defraude

Void

Attaint

Prouided alwaies, and be it enacted by authoritie aforeſaid, that this acte, or anie thing therein contained, ſhall not in anie wiſe extend to anie bargaine and ſale by déed indented and inrolled, of anie lands, tenements and hereditaments, made vpõ good and true conſiderations, without fraud or couin, by anie of the ſaid perſons ſo attainted, at anie time before the daie of his or their ſaid ſeuerall Treaſons committed, whereof they ſtand now attainted: But that euerie ſuch bargaine & ſale ſhall ſtande and be in as good force and effect, as the ſame was or were before the making of this act: anie thing herein contained to the contrarie thereof in anie wiſe notwithſtanding.

Deede indented

Good force

And ſauing to all and euerie perſon and perſons, & bodies politike and corporate, their heirs & ſucceſſors, and to the heirs, & ſucceſſors of euerie of them, (other then ſuch perſons & their heires, as be or haue bin parties or priuie to anie eſtates or cõueyances made by fraude or couin, as is aforeſaid, & other then ſuch as ſhall not exhibite, offer, and ſhewe forth their ſaide graunts, conueiances & aſſurances, in the ſaid Court of Eſchequer, within the time to them before in this act limitted) al ſuch eſtate, right, title and intereſt, as they or anie of them haue, of, in or to anie of the ſaid manors, lands, tenements, and hereditaments, or anie parcell thereof, in as large and ample maner and forme, to all intents and purpoſes, as they or anie of them had before the making of this act: anie thing in this act contained to the contrarie thereof notwithſtanding.

Bodies politike

Priuie

Shew forth

Prouided alwaies, that this act, or anie thing therein contained, ſhal not extend to anie leaſe of lãds, tenements, or hereditaments, moſt cõmonly vſed to bee letten to farme for yeres or liues, within ỳ ſpace of xx. yéeres before ỳ making of the ſame leaſe, and not exceeding the terme of xxj. yéeres, or three liues, from the time of the making of the ſaid leaſe, & whereupon the vſuall accuſtomed yéerely rent or more is reſerued: Nor to anie eſtate by copie of anie lands or tenements, made according to the cuſtome of anie manor, wherof the ſame is parcell. An. 18. Eliz. cap. 4.

Leaſes

xxi. yeeres vj. Liues

Copyhold

3 ¶ Foraſmuch as not onely the Maieſtie moſt excellent Maieſtie, but alſo diuers of her Highneſſe good and louing ſubiects, and bodies politike and corporate, after conueyances obtained or to be obtained, & purchaſes made, or to be made of lands, tenements, leaſes, eſtates, and hereditaments, for money or other good conſiderations, may haue, incurre, & receiue great loſſe and preiudice by reaſon of fraudulent and couenous conueyances, eſtates, gifts, graũts, charges, and limitations of vſes heretofore made, or hereafter to bée made, of, in, or out of lands, tenements or hereditaments, ſo purchaſed or to be purchaſed, which ſaid gifts, graũts, charges, eſtates, vſes and conueyances were, or hereafter ſhalbe meant or intended by the parties that ſo make the ſame, to bée fraudulent and couenous, of purpoſe and intent to deceyue ſuch as haue purchaſed or ſhall purchaſe the ſame, or els by the ſecrete intent of the parties, the ſame bée to their owne proper vſe, and at their free diſpoſition, coloured neuertheleſſe by a fayned countenance and ſhewe of wordes and ſentences, as though the ſame were made bona fide for good cauſes and vpon iuſte and lawfull conſiderations: For remedie of which inconueniences, and for the auoyding of ſuch fraudulent, fained, and couenous conueyances, gifts, graunts, charges, vſes and

Void

Graunt Leaſe Vſe

eſtates,

eſtates, & for the maintenance of vpright & iuſt dealing in the purchaſing of lands, tenements and hereditaments: Be it ordained & enacted by the authoritie of this preſent Parliament, that all and euerie conueyance, graunt, charge, leaſe, eſtate, incumbrance, and limitation of vſe or vſes of, in or out of anie lands, tenements, or other hereditaments whatſoeuer, had or made anie time heretofore ſithence the beginning of the M. Maieſties raigne that now is, or at anie time hereafter to be had or made, for the intent and of purpoſe to defraud and deceiue ſuch perſon or perſons, bodies politike or corporate, as haue purchaſed, or ſhall afterwards purchaſe in fee ſimple, fee taile, for life, liues or yeeres, the ſame landes, tenementes and hereditaments, or anie parte or parcell thereof, ſo formerly conueyed, graunted, leaſed, charged, incumbred or limitted in vſe, or to defraude and deceiue ſuch as haue, or ſhal purchaſe anie rent, profite or commoditie, in, or out of the ſame, or anie part thereof, ſhalbe deemed and taken onely as againſt that perſon and perſons, bodies politike and corporate, his & their heires, ſucceſſors, executors, adminiſtrators and aſſignes, and againſt all and euerie other perſon and perſons lawfullie hauing or claiming, by, frō, or vnder thē, or anie of them which haue purchaſed, or ſhal hereafter ſo purchaſe for money or other good conſideration, the ſame landes, tenements, or hereditamēts, or anie part or parcell thereof, or anie rent, profite, or cōmoditie, in or out of the ſame, to be vterlie void, fruſtrate, & of none effect: anie pretence, colour, fained conſideration, or expreſſing of anie vſe or vſes, to the contrarie notwithſtanding.

And be it further &c. that all and euerie the parties to ſuch fained, couenous, and fraudulent gifts, graūts, leaſes, charges, or conueyances before expreſſed, or being priuie and knowing of the ſame, or any of them, which after the xx. day of April next comming, ſhal wittingly & willingly put in vre, auow, maintaine, iuſtifie or defend the ſame, or anie of them, as true, ſimple, and done, had or made bona fide, or vpon good conſideration to the diſturbance or hinderāce of the ſaid purchaſer or purchaſers, leaſees or graūtees, or of, or to the diſturbance or hinderance of their heires, ſucceſſors, executors, adminiſtrators or aſſignes, or ſuch as haue or ſhal lawfully claime anie thing, by, frō, or vnder them, or anie of them, ſhall incurre the penaltie & forfaiture of one yeeres valne of the ſaid lands, tenements, and hereditaments ſo purchaſed or charged: The one moitie wherof to be to the M. Maieſtie, her heirs and ſucceſſors, and the other moitie to the partie or parties grieued by ſuch fained & fraudulent gift, graunt, leaſe, cōueiance, incumbrance, or limitation of vſe, to be recouered in anie of the Quēnes Courts of Record, by action of debt, bill, plaint, or information, wherein no eſſoine, protection, or wager of lawe ſhalbe admitted for the defendant or defendants. And alſo being thereof lawfully conuicted, ſhal ſuffer impriſonment for one half yeare, without baile or mainpriſe. Forf. Imprison.

Prouided alſo and be it enacted &c. that this act, or any thing therin cōtained, ſhal not extend to be conſtrued to impeach, defeat, make voide or fruſtrate any conueyance, aſſignemēt of leaſe, aſſurāce, graūt, charge, leaſe, eſtate, intereſt or limitation of vſe or vſes, of, in, to, or out of any lāds, tenements or hereditaments heretofore at any time had or made, or hereafter to be had or made, vpon or for good conſideration and bona fide, to anie perſon or perſons, bodies politike or corporate: anie thing before mentioned to the contrarie thereof notwithſtanding.

And be it further &c. that if anie perſon or perſons, haue heretofore ſithence the beginning of the Quēnes Maieſties raigne that now is, made, or hereafter ſhall make any conueyance, gift, graunt, demiſe, charge, limitation of vſe or vſes, or aſſurance of, in, or out of any lands, tenementes, or hereditamentes, with anie clauſe, prouiſion, article, or cōdition of reuocation, determination, or alteration, at his or their will or pleaſure of ſuch conueiance, aſſurance, graunts, limitations of vſes or eſtates, of, in, or out of the ſaide landes, tenements or hereditaments, or of, in, or out of any part or parcell of them contained or mentioned in any writing, deed, or indenture of ſuch aſſurance, conueyance, graunt or gift, and after ſuch cōueyance, grant, gift, demiſe, charge, limitation of vſes or aſſurance ſo had or made, ſhall or do bargaine, ſell, demiſe, graunt, conuey, or charge the ſame landes, tenements or hereditaments, or any parte or parcell thereof, to any perſon or perſons, body politike or corporate, for money or other good conſideration paied or giuen, the ſaid firſt conueyance, aſſurance, gift, graunt, Condition

Void

graūt, demise, charge or limitatiō, not by him or thē reuoked, made void or altered, according to the power and authoritie reserued or exprẽsed vnto him or them, in, & by the said secret cōueiance, assurance, gift or grant: That then the said former conueiance, assurance, gift, demise, & graunt, as touching the said landes, tenements, & hereditaments so after bargained, solde, conueyed, demised or charged against the said bargainées, vendées, lessées, graūtées & euerie of them, their heires, successors, executors, administrators and assignées, & against all and euerie person and persons, which haue, shall, or may claime anie thing by, from, or vnder them, or anie of them, shal be deemed, taken & adiudged to be void, frustrate, & of none effect, by vertue and force of this present act.

Mortgage

Prouided neuertheless, that no lawful Mortgage made or to be made bona fide, and without fraud or couin, vpon good cōsideration, shal be impeached or impaired by force of this act, but shal stād in the like force & effect, as the same should haue done if this act had neuer bene had nor made: anie thing in this act to the cōtrarie in anie wise notwithstanding. And be it further enacted by the authoritie aforesaid, that al the whole tenor & contents of all statutes Marchants, and Statutes of the Staple hereafter to be knowledged, shall within vj. Moneths next after such knowledging be entred in the office of the Clerke of recognisances, taken according to the statute made in the xxiij. yére of the raigne of the late king H. the 8. by the shewing forth of the said statute Marchant or statute Staple so knowledged vnto the said clerke, which said clerke of Recognisance shall enter, or cause to be entred the same statutes into a booke for that purpose to be

Statute Marchant Statute Staple

Fee

prouided & safely kept by him taking vnto iij. d. and no more for euerie such entrie. And be it further enacted, that if the partie to whom anie such statute Marchant or of ỳ staple shalbe knowledged, his executors or administrators, do or shall not within

4. Moneths

iiij. moneths next after ỳ knowledging of any such statute, bring & deliuer, or cause to be brought and deliuered vnto the said clerk or his deputie or deputies for ỳ time being, all & euerie such statute & statutes as shalbe so knowledged to him or to his vse, whereby & to the intent that the said clerke, his deputie or deputies may take & enter a true Copie therof: that then euery such statute Marchant & of the staple not so entred shalbe void, frustrate, & of none effect, against all & euerie such person and persons, & bodies politike and corporate, their heirs, successors, executors, administrators & assignes onely, as shal after the knowledging of the said statutes, or anie of thē, purchase for money or other good cōsideratiō the lands, tenements or hereditaments, which were liable to ỳ same statute Marchant or the staple, or anie part or parcel therof, or anie rent, lease or profit, of or out of the same. And if the said clerke or his deputy or deputies for ỳ time being, shal not vpō such shewing & deliuerie vnto him or them of any statute Marchant or of the staple, enter or cause to be entred the same in his said booke, within ỳ said time of vj. moneths, & also indorse vpō euerie such Statute so by him entred the date and yére of his said entry, with his or their owne name: That then euerie such Clerke failing or defective in that behalf, shall forfaite and lose for euerie statute Marchant & of the Staple so brought vnto him or them, & not entred and indorsed, or caused to be entred & indorsed as is aforesaid, the summe of xx. li. The one moitie wherof to be to the Quéens Maiestie, her heires and successours, and the other moitie to him or them that wil sue for the same, in anie of the Queenes courtes of Record, by action of debt, bil, plaint, or information, wherein no essoine, protection, or wager of law shalbe allowed.

Void

Clerke of the statutes

6. moneths

Forf.

Moitie

And bee it further enacted &c. that no clerke of the said recognisance shal or may take, for, or in respect of anie search to be made, for or concerning any statute Marchant, or of the Staple, so to be entred as aforesaid aboue ij. d. for one yeeres search, and so after the rate of ij. d. for euery yeere & not aboue, vpon paine to forfait and lose to the partie or parties grieued thereby, xx. times as much as he shall take contrarie to the true meaning of this acte, to be recouered in anie of the Queenes Maiesties courts of Record, by action of debt, bill, plaint, or informatiō, wherin no protection or wager of lawe shalbe allowed: This acte to continue for the space of ten yeeres, and from thēceforth vnto the ende of the Parliament then next following.

Clerke of the Recognisance Search

ij. Pence

Forf.

x. Yeeres

Prouided alwaies, that this act nor any thing therein contained, shall extende or be construed to make good anie purchase, graūt, lease, charge or profite, of, in, or out of any lands, tenemēts, or hereditamēts, heretofore made void, defeated, or vndone,

by

by reason of any former cõueiance, grant, or assurance, so as the party or parties, or their heires or assignes, which haue so defeated or made void the same, were in actuall possessiõ the first daie of this present Parliament, of, or in the said lands, tenements, or hereditaments, whereof, or out of the which anie such purchase, graunt, lease, charge or profite was made.

Prouided that this acte, nor anie thing therein contained, shal extend in anie sort to restraine or impaire the iurisdiction, power, or authoritie of ỹ court of Starre Chamber. An. 27. Eliz. cap. 4. Starre chamber

4 ¶ Forasmuch as it hath bene and is verie much bruted and published abroad, and by sundrie persons pretended, that diuers & manie of the persons attainted of high Treason, sithence the viij. day of Februarie, in the xviij. yeere of the raigne of our Soueraigne Ladie the Quéens Maiestie, for matter tending to the hurt, death, or destruction of the Quéenes Maiestie, or to anie actuall rebellion or invasion to haue bin made within this realme, or anie other the Quéenes Maiesties dominions, or for being adherent or giuing aide and comfort to anie the Quéns Maiesties enemies within the same Realme, or elsewhere, haue made diuers secrete and fraudulent estates and conueyances of their landes, tenements, and hereditaments, to the intent thereby to defraude the Quéenes Maiestie of such forfaiture of their landes, tenements, and hereditamẽts, as her Highnesse by reason of their seuerall Treasons, is, or shall be intituled to haue: And for asmuch as the saide pretended fraudulent estates and conueiances are yet kept secrete and not openly published, and in time to come may be verie daungerous, and likely to tend to disinherite the Quéns Maiestie, her heirs, successors and assignes, of their estate and interest, in such lands, tenements, and hereditaments, as her Maiestie, her heires, successors or assignes, now haue or ought to haue, by reason of the said attainders, vnlesse some prouision be made, that such secrete estates, conueyances and assurances, may in due and conuenient time bee openly published and brought to light. For remedie whereof: Be it &c. that euerie person or persons, which hath or claimeth to haue anie estate of inheritance, lease or rent, not alreadie entred of record, or certified in the Quéns Maiesties Court of Eschequer, of, in, or to, or out of anie manors, lands or hereditaments, by or vnder anie graunt, assurances or conueyãces whatsoeuer, had, made, or done, at anie time sithence the beginning of the Quéenes Maiesties raigne, by anie the persons attainted for anie the foresaid causes, sithence the eight daie of Februarie, shall within two yéeres next insuing the last day of this Session of Parliamẽt, openly shewe & bring forth, or cause to be shewed or brought forth into ỹ Quéenes Maiesties said Court of Eschequer, the same his or their graunt, conueyance and assurance, which he or they haue or hath, or pretendeth to haue, of, in, or to anie the said mannors, landes, tenements or hereditamentes. And there in the Terme time in open Court shall offer and exhibite the same graunt, conueyance and assurance, or vpon his or their Othe, affirming that he or they haue not nor cã come by the same, or that it was neuer put in writing: Then the effect thereof in writing to be entred and inrolled of Record, or else euery such graunt, conueyance and assurance shalbe vtterly voide and of no effect to all intents and purposes. Fraudulent estates Assurances Eschequer Othe Inrolment

And be it further enacted &c. That the Lord Treasorer, Chauncelor, and Barons of the said court of Eschequer for the time being, or anie of them, vpon euerie such offering and exhibiting of anie such graunt, conueyance or assurance, or the effect thereof, hereafter in forme aforesaid to be shewed or brought forth, shall forthwith cause the same offer to be entred of Record, and shall likewise cause the saide graunt, conueyance or assurance, or the effect thereof, as is aforesaid, in the same Court to be entred & inrolled of Record, without any fee or reward to be taken or had of the partie for the doing therof. And after such offer made and recorded, it may & shalbe lawfull for euerie person which hereafter shall exhibite and offer any such graunt, conueyance and assurance, or the effect thereof, as is aforesaid, into the said Court of Eschequer, at his libertie and pleasure, at all times within the said two yeeres, by proces to be graũted out of the said Court of Eschequer or otherwise, to produce and bring forth such testimonie, proofes and witnesses, into the said Court of Eschequer, there to bee examined, as hee can, for the better proofe of his saide graunt, conueyance or assurance to bee made bona fide, and without anie fraude or couine. Treasorer Chancelor Inrolmẽts Witnesses

And

And yet neuertheleſſe, if at any time after, vpon any information vpon the caſe, or other information to be preferred and exhibited into the ſaid Court of Eſchequer, for, and in the behalfe of our ſaid ſoueraigne Ladie the Quéene, her heires or ſucceſſors, or vpon anie action vpon that caſe or ſuite to be proſecuted by anie the Patentées of the Quéenes Maieſtie, her heires or ſucceſſors, or by anie other the heires or aſſignes of the ſame Patentées, it ſhal happen to be ſufficiently tried and proued by verdict of xij. men, according to the common courſe of the Lawes of this realme, that anie of the ſaid eſtates, aſſurances, & conueiances made by anie of the ſaid Traitors and perſons attainted, was made vpon anie fraude or couine, to the intent thereby to defraude the Quéenes Maieſtie of ſuch forfaiture as might haue growen or cõmen to her highneſſe by reaſon of anie of the ſaid attainders: That then euerie ſuch eſtate, conueiance & aſſurance ſo tried and ſufficiently proued, as aforeſaid, to be had or made, by and vpon ſuch fraud or couine, ſhalbe vtterly void & of none effect, to al intents, conſtructions and purpoſes, vntill ſuch time as ſuch triall by verdict ſhalbe lawfullie vndone by Attaint or otherwiſe.

Bargaine and ſale

Prouided alwaies, and be it enacted by the authoritie aforeſaid, that this act or anie thing therein cõtained, ſhal not in anie wiſe extend to any bargaine & ſale by déed indented & inrolled, nor to any other aſſurãce heretofore inrolled in anie y Quéens Maieſties courts of Record at Weſtminſter, made vpon good & true conſideration or conſiderations, without fraude or couin, by anie of the ſaid perſons ſo attainted, at anie time before the day of his or their ſaid ſeuerall Treaſons committed, whereof they now ſtand attainted: But that euerie ſuch bargaine & ſale and aſſurance ſhall ſtand & be in as good force and effect, as the ſame was or were before the making of this act: anie thing herein contained to the contrarie therof in any wiſe notwithſtanding. And ſauing to all and euerie perſon & perſons, and bodies politike and corporate, their heirs and ſucceſſors, and to the heires & ſucceſſors of euerie of them, (other then ſuch perſons and their heires, as be or haue bene parties or priuie to anie eſtate or conueiances made by fraud or couin, as is aforeſaid, & other then ſuch as ſhal not according to the true meaning of this ſtatute exhibite, offer, & ſhew forth their ſaid grãts, cõueyances and aſſurances, or the effect thereof, as is aforeſaid, in the ſaid Court of Eſchequer, within the time to them before in this Acte limited) all ſuch eſtate, right, title and intereſt, as they or any of them haue, of, in or to anie of the ſaid manors, lands, tenements, rents, profites and hereditaments, or anie parcell thereof, in as large and ample maner & forme, to all intents and purpoſes, as they or anie of them had before the making of this acte: anie thing in this act contained to the contrarie therof notwithſtanding.

Leaſes

Prouided alwaies that this act, or anie thing therein cõtained, ſhal not extend to anie leaſe, not exceeding xxj. yeeres, or iij. liues, or made for any nũber of yeres determinable vpon one, ij. or iij. liues, from thet ime of y making of the ſame leaſe of lands, tenements, or hereditaments moſt commonly vſed to be letten to farme, for yeres or liues, within the ſpace of twẽty yeers before the making of the ſame leaſe, & whereupon the vſual accuſtomed yeerlie rent or more is reſerued: Nor to anie eſtate by copie of anie lands or tenemẽts, made according to the cuſtome of anie manor whereof the ſame is parcell.

Vſual rents

Copyholds

Prouided alſo, that this act or any thing therein contained, ſhall not in anie wiſe extend to, or preiudice or hinder anie perſon or perſons, for, touching or cõcerning any conueiance or aſſurance made bona fide, vpon good conſideratiõ, and without fraud or couine, by any of the ſaid perſons ſo attainted, at anie time before their ſeuerall treaſons cõmitted, other then onely the wiues, children, and heires apparant of the perſons ſo Attainted. An. 29. Elizab. cap. 3.

¶ Freeholde.

Diſtraine Freeholder

NOne from henceforth may diſtraine his freholders to anſwere for their freholds, nor for anie thinges touching their freehold, without y kings writ, nor ſhall cauſe his freeholders to ſweare againſt their willes, for no mã may do that without the kings cõmaundement. Marleb. An. 52. H. 3. cap. 22.

Sweare

Compelled to appeare

¶ None of the Kings ſubiectes bee cõpelled, neither by no way cõſtrained to come ne appeare before the Cõſell of any Lord or Lady, to anſwere for his freholdins for anie thing touching his freholde, nor for any other thing reall or perſonal, that

that belongeth to the law of the lande in any maner. And if any finde themselfe grieued in time to come, contrary to this ordinance & agreement, he may complain to the Chaūcelor for the time being. An. 15.R.2.cap.12.

Complaint Chancellor

3 ¶The said Statute of An.15.R.2. ca.12.(before 2.) shalbe firmely holden & kept, and if any Lord or Lady, or other of the kings liege people, doe to the contrary, they shal incurre the paine of xx.li. to the king. An.16.R.2.cap.2.

Forf.

¶Friers.

AN.4.H.4.cap.17. An act was made against Friers, for taking and keeping of children, which Act is perpetuall.

¶Fuell.

ANno.34.H.8.cap.3. An acte was made for assise of Fuell, but that assise was altered by Anno 7.Ed.6.cap.7. which followeth here 2.

2 ¶That there may be a conuenient assise of Fuel kept, both in respect of scarsitie of wood of late time happened, and in mittigation of the assise set downe in former lawes, & that the seller, maker, & marker of wood may be punished aswell as the buyer, Be it &c. That no person or persons shal sustaine any losse, paine, or penaltie, for buying or selling of any tall wood, billet or fagot, now cut & made, although the same be not of the assise contained in the said act. (2. of 34.H.8.ca.3. before 1.) any thing contained in y same act notwithstanding. And that all tall wood, billet, fagot, & coales to be made & put to sale in the Cities of London or Westminster, or in the suburbes of the same, after the last day of September next cōming, shall keepe the assises hereafter expressed: that is to wit, That euery sacke of coales containe foure bushels of good & cleane coales. And that euery tall shide containe in length viii. foote besides the carte. And euery tall shide named of one, to containe in greatnes with a foote of the middest xvi. ynches about. And euery tall shide named of two, to cōtaine in greatnes within a foote of the middest xviii. ynches about. And euery tall shide named of three, to containe in greatnes within a foote of the middest xviii. ynches about. And euery tall shide named of foure, to containe in greatnes within a foot of the middest xviii. ynches about. And euery tal shide named of fiue, to containe in greatnes within a foote of the middest xviii. ynches about. And euery billet to containe in length iii. foote & iiii. ynches. And euery billet named a single to cōtain vii. ynches & a half about. And euery billet named to be a cast, to cōtaine x. ynches about. And euery billet named of ii. cast to containe xiiii. ynches about. And euery faggot bond to cōtaine in length iii. foot. And y bond of euery such fagot to be of xviii. ynches about, besides the knot: which assises are little lesse then y assises contained in y saide former act, & also are much greater then any assise y now is, or of long time hath bin cōmonly kept.

Tall wood Billet Fagot.

Coales London. Westminster.

Sacke of coales

Tall wood.

Billet

Fagot

And be it further enacted, that it shalbe lawful from henceforth for euery owner without dāger of any forfaiture to make billets of two casts. And that all billets of two casts, frō henceforth to be made & put to sale, shal be of the Assise herein comprised or more, & shalbe marked only within fiue ynches of the middest therof. And that euery billet of one cast frō hēceforth to be made & put to sale, shalbe only marked within iiii. ynches of y end therof, vpon paine that euery marker, & euery seller y shal make any such fuel or coales, & put the same to sale, to forfait for euery shide of tall wood, billet, faggot, or sacke of coales, from henceforth put to sale lacking of the assise aforesaid iii.s.iiii.d. And that this present Statute onely, & no other Statute of assise of fuel or coales, shall frō henceforth stand in force ne take place.

Owner

Marks Marker

Seller Put to sale Forf.

And forasmuch as by the grædie appetite & couetousnes of diuers persons, fuel, coales & wood, runneth many times thorough iiii. or v. seueral hands or moe, before it cōmeth to y hands of them that for their necessitie do burne or retail y same: Be it further enacted, y from the first day of May next cōming, no person or persōs shal buy any such wood, coales, or fuell, but only such as wil burne & consume the same, or such persons as shal sel the same againe by retaile, to such as shal burne & consume the same for their owne occupying, without fraud or couin, or wharfingers or bargemen, vpō paine to forfait y treble value of al such wood, coales, and fuel, as shalbe otherwise bought for any lucar or gaine. And that no persō or persons shal alter any marke or assise of any of the said fuell marked or assised, according to this Statute, in paine of like forfaiture, as is aforesaid. The one half of al which forfaitures herein contained shall

Buy wood

Retaile

Wharfingers Bargemen Forf.

Alter marke

Forf. Moitie

he to the King our Soueraigne Lord, and the other halfe to him or them that will sue for the same, by action of debt, bill, plaint or information, in ante the Kings Courts of Record, wherein &c.

Prouided alwaies and be it &c. that no person or persons shal yeld ne forfait any penaltie herein cõtained, vnlesse action or suit be cõmenced for the same within one whole yeere next after the offence therof committed or done. And that if any cutter or marker, as is aforesaid, or other ỹ shall forfait any sums herein contained, shall not be able to yeld such forfaiture or sums as is aforesaid: That then such person therof cõuicted by witnesses, or otherwise to be set on the pillorie in ỹ next Market towne to the place where he shal so offend, by a Iustice of the peace, or any other the Kings officers, at x. of the cloche vpon the Market day, with a billet or faggot bounden to some part of his bodie, & so to be discharged of the said forfaiture.

Within one yeere

Marker

Pillorie

Inst. of P.

Prouided also & be it enacted, that it shal be lawfull to euery person or persons, to buy, sell, marke, & cut billets for the onely seruing of the Towne of Calice, & the Marches of the same, so that they containe in length xxv. inches at the least, as it hath bin there most accustomed xl. yeers last past, without forfaiture of any penaltie herein contained: Any thing herein contained to the cõtrary in any wise notwithstanding. An. 7. Edw. 6. cap. 7.

Calice

¶ Fugitiues ouer the Sea.

BE it enacted, that all and euery person and persons, of what estate, degrée, or conditiõ they be, being the natural borne subiectes, of, or in this Realme of England, or other Dominions, beyng vnder the obeysance of the Queene, her heires or successours, or being free Denizens of this realme, the which at any time sithẽce the first day of the Raigne of our Soueraigne Ladie ỹ Queene, (whom Almightie God long preserue) hath passed, or hereafter during her Maiesties life shall passe out of this Realme of England, or of Ireland, or any other the Dominiõs of the same, at ante place whatsoeuer, into any Realmes, Dominions or Countries, of any forreine Prince, Potentate or gouernour, by whatsoeuer name or names they be called or knowẽ, without the speciall licence of our said Soueraigne Ladie, by writing vnder the great Seale of England, priuie Seale, or priuie Signet: That then euery such person or persons which hath departed, or hereafter shal so depart out of this Realme, or the Realm of Ireland, or any the Dominions of the same, without such licence, as is aforesaid, & shal not returne into ỹ same realm of England, & there yeld & render his or their bodies to the custodie & ward of the Shirife of the Countie where such person or persons shal so arriue, or to some of the most honorable Priuie Counsell of our said Soueraigne Lady, within the space of vi. Monethes, next after Proclamation made by our saide Soueraigne Lady the Queene, vnder the great seale of Englãd for the returne & yelding of the bodie of such person or persons, so as is aforesaide departing without licence: shall forfait & lose to our said soueraigne Lady ỹ Quene, the whole profits, (See 14. Eliz. cap. 6. after 2.) of all their manors, landes, tenements, and hereditaments, during their liues, whereof they were seised of any estate of freehold or inheritance, in their owne right, or in the right of their wiues, And also shall forfait vnto the same our soueraigne Lady the Queene, her heires & successors for euer, al their goods & cattels whatsoeuer. And that all & euery the benefices, prebends, & other ecclesiastical promotions & dignities whatsoeuer, of euery spirituall & ecclesiasticall person so offending, in departing the Realme, as is aforesaid, & not returning & yelding their bodies in forme aboue limitted, shal be vtterly void to all intents & purposes, as though the Incumbent were dead. And that the Patron & Donor of euery such benefice, prebend, spiritual promotion & dignitie, shal & may lawfully present to the same, or giue the same, in such maner & forme, as if ỹ said Incumbent were dead. And be it further enacted by the authoritie aforesaid, that all & euery person & persons being natural borne subiectes, as is aforesaid, & also all & euery Denizen and Denizens, which at any time sithẽce the first day of the raigne of our saide Soueraigne Lady the Q. haue departed, or hereafter during her Maiesties life, shall departe out of this Realme, or the Realme of Ireland, or any the Dominions of the same, by licence of our saide soueraigne Lady, vnder any the seales aforesaid, into any forreine realmes, countries or dominions, being not vnder ỹ obeisance of her highnes, & shal not return into this Realme, and there yeld his or their

Subiects

Denizens

Without licence

Departing out of this Realme or Ireland

Returne

Render his body

Shirife

Priuie Counsell

6 Monethes Proclamation

Forf.

Lands

Forlike Freehold

Forf.

Goods

Benefices Prebends

Cloyde

Patron

Present

Borne subiects Denizens

With licence

Returne

their bodies, as is aboue declared, wthin the
6 Moneths space of vi. Moneths, next after the expi-
ring of ꝯ time appointed, by, or in such li-
cence for his abode in such forein realme,
Licence expired 6 Moneths Dominion & Countries, if their licence
shal expire hereafter, but if their licẽce be
Libertie expired already, then within viii. Mo-
neths after the end of this session of Par-
liament, if he or they shalbe at their own
libertie, & not restrained or compelled a-
gainst their will, not to depart out of, or
from such forein Realme, Dominion or
countrey: or not further licenced as is a-
foresaid, for a further terme: That then
Fork. al & euery such person & persons, shal for-
fait & lose to our said Soueraigne Lady ꝯ
For life Lands Queene, during their liues, the whole
profits of al the manors, lands, tenemẽts
Freehold & hereditaments, wherof they shalbe sei-
sed, of any estate of frehold or inheritãce,
Mines goods in their own right, or in the right of their
wife or wiues, & also all their goods and
Benefice cattels whatsoeuer. And that the benefi-
ces, prebendes & other ecclesiasticall pro-
motions & dignities whatsoeuer, of euery
Clowde spiritual & ecclesiasticall person so offen-
ding, shalbe vtterly voide to all intents &
Patrons purposes, as though the Incumbent were
dead. And that the Patrons & Donors of
euery such benefice, prebend, spirituall
promotion & dignitie, shall & may lawfull-
ly present to the same, or giue the same,
as if the Incumbent were dead.

And forasmuch, as diuers of the saide
persons, after they haue determined to
Ireland passe out of this Realme, or the realme of
Ireland, or ꝯ dominions of any of ꝯ same
without licence, or hauing licence, deter-
mine not to returne into the same, accor-
ding to their licence: do most commonly
Fraude Recoueries Leases by couine & fraud, make, cause, or suffer
to be made and had, recoueries, estates,
graunts, leases, & other conueyances of
their manors, lands, tenements & hered-
Graunts Fraudulent gifres Goods itaments: And also do by couine & fraude
make gifts & graunts, & other deuises of
their goods & cattels to the intent & vpon
priuie confidence, that the profits of the
same may be imployed & bestowed, in such
forme & to such secrete purposes and vses,
as they do or shal limit and appoint, and
be agreed vpon: Be it therfore &c. that all
and euery such estates, graunts, leases,
gifts, deuises, and conueyances whatsoe-
uer, and euery of them, being found by of-
fice to be made & had by fraud or couine,
as is aforesaid, shall be as touching such
interest, as by this act is appointed to our
Soueraigne Ladie the Queenes bigh-
nes now being, her heires & successors,
as is aforesaid, & as against the same our
soueraigne Lady the Q. for & concerning
the same interest, vtterly void and of none Void
effect or validitie in the law. And ꝯ our
saide soueraigne Lady the Queene shall
haue and inioy the same so couenously cõ-
ueied, as if the partie so offending were
thereof actually seised or possessed: such
recoueries, estates, leases, graunts or
conueyances, suffered, had or made, or a-
ny lawe, statute, vsage, custome or other
thing to the contrary notwithstanding.

And bee it further &c. that the Lorde
L. Chancellor Chauncelor of England, or the Keeper of
L. Keeper Great seale the great seale for the time being, shall
haue full power & authoritie during the
Queens Maiesties life, by vertue of this
Act, without other warrant, to make and
Comissions award out vnder the great Seale of En-
gland, Commissions from time to time
to such person and persons, as by the wise-
dome & discretion of the said Lord Chan-
cellor or Keeper of the great Seale shalbe
Inquirie named and appointed, to inquire by the
othes of xii. lawful men at the least, what
person or persons haue departed out of
Without licence With licence this Realme, or other the dominions of
the same, without licence, or by licence,
& not returned into ꝯ same & yelded their
Lands Goods bodies in such maner & forme as is aboue
declared: and what manors, lands, tene-
ments, hereditaments, goods & cattels
ii. yeres they or any of them were seised or posses-
sed of, at any time within the space of ii.
yeres next before their said departing, or
after, & what estates & conueyances they
Couine Terretenants or any of them haue made, & when & whe-
ther the same were made vpon couin, as
is aboue expressed, & what person & psons
bin the terretenants of the same manors,
Occupiers lands, tenements & hereditaments, or oc-
cuppyers & possessors or takers and recei-
uers of the profits of the same, & of ꝯ saide
Goods goods & cattels, & by what title they hold
& possesse the same, and to whole & what
vse or vses, and of the yeerely rents & va-
Rents Inquisition lues therof. The which inquisition ther-
upon taken, shal be made in writing in-
Indentred dented, betweene such of the Commissio-
ners as shall execute ꝯ same, interchãge-
Sealed Jurors ably sealed with their seales, & the seales
of the Jurors, by whom the same inqui-
sition shalbe founde. And that the same
part so sealed by the Jurors, shall be de-
liuered vnto the saide Commissioners,
and the other part thereof sealed by the

Foreman

Cõmissioners

2. Monethes Certifie

Exchequer

Anayleable

Trauers

Barons of the Excheq. Order Rents

Estate

Without licence

3. Monethes Proclamation

Great seale

Declare

Fort.

Imprisonment

Cõmissioners, shalbe delyuered & remain with the foreman of the Jury, by whom the same inquisition shalbe found. And that the Cõmissioners within the space of two Monethes next after such inquisition found and sealed, shal certifie & deliuer the same Commission, with ỳ counterpane of the same, sealed by the Jurors as is aforesaid, into the Court of the Exchequer of our said Soueraigne Lady the Queene, there to remaine of record. See 14. Eliz. cap. 6. after 2.

And be it &c. that all & euery the saide matters & things being truely found vpon any the saide Commissions by inquisition, as is aforesaid, shalbe good & available in ỳ law, to all intents & purposes, vntil the same shalbe vndone by lawfull trauerse, which the partie grieued shall haue at his wil & pleasure. And that the Barons of ỳ said Exchequer shall & may therupon from time to time take such order for the true answering of the rẽts, reuenues, issues & profits of ỳ said manors, lands, tenements, hereditaments, goods & cattels, to the vse of our said soueraigne Lady the Queene, as vnto them and the said court of the Exchequer, shall seeme most expedient. See 14. Eliz. ca. 6. after 2.

And be it &c. that if any person or persons to whome any estate, graunt, lease or other conueyance is, or hereafter shall be made or had, by any such pers̃ or persons, which haue departed or hereafter shal, in forme aforesaide, depart into any forreine Realme, Countrey, or dominion, by or without licence, as is aforesaide, of any their manors, lands, tenements, hereditaments, goods or cattels, doe not within the space of three Monethes next after Proclamation made in the name of our said Soueraigne Lady the Queene, vnder the great Seale of England, win any Countrey where the same manors, lands, tenements & hereditaments shall lye, truely declare vpon their othes, either before the said Comissioners, or before ỳ Barons of the Exchequer, or some of them, to what vse and intent of such estates, graunts and conueyances were made, according vnto ỳ very trueth, without any concealement or colour: ỳ then euery such person and persons to whom such estate or conueiãce is or shalbe made, shall forfait & lose vnto our saide Soueraigne Lady the summe of ff. li. of lawfull money of England, & shall also suffer imprisonment during the pleasure of the same our Soueraigne Lady. And further that the said Commissioners, & so many of them as shal take vpon them the execution of the said Commission, & also the Barons of the Exchequer, after the returne & certificate of the same Cõmission before them, shal haue ful power & authority by vertue of this act, by all such meanes and waies, as to them shal seeme most expedient, to send for all and euery such person & persons, as shall haue any estate, interest, possession, occupatiõ or medling with the said manors, lands, tenements, goods or cattels, or any other: & them and euery of them to examine vpon their corporall othes, to open and declare plainely and truely, to what and whose vse, profit and commoditie, they haue or holde the same manors, lands, tenemẽts, goods & cattels, and how & to what & whose vse the rents, reuenues, issues & profits of the same, bin and hath bin conuerted & imployed, and howe long time: and to vse all such other waies, meanes & circumstances, for the knowledge of the truth in the premisses, as to them shal seeme meete & conuenient. And if any person or persons, being sent for to be examined as is aforesaid, shal not appeare at the day and place to them appointed, & hauing no lawfull excuse for ỳ contrary: Or after appearance shall depart without licence of such as shall haue power to examine them, as is aforesaide: or shal refuse to aunswere to such Interrogatories, as shall be ministred vnto thẽ touching the premisses, & the circumstances & dependances of the same: That then euery person & persons aforesaid so offending shall pay & lose to the Q. our Soueraigne Lady, such fine & fines for the said cõtempt, as shalbe assessed by such, before whom the saide examinations should bee made, as is aforesaide, for the knowledge of the trueth in the premisses. Sauing to euery person & persons, bodies politique & corporate, their heires and successors, other then the saide person and persons so de parting by lycence, or without licence, as is aforesaide, and other then such person and persons to whom any of the saide assurances, conueyances or deuises be or shall bee made, as is aforesaide, and other then all & euery such person and persons which haue or shall haue, or claime anie thing, of, in, or to any such manors, lands, tenements, goods, and cattels, by, or from any person or persons, to whome anie such assurance, deuise, or cõueiance shalbe made

Commissioners

Barons of the Exchequer

Examin

Not appeare

Without lycence

Refuse to answere

Fines Contempt

Claime

made,as is afoꝛesaid: al such rights,titles, interests,possessions,leases,rents,reuerꝯõs,remainders,seruices,offices & other pꝛofits & commodities,which they oꝛ any of them without fraud oꝛ couin shal haue in the same, beꝛoꝛe such the departing of any such person oꝛ persons, and not returning,as is afoꝛesaid, in as large and ample maner and fourme, as if this acte had neuer bin had noꝛ made.

Without fraude

Pꝛouided alwaies, that this act oꝛ any thing therein contained, shall not in any wise extend to any knowen Marchant of this Realme of England,oꝛ of ẏ Realme of Ireland, oꝛ any the dominions of the same,oꝛ to any their knowen seruaunts, apꝛentises oꝛ factoꝛs: oꝛ to any knowen Maisters of ships, Mariners, Sailers,oꝛ gunners of any ship,foꝛ & concerning his oꝛ their departing out of the same without licence into any foꝛeine realme, countrie oꝛ dominion , foꝛ his oꝛ their onely trade of Marchandise: so that such Marchant oꝛ Marchants,seruants, apꝛentices, factoꝛs, maisters of ships, oꝛ Mariners,shal not attẽpt to do, noꝛ shal haue attempted oꝛ done any act oꝛ thing whatsoeuer contrary to the ducty of his allegeance,oꝛ to the pꝛeiudice oꝛ peril of our said louereigne Lady the Quẽne, oꝛ the estate of this Realme of England oꝛ Ireland,oꝛ any the Dominions of the same, & shal returne into this Realme, & there yeld his bodie vpon pꝛoclamation foꝛ his returne, as is afoꝛesaide: this act oꝛ any thing therein contained to the contrary notwithstanding.

Marchant
Ireland
Seruants
Mariners
Trade of Marchandize

Pꝛouided also,that if any person by reason of his blind zeale & conscience only depart beyond the Seas without licence as is afoꝛesaid,oꝛ hauing licẽce, doth foꝛ the same cause only tarrie there after ẏ time appointed by Pꝛoclamation be expired, & do not in the time he is beyond ẏ Seas,oꝛ did not beꝛoꝛe he departed out of Englãd, conspire, compasse oꝛ imagine,& by woꝛd, writing,oꝛ any other open Act declare any euil minde to the Quẽnes Maiestie, oꝛ her estate,oꝛ quiet gouernment of her Maiesties realm: that then & in such case ẏ Loꝛd Chauncelloꝛ, oꝛ the Loꝛd Keeper, vpon petition to be made,shall by authoritie of this Act, without any other warrant,limit & appoint ẏ maintenance and education of his desolate wife & children, oꝛ any of them,& allot vnto them one reasonable poꝛtion of ẏ reuenues of the lãds of such fugitiue pson, not vnder ẏ fourth part,noꝛ aboue a thirde part of the value of such lands,as by this act shalbe foꝛfaited to her Maiestie, to be taken of them during the naturall life & absence of the said fugitiue person, so that the saide person beꝛoꝛe his departure shall not haue made otheꝛwise sufficient conueyance & pꝛouision foꝛ them,by ẏ reasonable iudgment of the said Loꝛd Chauncelloꝛ, oꝛ the Loꝛd Keeper of the great Seale.

Blind zeale
Without licence
With licence
Conspire
L. Chauncellor
L. Keeper
Wife and children
4. Part

Pꝛouided also, that if any person offẽding contrary to this statute abouesaide, shal at any time after ẏ by this act he hath foꝛfaited the pꝛofits of his manoꝛs, lãds, tenemẽts oꝛ hereditaments as is afoꝛesaid,repent him of his offence & vndutiful doing, wil acknowledge ẏ great grace of God,returne againe into England, yeld himselfe to the Shiriffe of the Shire as is afoꝛesaid,oꝛ to any one of ẏ Quẽns Maiesties pꝛiuie Counsell, acknowledging his fault,submitting himself to ẏ Quẽns Maiesties obeisance,& fully reconcile himselfe to the true religiõ established by oꝛder of law wiꝑin this Realme, declaring ẏ his reconciliation vnto the Bishop of the diocesse,& shewing the same openly by coming to ẏ diuine seruice,by oꝛder of this realme appointed, and receiuing the holy Communion: That then after one yeare expired, euery such person bꝛinging to ẏ Loꝛd Chauncelloꝛ oꝛ Keeper of the great Seale,a certificat from the Bishop of the dioces,& the Curate of his Parish, of his true & vnfained reconciliation: shalbe reſtoꝛed to al his lands,& the pꝛofits therof, which beꝛoꝛe was foꝛfaited by vertue of this act,frõ thenceforth to be due, & them to repossede frõ thenceforth, in as ample maner,as they had neuer been foꝛfaited.

Lands
Repent
Yeeld himselfe
Shiriffe
Priuie Counsell
Reconcile
Bishop
Communion
After one yere
Certifie
Restoꝛed
Lands

Pꝛouided alwayes,that this act,oꝛ any thing in the same contained , shall in no maner wise extend,oꝛ be deemed oꝛ taken hereafter to extend to the right honoꝛable Lady Jane,duches of Feria nowe being in Spaine, daughter to S. William Doꝛmer knight,noꝛ vnto the Lady Jane Doꝛmer widow, grandmother vnto the said Duchesse: any thing in this act to the contrarie in any wise notwithstanding.

D. of Feria
L. Doꝛmer

Pꝛouided also that this act,oꝛ any thing therein contained, shall not continue oꝛ be in foꝛce oꝛ strength any longer then during the naturall life of the Queenes most excellent Maiestie.

M. life

Pꝛouided also,and be it further enacted by the authoꝛitie afoꝛesaide, that if it foꝛtune any noble man being a peere of this

P. of the Realme

realme, at any time hereafter to depart this realme, whose departure shall not be contrary to the lawes & statutes of this realme: That then no such noble man, so departing, shal incurre any paines or forfaitures prouided by this act, vnlesse such noble man be cõmanded by the letters of our Soueraigne Lady the Quéne, vnder her Graces priuie seale or signet, to make his returne and repaire into this realm, & after such warning do not repair into this Realme, according to ỳ tenor of the same letters, within the space of viii. Monethes, next after the deliuery of such letters of our saide Soueraigne Lady the Quéne vnto any such noble man, as is aboue mentioned, or if such letters shall not be to him deliuered, so as he may well returne within viii. moneths after ỳ sending therof: then vnlesse such noble man shal not returne within other viii. monethes, next after Proclamation to be made, as is aboue appointed: any thing before in this act contained or expressed to the contrary notwithstanding.

Queenes letters
Priuie seale
Returne

8. Moneths
Not returne
Proclamation

Prouided also, that if any noble man being a Péere of this Realme, which at any time hereafter shal fortune to depart out of ỳ realm in such sort, as by ỳ lawes of this realme he may, & who hath not at any time before his departure, nor shall at any time during his abode out of this realme, practise or deuise any matter or thing against the royal person of our said Soueraigne Lady the Quéne, or ỳ quiet estate of this Realme, nor any other her highnes dominions being vnder her obeisance, do returne into this realm, and doe yéeld himself to two of her maiesties priuie cõsel, acknowledging his offéce done contrary to this act: that then euery such noble man shal from thencefoorth be restored to al the rents, reuenues, issues & profits of al his lands, tenements & hereditaments, which frõ thencefoorth should or might growe due vnto our said soueraigne Lady ỳ Quéne by reason of this act: And that then & from thencefoorth the Quénes highnes title, in & to the rents, reuenues, issues & profits of all & singuler his lãds, tenemẽts & hereditaments by vertue only of this act, shal cease, end, & determine: any thing in this act contained to the cõtrary notwithstãding. An. 13. Eliz. ca. 3.

Péere of the realme Depart

Deuise no vnlawfull practise

Returne Yeeld

Restored

Quenes title

Cease

2 Whereas in the statute against fugitiues departing out of this realm made in the last Parliament (5. 13. Eliz. cap. 3. before 1.) amongst other things it is ordained, that ỳ offenders against that statute shal forfait & lose to our Soueraigne Lady the Quéne, the whole profits of al their manors lands, tenements & hereditaments, during their lines: Sithence which time some doubt & question vpon ỳ said words hath risen, & bin moued, Whether her Maiestie, her heires & successors may let and set the same landes, or make graunts by copies of Court roll therof, & vsual woodsales, or els shal onely take ỳ ordinarie profits as they rise, as vesturam terræ, & not otherwise: And wheras in the said estatute, one branch or clause is contained for the making voide of fraudulét conueyances by the said fugitiues of their lands & goods, made to the intent & vpon priuie confidence, that the profits may be imployed as they should limit and agree, vpon ỳ words of which clause, some doubt & question hath also risen, & bin moued, whether the conueyance (to the intent aforesaid) made by such fugitiues as depart out of the realme, hauing licence, & do not return into this realm, according to their licence & intent of the said Statut, shal be within the prouision of the saide estatute, vnlesse their determination of not returning, according to their licence, be proued to be before the making of ỳ saide fraudulent conueyance, as a thing material, before the making of the said conueiance, or whether the same determination of not returning according to the said licence, be not so materiall, but that the same shall by the subsequent act (that is to saye) by the not returning of the same partie, according to the said licence, be sufficiently proued without any further matter. For auoiding of which doubts, be it declared & explained, & ordained by authoritie of this Parliament, that during so long time as her Maiestie, her heires or successors, shalbe intituled to haue the saide profits by vertue of the said estatute, shee & they may let & set, and make graunts by copy of Court roll, and vsual woodsales and other things, to all intents and purposes, as a tenant pur terme dauter vie lawfully may doe. And further, that the said determination, which is but a secrete thought of the fugitiue, whatsoeuer his wordes of speach be, is not materiall, but that the acte and deede subsequent, vz, the not returning of euery such fugitiue, according to his licence, and not hauing such let or excuse, as by the saide Statute is allowed (without any further mater) was, is and

Forf.
Queene
Copyhold
Wood
Least Copy Woodsales
Exposition
Non returning

and ſhalbe taken and deemed a ſufficient proofe of the precedent determination of the ſame partie not to return, according to his licence: any thing to the contrary hereof in any wiſe notwithſtanding.

Rents / Profits

And be it further enacted by the authoritie aforeſaid, that all ſuch rentes, reuenues iſſues, profits & other things as already be comen or growen, or hereafter ſhal come or growe to the Quenes Maieſtie, for any the cauſes of forfaiture mentioned or expreſſed in the ſaid former act & Statute, or declared by this act, ſhall bee anſwered yerely vnto the Quenes Maieſtie in the Court of Eſchequer, & ſhalbe in the order, ſurucy and rule of the ſame Court. And that the Treaſorer, Chancellor, and Barons of the ſaid Court, or the more part of them for the time being, whereof the Treaſorer or Chauncelor to be one, ſhal & may do, and cauſe to be doñ, all and euery ſuch act and thing, as they ſhal thinke mete & conuenient to be had, made or done, for the demiſſing, cuſtodie, receiuing, ordering & better aunſwering to her Maieſties commoditie & profite, of al ſuch rents, reuenues, iſſues, profits & other things as now be comen or growē or hereafter ſhall come or growe to her Maieſtie, for any the cauſes of forfaiture aforeſaid, according to the true meaning of the ſaid former act, and of this preſent ſtatute of explanation & declaration.

Eſchequer / Treaſorer Chancellor / By forf.

Prouided alwayes, and be it further enacted by the authoritie aforeſaide, that all landes, tenements, rents, reuerſions, ſeruices, and leaſes, being at this time parcell of the poſſeſſion of the duchie of Lancaſter, or deriued out of the ſame, whereunto or to the profits whereof, the Quenes Maieſtie, her heires or ſucceſſors in any wiſe is, or hereafter ſhalbe intituled, either by authoritie of the ſaide former eſtatute of fugitiues, or by this ſtatute, ſhalbee from henceforth within the ſuruey, demiſing and order of ẏ court of the ſaide duchie of Lancaſter, in ſuch maner and forme as other the premiſſes be aſſigned or appointed by authoritie of this act, or by the ſaid former act to bee in the ſuruey, demiſing & order of the ſaide court of Eſchequer, & that the tranſcript of al Offices & inquiſitions concerning ẏ premiſſes to be within the ſuruey, demiſing & order of the Duchy of Lancaſter & ſhalbe certified and recorded in the ſaide Court of the Duchy of Lancaſter, any thing either in the ſaid former act, or in this act to the contrary not withſtanding. Anno 14. Eliz. ca. 6.

Lands / Duchy of Lancaſter / Surney Court of Duchy / Tranſcript Offices

¶ Fuſtians.

NO Iron inſtrumentes, nor any other vntrue ſubtil mean or ſleight, be from henceforth vſed vpon any fuſtian within this Realme, but only by the broad ſheere, vpon forfaiture of 12.s to be leuied for euery default of euery ſuch perſon or perſons hereafter offending & vſing any ſuch deceiuable inſtrumentes or ſleights, as afore is ſaide: the one halfe of the ſaid forfaitures to bee to the king our Soueraigne Lorde, & the other halfe to him or them that will ſue for the ſame forfaitures by action of debt, bill, plaint or information, in any of the kings Courts of Record, where the ſame may be determined after the courſe of the common law, and that the defendant in ſuch behalfe in no wiſe be admitted to wage his law, nor that any protection or eſſoine be in the ſame allowable.

Iron inſtruments / Sheers forf. / Moitie / Action of debt / Wage law

And ouer this be it &c. that the Maior & Wardens of ſheeremen of the Citie of London for the time being, haue authoritie to enter & ſearch the workemanſhip of all maner perſons occupying the broad ſhere, aſwel for fuſtiãs as cloth, & the execution of this preſent act to be aſwell of Denizens, as of Forreines and ſtrangers. An. 11. H. 7. cap. 27. Norwich 4.

Maior Wardens London Serch / Denizens Forreines

¶ Gages.

AN. 1. H. 6. ca. 5. an act was made for redemption of Jewels, and ſuch things as H. 5. had layed to gage.

Jewels

¶ Gaugings.

THe ſtatutes therupon made (as it is ſaid) be holden, kept & put in due execution. And moreouer we declare, & of the aſſent aforeſaid wil & grant that aſwell all maner veſſels of ſweete wines of the Rhine & of other wine, as other veſſels of vineger, oyle, hony & of all other licours gaugeable, which frō henceforth ſhall come within this Realme of England, or within our lands of Wales and Ireland, ſhall be well and lawfully gauged by our gaugers thereto aſſigned, or their deputies. And if any ſet debate or diſturbance and will not ſuffer ẏ wines or other licours aforeſaide to be gauged, he ſhal incurre the paine ordayned by the ſaid other ſtatuts. And in the ſame maner

Sweets wines Vineger Oyle Hony / Wales / Refuſ

Paine

the gaugers shall incurre the paine comprised in the same statutes, if default be frō henceforth found in them, or in their deputies in this behalfe. An 4.R.2.ca.1.

Gauge peny

2 ¶ The peny which is called ẏ gauge peny, shal not be paid to the gauger, nor to any other in his name, till he or his deputies haue ganged the wines, & then he to take & receiue his peny for the same in gree, without more increase or aduātage for that to claime. And also ẏ he or his deputie be ready to do his office of the gauger in al places, when he to that, by the party shal be required, & that to be obserued through al the Realme of England, vpon the paine comprised in the statute made in the xxvii. yeere of the noble king Edward the thirde, of the gauging of red wine, and white wine, duely to be executed. An.23.H.6.ca.16.

Gauger

3 ¶ Where Bēere & Ale are now very commonly vttered, solde, & put to sale, by the Bēere brewers, & Ale brewers, aswel within the citie of London, as elsewhere within the Realme of England, in buts, pipes, puncheōs, hogsheds, tierces, & such other vessels, brought frō beyond ẏ seas, which were neuer lawfully gauged for ẏ purpose within this realme, to the great losse aswel of the Quēnes highnes, as of her subiects: Be it &c. That no Brewer shal after the end of xl. daies next after ẏ end of this Session of this present Parliamēt, sel, vtter or put to sale, any Bēere or Ale in any such vessel or vessels within the city of London, or suburbs of ẏ same, or in any other place or places within two miles compas without ẏ same suburbes, before the same shalbe lawfully gauged, & the true content of euery such vessel set down vpon the same by the gallon, appointed & allowed for Bēere & Ale, according to that standerd, by the Master and Wardens of ẏ art or misterie of freemen of the Cowpers of the citie of London, or their deputie or deputies, nor shal (after ẏ time before limitted) sell, vtter or put to sale, any Beere or Ale, in any such vessel or vessels, in any other place or places within ẏ realme of Englande & Wales, before the same shalbe lawfully gauged, & the true content of euery such vessel set down vpon the same by the gallon aforesaid, according to the standard, by such as by the statut in that behalfe made in the xvii. yere of the raigne of the late king of famous memory, king H.6. (supra 2.) are to haue ẏ gauging of barrels, hilderkins & firkins, made for Bēere or Ale to be put in, in such other place or places within the realm of England & Wales, vpō pain to forfait all & euery such vessell & vessels, wherin any Bēere or Ale shalbe vttered, sold, or put to sale, cōtrary to ẏ true meaning hereof. And also al the Bēere or Ale, which shalbe at the time of such vttering, selling or putting to sale therin cōtained, to him or them ẏ wil seise the same, & vpō paine also to forfait for euery such vessell wherein Bēere or Ale shalbe so vttered, solde, or put to sale x.s. the one moity of which forfaitures shalbe to the M. Maiestie, her heires & successors, and the other moitie to him or thē ẏ wil sue for ẏ same, by actiō of debt, bil, plaint, informatiō, or otherwise, wherin no essoine, protection, wager of law, or iniunctiō shalbe admitted or allowed for the defendāt. And that there shalbe take for the gauging of euery such vessel within the citie of Londō, & suburbs of the same, & in al & euery place & places within ii. myles compasse without the same Suburbes, by the Master & Wardens of the art or mystery of Freemen of the Cowpers of the city of Lōdō, for euery Butt, one peny, for euery Pipe, one peny, for euery Puncheon, one halfe peny, for euery Hogshead, one halfpeny, for euery Tierce, one halfepeny, & for euery other vessel which shall at any time (after ẏ time before erpressed) be brought into this realme, from any the partes beyond the Seas, wherin Bēere or Ale shal be vttered, solde, or put to sale, within the said citie or suburbs, or any other place or places within two miles compasse without the same Suburbs, after like rates & no more: and ẏ there shalbe taken for the gauging of euery such vessel or vessels, in al & euery other place & places within the Realme of England & Wales, by such person & persons, as by the saide Statute made in the said xviii. yere of the raigne of king Henry the firth, are appointed for gauging thereof, after such like rates as are herein before appointed to be taken, for gauging within the citie of London, & Suburbs of the same, and in other places within two miles compasse without the same Suburbes.

Put to sale Ale Beere

Master & Wardens

Paine

London Suburbs

Two miles compasse

Cowpers

And it is further enacted &c. that this act shall extend to all and euery person and persons, which shall vse or occupy the misterie of brewing, aswell English borne, as strangers: and that it shall bee lawful to all & euery person and persons

Brewing Stranger

which

which ſhall haue authoritie by vertue of this act, to gauge any veſſel or veſſels by this act, meant or intended to be gauged, to retaine euery veſſel which ſhalbe gauged, according to the true meaning of this act, vntil the money which ſhalbe due for the gauging thereof, ſhal be truly ſatiſfied and payed.

Retains

Prouided alway, and be it &c. that the Maiſter & Wardens of Cowpers aforeſaid, or their ſufficiēt deputie or deputies, within the ſpace of eight & forty houres next after any reaſonable requeſt (to thē or any of them made) ſhall come to ane brewer or brewers houſe, or other place in the ſaid Citie of London, or Suburbes therof, or two miles diſtance of the ſame, whereas their caſke ſhalbe, & ther with al reaſonable expedition ſhal gauge & mark the ſame caſkets and euery of them, vpon paine for euery default, to forfait & loſe to the partie, by or for whom ſuch requeſt as aforeſaid ſhalbe made, the ſumme of xx. s. of lawfull money of England, to be had & recouered by the ſaide party againſt the corporatiō of Cowpers aforeſaid, by action of debt, in any of her Maieſties Courts of record at Weſtminſter or elſewher: in which action no eſſoine, protection or wager of law ſhalbe admitted or allowed.

Requeſt

Gauge caſks

Fork.

Prouided alſo, that if any Scottiſh man or any ſtraunger, ſhall bring from Scotland, or from beyond the ſeas, to the ſaide Brewers, or any of them, any manner of forreine caſke, and ſhall require to haue beere put into the ſame, & will tranſport the ſame beere from hence, either into Scotland, or ouer the Seas, there to bee drunke: that then in euery ſuch caſe, it ſhal and may be lawful to & for the ſaide brewers, or any of thē, to fil al ſuch caſks with beere, at ſuch rate & reckoning, as he & his Marchāt can agree, without hauing the ſaid caſks, or any of them gauged or marked as is aforeſaid, & without incurring any penalty therfore: this act, or any thing therein contained to the contrarie therof, in any wiſe notwithſtāding. This act to continue to the end of the next ſeſſion of the next Parliament An. 31 El. ca. 8. And 35. El. ca. 7. this act is continued to the ende of the Parliament next inſuing.

Stranger

Forreine caſke

Ouer Sea

¶ Gigge milles.

NO maner of perſon or perſons, after the 1. day of May next cōming, ſhall vſe or occupy any of the ſaid giggemilles, for the working of any woollen cloth or clothes, made or to be made within this realme, vpon pain of forfeiture for euery cloth ſo wrought in, or by any of the ſaide milles called gigmilles v. li. the one moitie &c. to the king, the other moity to him that wil ſue &c. wherin &c. An. 5. E. 6. c. 22.

Woolen cloth

Fork.

Moitie

¶ Girdlers.

THe girdlers of the realme, that worke girdles garniſhed with white mettal, may worke, vſe & cōtinue their ſaid craft, that is to ſay, to garniſh the girdles with white mettal, as of old times it hath bin vſed, notwithſtanding any charters or patents made or granted to the contrary. And if any charters or patents bee made to the contrary, that they ſhalbe void & of no force. An. 15. R. 2. cap. 11.

Cōtre metall

Patents voide

¶ Glouceſter.

ANno. 33. H. 8. cap. 35. An act is made cōcerning conduits in Glouceſter, See before in prærogatiua Regis, of the cuſtome of Glouceſter for forfaiture.

¶ Gold, Siluer, and Goldſmithes.

NO Goldſmith of England, nor none other within the kings dommions, ſhal from hencefoorth gild, nor cauſe to be gilded no maner of veſſell, Jewell or any other thing of gold or ſiluer, except it be of the very beſt allay, and ſiluer of the ſterling allay, or of better, at the pleaſure of him to whome the gold belongeth, & that none gild worſe ſiluer then ſterling. And that he ſuffer no maner of veſſel of gold or ſiluer to depart out of his hands, vntill it be aſſaied by the Wardens of the craft, & further ỳ it bee marked with the Libards head. And that they worke no worſe gold, then of the touch of Paris. And that the Wardens of the craft ſhal goe from ſhop to ſhop among the Goldſmiths, to aſſay if their gold be of the touch that is ſpoken of before. And if they find any other then of the touch aforeſaid, the gold ſhalbe forfait to the king. And ỳ none ſhal make rings, croſſes nor locks. And that none ſhall ſet any ſtone in golde, except it bee naturall. And that grauers or cutters of ſtones, & of ſeales, ſhal giue to eche their weight of ſiluer (as nere as they can) vpō their fidelity. And ỳ iewels of baſe gold which they haue in their handes, they ſhall vtter as faſt

Gilde

Beſt allay Sterling allay

Aſſayed

Wardens Marked

Paris touch Wardens Search

Fork.

Rings

Naturall ſtones Stone cutters

falt as they can. And from henceforth if they buy any of the same worke, they shal buy it for to worke vpon, & not to sell againe. And ꝑ all the good townes of England, wher any goldsmiths be dwelling, shalbe ordered according to this statute, as they of London be. And that one shall come from euery good towne for all the residue that be dwelling in the same, vnto London, for to bee ascertained of their touch. And if any goldsmith be attainted hereafter, because that hee hath done otherwise then before is ordained, he shall be punished by imprisonment, and make fine at the kings pleasure. And notwithstanding all these things before mentioned, or any point of them, both the king & his counsell, and all they that were present at the making of this ordinance, wil & intend, that the right of Prerogatiue of his Crowne shalbe saued to him in al things. Artic. super Chartas. An. 28. Ed. 1. cap. 20.

London

Attainted

Imprisl. Fine

2 ¶ All marchants priuy and straungers may safely cary and bring within our said realme & lands plate of siluer, and billets of gold & al other maner gold, & all money of gold & siluer, to our bullion, or to our eschanges, which we shall doe ordayne at our same staples, & elswhere, taking their money of our coyne of golde & siluer conuenable to the valure. And if any will take good money of gold & siluer of other coine, then of ours in payment, he shall take the same without impeachment, so that none bee thereunto compelled, if he will not take it of his good will.

Marchants

Billets of Gold Money

Prouided alwaies, that no money haue common course within our said realme, & lands, but the money of gold and siluer of our coyne. And that none carie out of our said realme & landes, the olde sterling, nor other money, but our new money of gold & siluer, except the marchants straungers, that bring to our said realme & lands any maner of money, & there wil imploy this money within our realme & lands, whom we will that they may recary into their countrey all this money, or almuch as shal remaine thereof not imploied, without impeachment: so alwaies that good & lawful search be therof made in the ports & other places where any arrival is. And that all the money that euery Marchant Träger shal bring within our said realm & lands, shalbe put in writing by ꝑ searchers, to ꝑ intent that no Marchant shall cary more beyond the sea, then he brought into the same realme & lands. Prouided alwaies, ꝑ no minister nor other, by colour of such search, shal make impeachment or disturbance to any marchāt stranger to grieue him vnduly. And that all the false money ꝑ may be found by search, or in other maner espied within the same our realme, & lands, in deceit of our good money, shalbe forfeited to vs according to the ordinaces another time made. An. 27. E. 3. cap. 14.

Search in Ports

False money

Fort.

3 ¶ Goldsmiths aswell in London as elswere within the realme, shall make al manner of vessel & other worke of siluer, well & lawfully of the allay of good sterling. And euery Maister goldsmith, shall haue a marke by himself, & ꝑ same marke shal be knowen by them which shalbe assigned by the K. to survey their worke, & allay. And that the said goldsmiths set not their marke vpon their worke, til ꝑ saide surueyors haue made their allay, as shall be ordeined by the K. & his counsel, & after the allay made the surueiors shal set their marke, and afterwarde the goldsmith his marke, for which he wil answere. And ꝑ no goldsmith take for vessell white & full for the weight of a pound, that is to saie, of ꝑ price of ii. markes of Paris weight, but xviii. d. as they do at Paris. And that no goldsmith making white vessel, shall meddle with gilding: nor they ꝑ doe gild, shal not meddle to make white vessel. And they which shall bee so assigned in euery town shal make their searches as oftentimes as shall be ordained. And for ꝑ that shall bee in the default of the goldsmiths, they shall incurre ꝑ paine of forfaiture to the K. the valure of the mettal which shal be found in default. An. 37. E. 3. cap. 7.

Vessel Sterling Allay

Marke

Allay

White vessel

Gilding

Faute

Fort.

4 ¶ No artificer nor other man whatsoeuer he be, from hencefoorth, shal gild nor siluer any such lockes, rings, beads, candlesticks, harneys for girdles, chalices, hilts nor pomels of swords, powder bores, nor couers of cuppes, made of copper or laten vpon paine to forfait to the king C. s. at euery time that he shalbe found guilty, & to make grāt to the party grieued for his damages: but ꝑ (chalices alwaies excepted) the said artificers may worke, or do to bee wrought ornaments for the church of copper & laten, & the same gilde or siluer, so ꝑ alwaies in the sote, or in some other part of euery such ornament so to be made, the copper and the latten shalbe plain, to the intent that a man may see wherof ꝑ thing is made, for to eschew the deceit aforesaid. Anno 5. H. 4. cap. 13.

Artificer Gild

Copper Latten Fort.

Church Ornaments

5 ¶ That al the Goldsmithes of England

Gild siluer English sterling Troy weight.

land shal gild no siluer wares, then of the allay of the English sterling, & that they take for the pound of Troy gilt but xl vi.s. viii.d. at the most, & of greater weight and lesse, according to the quantitie & rate of the same summe. And that which shall be by them gilt from henceforth, be of a reasonable price and not excessiue: and if any goldsmith doe contrary to the statute, hee shall forfait to the king the value of the thing so sold. An.2.H.5.cap.4.Stat.2.

Forf.

Gild

Spurres

Forf.

Imprisf. Iust. of P.

6 ¶ None from henceforth shal gild any sheathes nor mettall, but siluer, & the ornaments of the holy Church, nor shall siluer no metal but knights spurres, & all the apparel that appertaineth to a Baro, and aboue that estate, vpon paine of forfeiture to the king x. times so much as the thing so gilt is of value, & shall haue also one yeeres imprisonment. And the Iustices of peace shall haue power to inquire therof, and that to determine, And he that will sue for the king in this parte, shall haue the third part of the saide pecuniar paine. Prouided that this last ordinance shal begin to hold place at the feast of Easter next comming. An.8.H.5.ca.3.

* White Money.

Siluer plate

Forf.

Molten

Mint maister

7 ¶ For the increase of white money, that no man of what estate or conditon that he be, within this realme, shal buy or sell no siluer in plate, piece, nor in masse, being as good of allay as the sterling, aboue xxx. s. the pound of Troy ouer the fashion, vpon the pain of forfaiture of the double value of as much as he buyeth or selleth, contrary to this ordinance: And ỳ the one halfe bee forfait to the kings vse, & the other halfe to the vse of him that wil sue & proue the same forfaiture. Prouided alwaies, that they which go to the coyn, haue and take of the Maisters of the same coyne, according as is lawfully contained in the Indentures therof made betweẽ ỳ king & him. And also the master of the said Mint for the time being, may take & deliuer, as is cõteined in the said Indẽtures, without taking more for the ease & profit of the common people. An.2. H.6.cap.13.

London

Sterling Souder

Touched

8 ¶ No goldsmith nor worker of siluer wiñ the citie of London, sel no workmanship of siluer, vnles it bee as fine as ỳ sterling, except ỳ same néd souder in the making, which shalbe allowed, according as ỳ souder is necessarie to bee wrought in ỳ same. And that no goldsmith nor ieweller nor none that worketh harneis of siluer, shal set any of the same to sel wiñ the city, before that it be touched with the Touch, & also with a marke or signe of the workman of the same, vpon paine of forfeiture of the double, as afore is said. And that the mark & sign of euery goldsmith be known to the Wardens of the craft. And if it may be founde, that the said keeper of the Touch, touch any such harneis with the Leopards head, except it be as fine in allay as the sterling: that then the keper of the touch for euery thing so proued, not as good in allay as the said sterling, shal forfeit ỳ double value to the king & to the party, as is aboue recited. And also it is likewise ordained in the City of Yorke, Newcastle vpon Tine, Lincolne, Norwich, Bristow, Salisbury & Couentrie, that euery of them shal haue diuers touches, according to the ordinances of the Maiors, bailifs or gouernours of ỳ same Townes. And that no goldsmith nor other worker of siluer, nor keepers of ỳ said touches, within the same townes, shal set to sale nor touch any siluer in other manner then is ordained before within the Citie of London, vpon paine of the sayde forfaiture.

Marke Forf.

Keeper of Touch

Forf

Poyns

Maiors Bailifs

London

And moreouer, that no goldsmith nor other worker of siluer within the realm of England, where no touch is ordayned, as afore is said, shal worke any siluer, except it be as fine in allay as the sterling (See after 12. that sterling is now xi. ounces two penie weight,) and that the goldsmith or worker of the same siluer, set vpon ỳ same his marke or signe before he set it to sale. And if it be found, that it is not as fine as the sterling: that then the worker of the same shal forfait the double value, in maner and forme, as before is recited within the Citie of London. And the Iustices of peace, Maiors & bailifs, & al other hauing power as Iustices of peace, shal heare, inquire, & determine by bill, plaint, or in other maner, all that do cõtrary to the said ordinances, and thereof to make due execution by their discreation.

Marke

Forf.

Iust. of P. Maior Bailike

Dier & ter.

Execution

* Mint Masters

Prouided alwaies, that if the Maister of the Mint that now is, or which for ỳ time shalbe, offẽd or haue offended in his office of the said Mint: that then he be corrected and iustified, according to the forme of the said Indentures. An.2.H.6.cap.14.

Offens

Gold finos

Allay Sell

9 ¶ That no finor of gold and siluer, nor parter of the same by fire or water, from hẽceforth allay no fine siluer nor gold, nor none sel, in any otherwise, ne to any perso or persons, but only to officers of Mints, changes, and Goldsmithes within this

Realme,

Realm, for the augmẽtation & amending of coyne & plate, as is aforeſaid. And that the Maiſters of mints, changers, & goldſmiths, for all ſuch fine gold & ſiluer comming to them, to anſwere the value, as it is worth, according as it is nowe, & hath bin of ancient time accuſtomed after the rate of ſtaffe: He that no fine nor no fines, parter nor parters, ſel to any perſon, neither to one ne to other, any manner of ſiluer in maſſe molten & allaied, vpõ pain of forfeiture of the ſame: The K. therof to haue the one halfe, & the finder that can proue, & will ſue it in the kings Eſchequer the other half. And if any fine or fines, parter or parters of golde & ſiluer, eyther by fire or water allay or ſell any fine ſiluer or gold otherwiſe then is ordeined in this laſt act, he or they to loſe ẏ valure of the ſame gold or ſiluer ſo allayed or ſolde: The king therof to haue the one half, and the finder that can proue it, & will ſue it in the K. Eſchequer the other halfe. Alſo all ſuch fine ſiluer as ſhall be parted & fined, as is aforeſaid, that it be made ſo fine, ẏt it may bee two peny weight of allay in a pound weight, & yet it bee as good as ſterling, & rather better then worſe. And that euery fineor put his ſeuerall marke vpon ſuch fine ſiluer, to beare witnes to ẏ ſame to be true, as is aforeſaid, vpon the payne of the value founde contrary to be forfait: The king thereof to haue the one half, & the finder that can proue it & will ſue it in the Eſchequer the other half. And that no goldſmiths within this realm, melt or allay any fine ſiluer, to, ne for any works, of other intent, but only for making of amels of diuers works of goldſmithry, and for aměding of plate to make it as good as ſterling or better for the common weale of this realme. Nor that they ſel no fine ſiluer, nor other ſiluer allaied moltẽ into maſſe, to any perſõ or perſõs whatſoeuer they bee, nor one goldeſmith to another. This ordinãce to be kept by ẏ goldſmiths in euery point vpon pain of forfaiture of ẏ ſame ſiluer or value thereof. The K. therof to haue the one half, & ẏ finder that can proue it & will ſue it in ẏ K. Eſchequer, the other halfe. Alſo it is ordained by the ſame authority, that all letters patents, and grãts of offices beloging or appertaining to the mint of our Soueraigne Lord the king, exerciſed in the ſame with fees and wages therto belonging, bee from henceforth void & of none effect. An. 4. H. 7. ca. 2.

Mint Maſters

Sell Siluer allaied

Forf. Moitie

Allay

Forf.

Moitie

Two peny weight

Finor Marke

Forf.

Moitie

Amels

Fine ſiluer

Forf.

Moitie

Letters patents Offices Mint

Lloyde

10 ¶ No perſon dwelling or inhabiting within this Realm, from the ſaid feaſt of the Purification, (s. An. 1490.) pay or deliuer wittingly by way of exchange, or otherwiſe, to any marchant or other perſõ, borne out of the kings obeyſance for any marchandize or wares, or in ame other wiſe, any manner pieces of gold coyned in this realme, or any other realme, nor any plate, veſſels, maſſe, bullion, ne iewels of gold wrought or vnwrought, vpon paine to forfait & loſe the double ſũme or double value of all ſuch money of golde coyned, plate, veſſell, maſſe, bullion or iewels of gold or ſiluer, paied, deliuered, or exchanged, contrary to this act: The one halfe of the ſame forfaitures to the king our ſoueraigne Lorde, & the other halfe to any of his ſubiects that will ſeiſe it, or ſue for any ſuch payment, deliueräce or exchange made or to be made contrary to this acte: And that it may bee lawfull to the kings ſubiects in this caſe, to ſue for the ſaide forfaiture, by action of debt, by writ at the common law, bil or plaint, after the cuſtome of the Citie, port or town where it ſhall happen any forfaiture to fall & be, or by information to bee made in the kings Eſchequer, and that no protection nor eſſoins bee allowed in any ſuch action nor information. An. 4. H. 7. cap. 23.

Pay Exchange

Marchant ſtranger

Golde coyned Plate

Bullion Forf.

Moitie

11 ¶ An. 17. E. 4. ca. An act was made to endure for viij. yeres, againſt goldſmiths, and ſelling of gold and ſiluer.

12 ¶ No goldſmith frõ the xv day of Aprill next cõming, ſhal worke, ſel, exchãge or cauſe to be wrought, ſold, or exchãged, any plate or other goldſmithes wares of gold, leſſe in fineſſe then ẏ of xxij. carrots, & that they vſe no ſother, ameil, nor other ſtuffings whatſoeuer, in any of their works more thẽ is neceſſarie for the finiſhing of ẏ ſame, and ẏ they take not aboue the rate of xij d. for the ounce of gold (beſides the faſhion) more then ẏ buyer ſhal or may be allowed for the ſame, at the M. exchange or mint, vpon pain to forfait the value of the thing ſo ſolde or exchanged, & that from ẏ ſaid xv. day of Aprill, no goldſmith ſhall make, ſell, or exchange, in any place win this realme, any plate of goldſmiths wares of ſiluer les in fineſſe then ẏ of xi. ounces ii. peny weight, nor take aboue ẏ rate of xij d for euery poũd weight of plate of wares of ſiluer, beſides ẏ faſhiõ more thẽ the buier ſhal or may be allowed for the ſame, at the M. exchãge or mint, nor put to ſale, exchange, or ſel any plate or goldeſmiths worke of ſiluer before hee hath

Markes Sell Exchange plate

xxij. Carrots Sother Amel

xij. Pens the ounce of gold

Forf.

Siluer wares Fineſſe xi. pence the poũd

Marke

hath set his own marke to so much therof, as conueniently may beare the same, vpō paine to forfait the value of the thing so sold or exchanged. And if any goldsmith shal make any goldsmiths worke or plate & the same after the said xx. day of Aprill shalbe touched, marked & allowed for good by the Wardens or Maisters of ỹ misterie and in the same there shall bee found any falsehode or deceit: Then the Wardens and Corporation of that Mystery for the time being, shal forfait and pay the value of the thing so exchanged or solde: the one moity of all which forfaitures shall be to the vse of the Quenes Maiestie, and the other moitie to the vse of such party grieued, and sustaining losse thereby, as wil sue for the same in any court of Recorde, by action, bill, plaint, information, or otherwise, wherin no essoine, protection, or wager of law shal be admitted for the defendant. An. 18. Eliz. cap. 15.

Fort.

Goldsmiths worke

Marken for good Wardens

Deceit

Fort.

Moitie

Graunts.

ANno 21. R. 2. It was enacted, that grantes made by certaine attainted persons, attainted of Treason, should bee void. But this Parliament was repealed by An. 1. H. 4. cap. 3.

2 Where the right noble and famous king of ful worthy memory, K. Henry the eight, father to our most dread, & now natural soueraigne liege Lorde, sithence the iiii. day of Februarye, in the xxvii. yeere of his late raigne, & also the K. most excellēt Maiestie, by their seuerall letters patēts, haue giuen, granted, bargained, sold, & exchāged, to & with diuers & sundry the subiects of this realme, bodies politike & corporate, in fée simple, fée taile, for terme of life or yeres, diuers honors, castles, manors, lands, tenements, & other hereditaments, and offices. After, and since which grants, bargaines, sales, & exchanges, diuers of the saide patentées, their heires & successors, or assignes, haue bargayned, sold, giuen, exchanged, or demised diuers particular parts, parcels, or portions of ỹ said honors, castels, manors, lands, tenements, hereditamentes & offices, or other things therunto appertaining or belonging to other person or persons, bodies politike or corporate: that is to saie, to some of them in fée simple, to some other in fée taile, for terme of life or yeres, or otherwise. And after that the same patentées, for considerations them moving, haue surrendred & giuen vp their saide letters patents vnto the Chancery, or otherwise the same letters patents haue beene forfaited by attainder, losse, cancelled, imbesilled, or by other waies or meanes haue come to the handes of the kings Maiestie his late father, and thereupon oftentimes the inrolment of the same hath ben made void and frustrate, sometime in part, and some time in the whole, by reason wherof such persons, bodies politike or corporate, as haue had interest or title, in, or to the same castles, manors, or particular portions or parcels of ỹ same, so to them giuen & graunted, haue bin in times past, and in time to come are likely to be disherited, or in daunger of losse of their interest, in or to the same, to their no little hinderance & peril. For remedy wherof: Be it &c. that all and euery person or persons, bodies politike or corporate, which lawfully shall or may claime, by force of any patent or patents, made sithence the said iiii. day of Februarye or hereafter to be made by the K. Maiestie, his heires or successors kings of this realme, or by any of them, & al other ỹ now haue, or hereafter shal happen to haue any good or lawfull estate, right, title, rēt, profit, interest, or possession, of, in, to, or out of any honors, manors, landes, tenements, hereditaments or offices, or of other thinges to any of the premisses appertayning or belonging, or to any part, parcel, or member of them, or any of them, by, from, or vnder any such Patentée or Patentées, or any of them: or by, from, or vnder the heires, successors or assignes of them, or any of them, or by, from, or vnder the state of any others, which had, haue or hereafter shall haue, the estate, title or interest of any such Patentée or Patentées or by any other meanes, vnder the date of such letters patents, shal and may at al times hereafter in any of the kings Courts, his heires or successors, & elswhere, by vertue of this preset act, make & cōuey vnto thē selues title by way of declaratiō, plaint, auowry, title, barre, or otherwise, as well against the K. highnes, his heires & successors & euery of them, as against any other person or persons, vnto the saide honors, castels, manors, lands, tenemēts, offices, & other the premisses, or any part or parcel of ỹ same vnto them, or any their predecessors or auncestors, or others, whose estate they haue in the same, by, from, or vnder the said patētées, or any of them, or the heires, ancestors or assignes of any of them,

Letters patents

Fée simple Fée taile Lyfe Yeres

Sales Exchange Patentees

Sold

Patentees

Surrendred

Fort.

Claime

Right

Title

them,

them, or otherwise vnder ỹ date of ỹ saide letters patents, comprised & contained in ame exemplification or constat thereof made, or to be made, by the shewing forth of the saide exemplification or constat of the rol, or of so much therof, as shal serue for the matters in variance, vnder the great seale of England. And the same exemplification or constat of the said inrolmẽt, so as is afore saide, pleaded & shewed, shalbe of like & the same force & effect, to al intents and constructions in the lawe, as the saide first letters patents were and should be of, if the same were or should be pleaded or shewed. An. 3. E. 6. cap. 4.

Exemplification

Force and effect

3 ¶ Wee it enacted & declared, that all and euery Patentée and Patentées, their heires, successors, executors, & assignes, & all and euery other person or persons, hauing by or from them, or any of them, or vnder their title, any estate or interest, of, in, or to any lands, tenements or hereditaments, or any other thing whatsoeuer, to such Patentée or Patentées, heretofore granted by any letters Patents, eyther of the most famous Princes, King Henry the viij. king Ed. the vi. Q. Mary, king Philip & Quéene Mary, or by any of them, or by the Quéenes most excellent Maiestie that now is, at any time sithée the fourth day of Februarie, in the xxviij. yeere of the raigne of the saide late king Henry the eight, or els by the Queenes Maiestie that nowe is, her heires or successors, at any time hereafter to be granted, shall & may at all times hereafter in any of the M. highnes courts her heires or successors, & elsewher, by the authority of this present act, make & conuey, and be allowed and suffered to make & conuey, to and for him, them, & euery of themselues, such claim or title by way of declaration, plaint, anowrie, barre, replication, or other pleading whatsoeuer, aswel against the Quéenes highnes, her heires and successors, and euery of them, as against all and euery other person & persons whatsoeuer, for or concerning the landes, tenements, hereditaments, or other thinges whatsoeuer, specified or contained in any such letters Patents, or of, for or concerning any part or parcell therof, by shewing forth an exemplificatiõ or constat vnder the great seale of England, of the inrolment of the same letters Patents, or of so much therof, as shal & may serue to, or for such title, claime, or matter, ỹ same letters patents, then being, & remaining in force, not lawfully surrendred nor cancelled, for or concerning so much, and such part & parcell of such landes, tenements, hereditaments, or other thing whereunto such title or claime shal be made, as if the same letters patents selfe were pleaded & shewed forth: any lawe vlage or other thing whatsoeuer to the contrarie notwithstanding. An. 13. Eliz. ca. 6.

Patentees Heires

Letters patents

Conuey

Title Plaint

Inrolment

¶ Greenewich.

ANo 37. H. 8. cap. 11. An act is made for all the owners of the Marches there, to bee contributorie to the charges of reparations of those Marches.

¶ Halyfax.

AN. 18. Eliz. There was an Acte made concerning the parish church of Halyfax. But this Statute is not in print.

¶ Hattes and Cappes.

AN. 22. E. 4. cap. 5. An acte was made to endure for two yeres, against thicking of hattes and cappes by milles. And after An. 7. Ed. 6. cap. 8. this acte was reuiued for fiue yeeres.

Thicking of Hattes

2 ¶ An. 5. H. 7. cap. 9. An act was made for prices of Hattes & Cappes. But it is repealed by 3. H. 8. cap. 15.

Prices

3 ¶ There be no Cappes or hats made and ready wrought, in any part beyonde the Sea, bought by any of the kings subiects, borne vnder the kinges obeisance (except lords and knights) vpon paine of forfaiture for euery such cappe or hat, so by them or any of them bought xl. s. The one moitie of the same forfaiture to be to the king our soueraigne Lord, & the other moitie to him or them that wil sue for the same, by action of debt, or otherwise, in which actiõ ỹ partie defendãt shal not be admitted to wage his lawe, nor protection, nor essoine to bee allowed in the same action. Furthermore, that no Capper nor Hatter, nor other person, sell, or put to sale, any Hat or Cap that shall bee made within this realm, after the feast of Midsomer next comming but that it be sufficiently wrought, & of a sufficiẽt colour in euery point after ỹ goodnes & finesse of the wool wherof they shalbe made, vpõ paine of forfaiture of euery cap or hat so sold vi. s. viii. d. And that the capper nor none other persons, shal take by himselfe or any other persõ to his vse, for any cappe made

Beyond sea

Lords Knights Forf.

Moitie

Wages lawe

Ill wrought

Colour

Forf.

of

Leominster wooll

of the fineſt Leominſter wool, aboue iii.s. iiii.d. nor for any capp made of the ſecond ſort of ỳ ſame Leominſter wool aboue ii.s. vi.d. ne for any cap made of the third ſort of Leominſter wool aboue xii.d nor for any cappe made of the fourth ſort of the ſame Leominſter wool aboue xii.d. And that no capper, hatter, nor any other perſon ſhall not take by himſelfe, nor any other perſon to his vſe, for any cappe made of the fineſt Cotſwold wooll, aboue ii.s nor for any cap made of the ſecond ſort of ỳ ſame cotſwold wool, aboue vi.d. And that al other caps & hats of other wol, to be ſold at ſuch price, as ỳ buyer & ſeller may reaſonably agree. The cappe made of the ſaide fineſt Leominſter wooll to be marked in the lyning of the ſame cap with a letter L. The cap made of the ſecond ſort of the ſame leominſter wooll, to bee marked with this marke L. R. The cap made of the fineſt Cotſwold wooll to be marked with ỳ letter C. in the lyning thereof. And the cap made of the ſecond ſort of Cotſwold wool, to be marked with this letter C.R. And the hatter, capper, nor any perſon by him ſelfe, nor any other perſon to his vſe, ſhal take of any of the K. ſubiects, for any hat of the beſt making not ingrained, more then ii.s. And if any capper, hatter, or other perſon take more money for any cap or hat, cõtrary to this act, he to forfait for euery cap, and hap for which he ſhal take more thẽ is afore rehearſed xl.s. The one moitie therof to be to the king our Soueraigne Lord, and the other moitie to the party grieued, or any other perſon that would ſue for ỳ ſame forfaiture, by writ, bil or plaint at the common law, or after the cuſtome of the city, or town where it ſhal fortune ſuch forfaiture to be, by like proces, as is vſed in actions of debt, in court where it ſhalbe purſued: And that ỳ defendant in that behalfe be not admitted to wage his law, nor that any protection or eſſoine bee to him allowed. And ỳ all & ſinguler ſtatutes heretofore made, concerning hats or caps, be from henceforth repealed & annulled by vertue of this preſent Parliament. An. 3. H. 8. cap. 15.

Cotſwold wooll

Marke

Ingrained

Forf.

Moitie

Wage law

Repealed

4 ¶ No maner of perſon nor perſons, whatſoeuer he or they bee, from ỳ feaſt of the purificatiõ of our Lady next cõming, do ſel or cauſe to be ſold wtin this realme, to any perſon or perſons, any wollen hats or bonnets, or wollen hat or cap, made or to bee made in any place or places out of this realme of Englãd, in any of the parties of beyond the Sea, ouer or aboue the prices vnder written: that is to ſaie, no ſuch cap or bonnet to bee ſolde aboue the ſumme of ii.s. ſterling, & no ſuch hat to be ſold aboue the ſumme of x. d. and no ſuch ſingle crowned cap, nor ſingle night cap to bee ſolde aboue the price of vi.d. vpon paine to forfait for euery ſuch bonnet, cap or hat, at any time after the ſaide feaſt to be ſold ouer the ſumme aboueſaid, contrary to the tenor of this acte xl.s. ſterling. All which forfaitures ſhal extend onely to the loſſe of the ſeller or ſellers therof, & to none other: The one halfe therof to be leuied & recouered to the vſe of our ſaid ſouereigne Lord, & the other halfe to the party ỳ wil ſue for the ſame, in any of our ſouereigne Lord ỳ K. courts, by actiõ of debt, bil, information, or otherwiſe, in which action or ſuit no protectiõ, wager of law, nor eſſoine ſhalbe allowed or admitted.

Beſt Woollen hats Woollen caps

Prices

Forf.

Moitie

And bee it &c. that euery perſon or perſons, buying or wearing any ſuch bõnet, cappe or hatte, made out of this Realme, may lawfully at all times hereafter, vſe weare, or detaine, any ſuch bonnet cap or hat, caps or hattes, without ſeiſure of the ſame, or any danger, loſſe, or other forfaiture or penalty to bee had or ſuffered for the ſame: any matter, clauſe, or other thing contained or expreſſed in this preſent act or acts heretofore made to the cõtrary notwithſtanding. An. 21. H. 8. ca. 9.

5 ¶ The ſaid act made in the ſaide 21. yeere (5. cap. 9. before 4.) and euery thing, article, clauſe, branch, and proviſo therein mentioned, ſhall ſtande in full ſtrength, force and effect. And for the better and more perfect, due, and iuſt execution of the ſaid act hereafter to be had, according to the true meaning and intent of the makers thereof: Bee it &c. that if any ſuch bonnets, cappes, or hattes fortune hereafter to be brought from any the parties beyond the ſea, into any place or places within this Realme, or any the Quẽnes Dominions, after the laſt daye of Maie next comming: that then al ſuch bonnets, caps, and hats ſhalbe brought by the owner of them, or his ſeruant, to the Cuſtomer or cuſtomers, of euery city, borough, towne, place, or port within this realm of Englãd, where ſuch hats or bonets ſhal be laid on land, or diſcharged, there to enter into ỳ cuſtomer or cuſtomers bookes, the cuſtome for them, and to pay ſuch cuſtome for them, as by the lawes and ſtatutes of this realme, they or anie of them

Wage law

From beyond ſea

Cuſtomer

Cuſtome

haue

Forf. hane vsed, or ought heretofore to do, vpon pain of forfaiture of al such caps & hats, as shall bee so brought in, & not presented to the customer, as is aforesaid, or the value of them.

And be it &c. that no person so bringing into this realme, or other the Quens dominiõs, any such hats or caps, shal in any wise, remoue, cary, or conuey such hats & caps, or any of them, from the place wher they shalbe so layd on land, till such time as they shalbee sold, in maner & forme as hereafter is expressed, vpõ paine of forfaiture for euery hat or cap, remoued or sold contrary to the meaning of this act xl.s.

Conuey

Forf.

And be it &c. that the customer or customers, his or their deputy or deputies, of euery city, borough, towne, port, hauen or creke, where such bonnets, caps, or hats shalbe so brought into this realm, or other the Quenes dominions, shall within two daies after ỳ entrie of the same caps or hats in ỳ customers bookes, giue notice & make relation of the said hats, bonnets, or caps, to the Maiors, shirifs, bailifes, constables, rœues, or other the chiefe officers of ỳ said cities, boroughs, townes, or ports, and ỳ vpon paine of forfaiture of their offices.

Customer

Giue notice

Maiors Shirifs Bailifes Constables

Forf.

And be it &c. that the said customer or customers, or their deputie or deputies, together with the Maior or such other person, as the Maior shal assigne or appoint, or with ỳ shirifs, bailifs, cõstabls, rœues, or other the chief officer or officers of any such place, or any of them, wher such hats or caps shalbe so laid on land, in the presence of the owners of them (if they wil be present, or in their ablence, if they wil not) shal sel the said bonnets, caps, & hats, & euery of them, to such person or persons, as will buy them at such price & prices, as is limitted & appointed by the said act made in the said xxi. yere & not aboue, & shal pay and deliuer the money ỳ the said bonnets, caps & hats shalbe sold for, to the owners of such hats, bonnets & caps, in such conuenient time, as the owners wil receiue the same, vpon paine & forfaiture of xx.li. for euey time ỳ such customer or customers, Maiors, shirifes, bailifes, or other hed officers, as is aforesaid, shalbe remisse or negligent to make sale as is aforesaid.

Customer

Maior

Sell

Pay

Forf

Negligence

And be it &c. that no one person by any fraud, couin, colour or colluſiõ, shal buy or bargain for any more hats or caps, being made out of the Realme at one time, or of one man, then one dozen, vpon pain for euery cappe or hatte bought contrary to the meaning of this acte, xl. s. The one halfe of al which forfaitures and summes of money, to be to such as will sue for the same by bill, playnt, or information &c. wherein &c. and the other halfe thereof to bee to the Quene, her highnesse, her heires or succesors.

Forf. Moitie

Prouided that the said customer and customers, Maiors, shirifs, bailifes, constables, rœues, and other hed and chief officers, shall not sell nor otherwise vtter aboue one dozen of the saide bonnets, caps or hats to any one person or persons. An. 3. M. 1. Parl. cap. 11.

Customer Maior Shirifes Bailifes Constables

Dus dozen

6 Be it enacted &c. that no person by him or herselfe, or any other, shall after the feast of the Natiuity of S. John Baptist next comming, make or worke any felt or hat, of, or with any forreine woll or stuffe, vnles such perso̅ shal first haue bin apprentice or couenant seruant to such mystery of felt or hatte making, by the space of vii. yeeres at the least, vpon pain to forfait xl such hats or felts, as he shall make, or cause to be made while he worketh, contrary to the forme of this act, & x.li. in money for euery Moneth that hee shall so continue.

Worke felt Forrein wooll

Apprentice

Forf.

And bee it &c. that from the first day of Aprill next comming, no person whatsoeuer shall make, sell, or cause to bee made or sold, any cappe or other thing of felt, but only hats, nor shall make, sel or cause to bee made or solde, any cap of any cloth not knit. And that no person after the said first day of Aprill, shall dye or cause to bee died black, any cap with barke or swarfe, but onely with coperas and gall, or with woad & madder. And for the setting of many poore and impotent persons to worke, and for better making of caps, that no persons after the saide first day of Aprill, shal thick or full in any mil, or cause to bee thicked or fulled in any mill, any cap, vntil such time as the same cap be first well scoured & closed vpõ the bãke, & half thicked at the least in the forestocke. And that no man vnder the degree of a knight, or of a Lords sonne, shal after the said first day of Aprill, weare any hatte or vpper cap of Ueluet, or couered with veluet, on pain to forfait for euery hat, cap, or other thing to bee made, dyed, thicked, fulled, solde, or worne cõtrary to the meaning of this act xl.s. whereof ỳ one moity shall be to the Q. Maiestie, her heires & succesors, the other moitie to such person then vsing ỳ feate of cappe making, as will sue for the same, in any

Cloth cap

Dye black Barke

Woad and Madder Poore people

Fulling mil

Scoured Foorestocke Knight Lords sonne

Ueluet cap

Forf.

Moitie

any court of Recoꝛd, wherein no eſſoine, pꝛotection, oꝛ wager of law ſoꝛ the defendant ſhalbe admitted oꝛ alloꝛued.

And ſoꝛ the better and true making of Cappes oꝛ Hattes within this Realme: Be it enacted by the authoꝛitie afoꝛeſaid, that it ſhal be lawfull to the Maſters and Wardens of the companie of Haberdaſhers, within the Citie of London, and to their ſucceſſours ſoꝛ the time being, calling to them one of the companie of the Cappers, and an other of the makers of Hats, as often as need ſhal require, within the ſaid city, oꝛ within thꝛee miles of ỹ ſame, to ſearch all & al maner of Cappers and makers of Hats, and the offenders & defaults by them found, to coꝛrect and puniſh by fines & otherwiſe, as in like caſes they do to other offenders & defaults within the ſaid Cõpanie. And that it ſhal be lawfull ſoꝛ all Maiors, Bailifes, and other head Officers in all other cities & townes coꝛpoꝛat, to doe the like.

Wardens
London
Search
Punish
Maiors Bailifes

Pꝛouided alway, & be it enacted by the authoꝛity afoꝛeſaid, that euery Hatte maker, that now is a maker oꝛ woꝛker of Hats and being a houſholder, appꝛentice, couenant ſeruant oꝛ Iourneman, ſhall oꝛ may during ſuch perſons natural life, cõtinue making of Hats and Felts, albeit that ſuch perſon were not bounden appꝛentice to the ſame arte by the ſpace of ſeuen yeres. And be it enacted, that no maner of woꝛker of Hats, ſhall take oꝛ receiue anie appꝛentices, cõtrary to the true meaning of this acte: that is to ſay, aboue two appꝛentices at one time, noꝛ thoſe ſoꝛ anie leſſe time then vij. yeres at the leaſt, on paine to ſuffer ſoꝛ anie appꝛẽtice to be taken oꝛ receiued againſt the foꝛme of this act, one moneths impꝛiſonment in the cõmon gaole, without baile oꝛ mainpꝛiſe. And that euery taking & receiuing of appꝛentice, contrary to this act ſhalbe void. And alſo ſuch perſon ſo taking oꝛ receiuing ſhalbe from thenceforth diſabled to haue anie moꝛe appꝛẽtices thẽ one at one time. Pꝛouided alwaies, that nothing in this act ſhall extend to charge any perſon alloꝛued to be a feltmaker oꝛ Hatmaker, with any paine oꝛ foꝛfaiture ſoꝛ ſetting oꝛ uſing his oꝛ their owne children to ỹ making oꝛ woꝛking of Felts oꝛ Hats in his oꝛ their owne houſes. Pꝛouided that this acte ſhall not extende to any making of Hats with woꝛſted yarne, in the Citie of Noꝛwich, An. 8. Eliz. cap. 11.

Apꝛentice Iourneman
Apꝛentice
Impꝛiſon
Void
Children
Woꝛſted yarne

7 ℭ Foꝛ the continuance of making of Cappes, whereby many townes and manye thouſands of people haue beene heretoforе maintained: Be it enacted and eſtabliſhed, that al and euery perſon and perſons aboue the age of ſixe yeres, (except Maidens, Ladies and Gentlewomen) inhabiting, cõmoꝛating, and abiding within any of the cities, Boꝛoughs, Townes, Villages oꝛ Hamlets of this Realme of England: And except all Noble perſonages, & euery Loꝛd, Knight, & Gentleman of the poſſeſſion of xx. markes land by the yeere, and their heires: And except alſo all ſuch as haue boꝛne office of woꝛſhip in any citie, boꝛough, towne, hamlet oꝛ ſhire: And alſo all ſuch as haue boꝛne the office of Wardens of the woꝛſhipful Cõpanies of the Citie of London ſhal vſe and weare vpon the Sabaoth & Holy day, (vnleſſe in time of their trauel out of the ſaid Cities, Boꝛoughs, Townes, Villages, oꝛ Hamlets) vpon their head, one Cappe of woll knit, thicked and dꝛeſſed in Engländ, made within this Realme of England, & onely dꝛeſſed & finiſhed by ſome of the trade oꝛ ſcience of Cappers, vpon payne of foꝛfaiture ſoꝛ euerie day not ſo wearing, the ſumme of iij. s. iiij. d. of lawfull money of England.

Ladies Gentlewomen
Noblemen Gentlemen
Officers Wardens
Sabaoth Holy day
Woollẽ cap
Foꝛf.

And further be it enacted by the authoꝛitie afoꝛeſaide, that Iuſtices of Aſſiſe in their circuits, Iuſtices of P. in their Seſſions, Shiriffes in their tornes, Stewards in their Leetes and Lawdayes, Maiors, Shiriffes & Bailifes of Cities, Boꝛoughs, & townes coꝛpoꝛat in their Courtes, ſhall and may enquire, heare, & determine from time to time, all & euery the ſaid offences committed and done within the limits of their ſeuerall iuriſdictiõs and authoꝛities. And where any ſuch foꝛfaitures ſhal happen to be found within the pꝛecinct of any Citie, Boꝛough, Towne coꝛpoꝛat, Leete oꝛ Lawday, then the Maiors, Shiriffes & Bailifes of the ſaide Cities, Boꝛoughs & Townes, and owners of the ſaide Leete oꝛ Lawday, ſhall haue and enioy the one moitie of the ſaide foꝛfaitures: And the other moitie to be diſtributed at the diſcretion of the Rulers and chiefe Gouernoꝛs of euerie ſuch Citie, Boꝛough, Towne oꝛ Hamlet where the treſpaſſe ſhall be tried & found, among the poꝛe inhabiting within the ſame.

Iuſt. of Aſſ.
Iuſt. of P.
Shiriffes
Stewards
Maiors Shiriffes Bailifes
Inquire Diſcr & ter.
Moitie

And be it further enacted ſoꝛ the better execution of this ſtatute, that the parents, Gardians, Gouernourſe Maſters, ſhall loſe and foꝛfait the penaltie afoꝛeſaid, ſoꝛ

Parents Maſters Foꝛf.

euery such child, seruant, or boarde, as shal be aboue the age of vi. yeres, & vnder the age of xii. yeres, and remaining, dwelling and abiding with anie such person, which shall offend or do contrarie to this act or any thyng therein conteined. Anno 13. Eliz. cap. 16.

¶ Hauens and Riuers.

Whereas it is conteyned in the statute of West. 2. cap. 48. (which see before Fishers 1.) That yong Salmons shal not be taken by nets, nor by other engins, at mill dammes, from the nids of April, till the Natiuitie of S. Johu Baptist, vpon a certaine paine limitted in the same statute: It is accorded and assented, that the said statute be firmely holden and kept: Joining to the same, that yong Salmons shall not be taken during the said time, at mill dammes, nor in other places vpō the same paine. And that no fisher nor garthman, nor none other, of what estate or condition that he be, shall from henceforth put in the waters of Thames, Humber, Ouse, Trent, nor no other waters of the Realme, by the said time, nor in any other time of the yere, any nets called stalkers, nor other nettes nor engins whatsoeuer they be, by the which the frie or the breede of the Salmons, Lamprels, or any other fish may in anie wise be taken or destroyed, vpon the paine aforesaid. And also whereas it is conteyned in the same statute, that al the waters in the which Salmons be taken within the Realme, shal be put in defence, as to the taking of Salmons, frō the Natiuitie of our Lady, vntill S. Martins day: It is ordeined and assented, that the waters of Lonsdale, Perle, Ribbil, and al other waters in the County of Lancaster be put in defence, as to the taking of Salmons frō Michaelmas day to the Purification of our Lady, and in no other time of the yere, for cause that Salmons bee not seasonable in the said waters in time aforesaid. And in the parties where such riuers be, there shall be assigned and swoorne good and sufficient Conseruators of this statute, as it is ordeined in the saide statute of Westminster. And that they shall punish the offenders after the paine conteined in the same statute, without any fauour therein to be shewed. An. 13. R. 2. cap. 19.

2 ¶ Forasmuch as the two former statutes of West. 2. cap. 48. & of 13. R. 2. cap. 19. haue not bin duely put in execution for default of good Conseruators of them: It is accorded &c. That the Justices of peace of all the Counties of Englande, shall be Conseruators of the said Statutes in the Counties where they be Justices. And that they and euery of them at all times when they may attend, shal survey the offences and defaults attempted against the statutes aforesaid, And also shall survey & search all the weares in such riuers, that they shal not be very strait, for the destruction of such frie & brode, but of a reasonable widones, after the old assise vsed or accustomed. And if the same Justices or any of them which shal find default or misprision against the Statutes aforesaid, shall make true punishment of them, which be found in default, after the content of the same statutes. And that the same Justices shall put good & sufficient vnderconseruators of the same statutes vnder thē, which shal be swoorne to like surueying, searche & punishment, without any fauour therof to be shewed. And moreouer, that ỳ same Justices in their Sessiōs, shal enquire as well of their office, as at the information of the vnderconseruators aforesaid, of all trespasses, misprisiōs and defaults, made against anie of the points aforesaid, & shal cause them which be therof indicted to come before them. And if they be therof conuict, they shall haue imprisonment, & make fine after the discretion of the same Justices. And if the same be at the information of any of the vnderconseruators aforesaid, the same vnderconseruator shall haue the halfe of the same fine. And forasmuch as it is graunted to the Citizens of London by the Kings progenitors, that they may remoue & take all the weares in the waters of Thames & Medway, & that they shall haue the punishmēts therof pertayning to the king: Our said soueraigne Lord the king in this present Parliament, by the assent aforesaid, hath grāted that the Maior or Warden of Lōdon for the time being, shal haue the cōseruation of the statutes aforesaide: And shall make thereof due execution & like punishment, as afore is ordeined of ỳ Justices of the peace, in the said waters of Thames, frō the Wyre ge of Stanes to London, and from thence ouer the same water, and in the said water of Medeway, as farre as it is granted to the said Citizens, as afore is said. Anno 17. R. 2. cap. 9. See before Fishers 16. the new Statute of this matter.

3 ¶ The

Nettes

3 ¶ The standing of nets and engins called trinkes, and al other maner nettes, which be & were wont to be fastened and hanged continually day & night by a certaine time in the yere, to great postes, boats & ankers ouerthwart the riuer of Thames, and other riuers of the realme, which standing is a cause & an occasion of a great & much destruction of the brode of frie of fish, and disturbance of the cõmon passage of vessels, as be the weares, kidels, or any other engins, be wholy defended for euer. And that euery person ỳ setteth or fasteneth them from henceforth to such postes, boats & ankers, or like thing, continually to stand as afore is said, & be duely thereof by the course of the laws cõuict, he shall forfait to the king C.s. at euery time that he is so proued in default.

Frie

Weares

Prouided alwaies that it shalbe lawful to the possessors of the said trinkes, if they be of assise, to fish with them in al seasonable times, drawing & conueying them by hand as other fishers do with other nets, & not fastening or tacking the said nets to the postes, boates & ankers, cõtinually to stand, as afore is said: Hauing alwaies to euery of ỳ kings liege people, their right, title and inheritãce in their fishing in the said water. An. 2. H. 6. cap. 15.

Comict Forf.

Trinkes

Chaunceler Comission

4 ¶ The Chauncelor of England shal haue power to graunt such Commission at all times nedefull, to such indifferent persons dwelling there aboute, which thereto best can & may intend, to enquire, redresse, and amend al the defaults being in the said water, aswell by diuers trenches made out of the saide water, as of all other maner stankes, kidels, weares or milles, being or made to the annoyance of the passage of boates in the said water, according to the purport & tenor of ỳ statutes in this case prouided and ordeyned. An. 3. H. 6. cap. 5.

Trenches

5 ¶ An. 9. H. 6. cap. 9. An act was made to endure for three yeres, concerning the clensing of the riuer of Lee, going from Ware to Thames of shelues, that boats might passe in that riuer.

Lee

Maior London

6 ¶ Where the Maior of the Citie of London for the time being is Conseruator, hauing the conseruation of the water and riuer of Thames, from the bridge of Stanes, vnto ỳ water of Pendall & Medway: It is so that within fewe yeres by tempest of weather, and great abundance of water in the said riuer of Thames, diuers breaches, issues, and creeks haue bin & growe out of the said riuer of Thames. And by the same diuers pastures, meadowes and grounds of diuers persons bin drowned and ouerflowen, in which breaches, issues and creekes, and ground drowned, the frie and brood of fish for the most part resteth, and in the same places the saide frie and brode in great multitudes bin daily taken by the saide fisherie, with vnlawfull engines and nets, for bayte of eeles and cods, and also for feeding of their hogges, to the vtter destruction of the said frie and brode, without a remedie the rather be prouided. The king &c. hath ordeined, established and enacted, that the Maior of London and his successors Maiors for the time being, haue the conseruation and rule, and like authoritie in euerie of the said breaches, issues and creekes and grounds so drowned and ouerflowen, as farre as the water ebbeth and floweth, as touching the punitiõ for vsing vnlawfull nettes, and other vnlawfull engins in fishing, like as he and his predecessors, haue had or hath in the same water and riuer of Thames, within the lãds afore rehearsed, and to doe all like correction and punishment there, cõcerning the reformation & redresse of vnlawfull nets & engins, as he and his predecessors haue vsed and owe to vse in the saide riuer of Thames.

From Stanes to Pendall & Medway

Frie

Baytes

Hogges

Maior

Conseruator

Prouided alway, that the Maior of Lõdon or his successors Maiors for the time being, haue not the conseruation, ne rule, ne authoritie in anie of the said breaches, issues, creekes and grounds so drowned and ouerflowen within the Kings ground, or being within franchises of anie person spirituall and temporall, as touching the punition for vsing vnlawfull engines in fishing, or to doe anie correction or punishment there, concerning the reformation and redresse of vnlawfull nettes and engines, as the saide Maior and his predecessors haue vsed and owe to vse in the saide riuer of Thames. Anno 4. Hen. 7. cap. 15.

K. Grounds Franchises

7 ¶ Anno 6 Hen. 8. cap. 17. An act was made for the clensing and amending of the riuer of Canterburie, from Chart to Fordich.

Canterbury Riuer.

8 ¶ Anno 23. H. 8. cap. 18. An act was made, concerning the amending of the riuers of Ouse and Humber, & for the pulling downe and auoiding of fishgarthes, pyles, stakes, and other things set in the said riuers.

Ouse and Humber

9 ¶ An. 23. H. 8. cap. 8. and An. 27. H. 8. cap. 23. be two seuerall actes made of one effect, for the preseruation of certaine hauens and Portes of Plimmouth, Dertmouth, Tingmouth, Falmouth, & Fowet, and other Ports in Deuon & Cornewal, & that none should labour in Tinworks, where the fresh riuers of these Hauēs, and that they that labor in Tinworke should so doe, that stones and grauell should not come into these Hauens, vpō a forfaiture: and if any were sued or troubled in the Stannery for executing this acte, those suits should be void, and if he were imprisoned by the Stannery, hee should be discharged by a Justice of peace: Sauing the liberties of the Stannery.

Plimmouth
Tinworks
Stannery
Iust. of P.

10 ¶ Anno 27. H. 8. cap. 18. An acte is made, for the preseruation of the Riuer of Thames of London, against them that annoy the streame making of sheines, digging or casting things in the Riuer, or carrying away of timber or other things from the bankes, vpon forfaiture of fiue poundes: The one halfe &c. and an order appointed for the taking of balast there, and that it shall be lawfull to take away any thing from the sheines there &c.

Thames
Fork.
Wottis
Balast

11 ¶ Anno 31. H. 8. cap. 4. An acte is made concerning the amending of the Riuer of Exe and the City of Exeter, and that the Maiors and Officers of Exeter may pinche downe and breake weares, rockes, sandes, grauell, and other lettes in the said Riuer, and in other places conuenient, and to doe all other thinges necessarie where the vessels may haue recourse in that Riuer to the Citie, paying twentie yéeres purchase for the digging, or els money to bee assessed, as is expressed in the act, at the election of the owner of the ground, vpon a forfaiture, and paying to the occupiers for their hurtes &c. with diuerse matters at large for this matter.

Exe
Maior
Weares

12 ¶ No person or persons after the first day of August next comming, do cast or vnlade out of anie maner of Shippe, Crayer, or any other vessel, being within anie Hauen, Roade, Channell or Riuer flowing or running to any Port Towne, or to any citie, Borough or Towne within this Realme, or anie other the Kings dominions, any maner of balast, rubbish, grauell, or any other wrake or filth, but onely vpon the lande aboue the full Sea marke, vpon paine that euery person and persons offending this act, to lose and forfait for euery time so offending v. li. The one half to the king our soueraigne Lord, and the other halfe thereof to such person or persons as will sue for the same by bill &c. in which action &c. Anno 34. Henr. 8. cap. 9.

Balast
Fork.
Wottis

13 ¶ Anno 27. Eliz. An acte was made for the maintenance of the Piere or Cobb of Lyme Regis in the Countie of Dorset. But it is not printed. And 35. Eliz. cap. 7. This acte is continued during ten yeeres next ensuing, and so from thencefoorth to the end of the next Parliament then next ensuing.

14 ¶ It shalbe lawfull to and for the Maior and Comminalty of Plimmouth, and to their successors, at all times after the feast of Easter now next comming, to digge and mine a ditch or trench, conteyning in breadth betweene six or seuen foote ouer in all places, through and ouer all the landes and groundes lying betweene the saide towne of Plimmouth, and anie part of the sayd Riuer of Peiwe alias Penie, and to digge, mine, breake, banke and cast vp al and al maner of rockes, stones, grauell, sand, & all other lets in any places or ground, for the cōuenient or necessarie conueying of the same Riuer to the saide Towne. And further from time to time to doe reparation & make weares, banks, and all other thinges necessarie, whereby the saide riuer may be brought and cōtinue vnto the said Towne, without let, deniall, veration or trouble of the Lord or Lords, owner or owners of the same ground, or of anie other person or persons by suite in the Lawe or otherwise, vpon paine of xx. pound for euery time that they or anie of them doe attempt the contrary thereof: the one halfe thereof to be to our saide Soueraigne Ladie, and the other halfe to the saide Maior and Comminaltie and their successors, to be recouered by action of debt, bill, plaint or information, wherein the partie defendant shall not wage his Law, nor in the said action, actions or suits any essoine, licence or protection shalbe allowed, the said Maior and Comminaltie giuing and paying to the Lord or Lords, owner or owners of the soyle where such thinges shalbe made or done, in recompence and satisfactiō of and for the lande or ground so to be digged or mined, for the full and absolute purchase of the same, to them and their successors, so much money as by the two Justices of Assise of the Countie of Deuon for the

Maior Plimmouth
Weares
Dyke
Fork.
Houses
Purchase
Justices

the time being, shal be adiudged, ordeined and determined: And also giuing and paying to the tenãts, farmors and occupiers of such land or ground for such hurtes or losses as they or any of them shall haue or sustaine by the same, asmuch as shalbe assessed, adiudged and determined by ẏ said two Justices of Assises: the same recompence and satisfaction aswell concerning the Lord or Lords of the lande, as the tenants, farmors & occupiers of the same, to be paied by the said Maior and comminaltie of the said Borough for the time being, or their successors, within the space of vj. wækes nerte after the rating, assessing and determining of the same, vnlesse the said Maior & Comminaltie and their successors can otherwise compound and agræ with the Lords, tenants, farmors & occupiers of such land & ground, or with anie of them. And in case it happen the Maior and Comminaltie of the said Borough to make default of payment of the said recompence and satisfaction, & resist to pay the same as is before rehearsed, that then the Lord, Lordes, owner, owners, tenants, farmors and occupiers of such land or groũd, that is agræued therwith, and to whom the recompence & satisfaction ought to be paied, shall and may lawfully commence, affirme and take his or their action of debt by the course of the common Law, against the Maior & comminaltie of the said borough for the time being, and their successors for recouery of the same in anie Court of this Realme, at the wil and pleasure of the partie grieued, and like proceasse therupõ to be had, as in action of debt at the common Law, grounded vpon the contract or specialtie, hath vsed to bene had, in which no wager of lawe, essoine or protection shall be allowed. Debt

Prouided alwaies, & it is further enacted by this præsent Parliamẽt, and by the authoritie of the same, that the said water shall not be conueyed through the house, garden or orchard of anie person, or persõs, or through anie part thereof, without composition to be first had with the owners & occupiers of the saide houses, gardens, and orchards. houses &c.

Prouided alwaies, that this acte nor anie thing therein conteyned, shall not extend to giue libertie as aforesaid, to bring the said water, or any part thereof out of his ãncient course, to or for any intent or purpose mẽtioned in this act, vnlesse euery such person & persons as are owners of any Mill or Milles situate and standing vpon or nære the said riuer of Pelve alias Penie, shalbe first cõpounded withall as aforesaid, if the said Milles shal by ẏ bringing of the said water or any part thereof vnto the said towne of Plimmoth be impaired or hindered. An. 27. Eliz. cap. 20. Milles

14 ¶ Forasmuch as the hauen of Orford in the County of Suffolke is greatly shoulded and decaied, by the abuse of certaine Stalboates and vnlawfull nets, set aswel in the said Hauen, as also in a place called the Gull, being a branch of the said Hauen, whereby the great destruction of the frie of fish there insueth by reason of the smalenesse of the Maskes of such nets as they vse, and also the saide Hauen and Gull by the cõtinuall standing of the said Stalboats and vsing of the saide nets, the course of ẏ tides being thereby hindered, so that the said Hauen & Gull, with sand, soile, sulse and pæble stones are become of much lesse depth thẽ heretofore they haue bin, to the great perill of shippes and vessels vsing that Harborough, & likelie to be much more perilous, or els shelfed vp, and so the vse of the Hauen and Gul to be vtterly lost, if spædie remedie be not herein prouided: Be it therefore enacted by our Soueraigne Ladie the Quẽnes Maiestie, the Lords spirituall and Temporall and with the assent of the Commons in this præsent Parliamẽt assembled, and by the authoritie of the same Parliamẽt, that from the first daie of August now next insuing, it shall not be lawfull to any maner of person or persons whatsoeuer, to set any nette or nettes with any boate or boates called a Stalboate, or other boate or vessel whatsoeuer within the entrie or mouth of the said Hauen, or in the saide Gull, except the maske or shale of euerie such nette throughout the whole nette doe containe two inches and a halfe at the least in widenesse from knot to knot, vpon paine to forfait for euery time that anie nette or nettes so set, or placed in the said Hauen or Gull not being of the maske or shale aforesaid, the summe of v. pounds of lawfull English money, together with the nette or nettes so set, or the value thereof, the one Moitie whereof shal be to the Quẽns Maiestie, her heirs and successors, and the other moytie to him or them that will sue for the same in anie of her Maiesties Courtes of Record at Westminster, and not elsewhere, Nettes Stalboate Maske Forf.

by action, bill, plaint or information, wherein no essoine, protectiõ or wager of law shall be admitted or allowed. Anno 27. Eliz. cap. 21.

Maior

14 ¶ It shall & may be lawfull to the Maior and Citizens of the Citie of Chichester their successors & assignes, at anie time or times hereafter to assigne, appoint, limitte & lay out such, and so much conuenient & necessary portions & quantities of ground for the making of a new Trench or Channell, from such place of the Hauen of the said citie, vnto the Suburbes thereof, betweene the Dell key there, & a place called Fishborne, & of such length & breadth throughout, as to them, their deputies and workemen shall seeme most meete, conuenient and necessarie for the same, and in such place and places, as they shall finde to be most apt, meete, and fittest for that purpose.

Trench

And that it shall and may be lawful for them the said Maior and Citizens, their successors and assignes and their workemen, at all time and times at their pleasures to haue, take, vse and imploy to the purpose aforesaide, the saide portions and quantities of grounds so by them, their deputies or workemen to be assigned, appointed, limitted and laide out as is aforesaide, in and by all the length and breadth that the said new Cut, Trench or Channel shal passe betweene the said Dell key, & the said place called Fishborne, as shall be sufficient and requisite for the passing and conueying of the water alõg the said Channel, vnto the Suburbes of the Citie aforesaide, and also fiftie or threescore foote in breadth, on each side of the saide newe Cut, Trench, or Chãnel, by all the length of the same: so alwaies that they do not in any one place take in breadth both in chãnell and in ground on both sides the water in the said new Channell for the purpose aforesaide, aboue the breadth of two hundreth foote in the whole, which space and breadth of grounde is thought verie needfull and requisite to be had, vsed and occupied for the saide newe Channell or Cut, and for the bankes & walles thereof on both sides, aswell for the apt and cõuenient placing, laying, cariage, remouing and bestowing of such earth, grauel, mudde, and other soile as shall be cast out of the saide Channel or Trench, into places most fit and conuenient for the more strength of the same bankes and walles, & better safetie of the land on either side, against such inundatiõs of water as may happen. And also that all the Quenes Maiesties people may with ease freely on foote or horsebacke, passe & repasse to and from betweene the said city of Chichester and the old Hauen aforesaid, vpon the said bankes or walles. And also that thereby the Lightermen and Boatemen, if neede be, may vpon the same ground without offending any other, drawe their Lighters or Boates from place to place along the said newe Channell against the Tide or streame, as sometime being laden they shalbe constrained so to doe. And also that it may be likewise enacted, that ỳ Maior & Citizens of the said City of Chichester, & their successors for euer, shal haue, holde, possesse and enioy al the said ground so by them their deputies or workemen limitted, assigned, appointed & laid out as is aforesaid for the purpose aboue mentioned, in length and in breadth all along the said new Trench or Channell, aswell for the said new Trench or Channell, as also for the bankes, walles and ground on both sides thereof, meete, necessarie and conuenient for the Quenes subiects and people to passe, for such composition, summes of money, or other recompence, as they the said Maior and Citizens, their successors or assignes shall cõpound and agree with the Lords, owners and occupiers of the said soile and ground.

Boatemen

Maior

Cõposition

And that it may be further enacted, that the Maior and Citizens of the saide Citie of Chichester, their successors & assignes for euer, shall and may haue, holde, possesse, vse, enioy, continue and execute all such iurisdictiõ, power, rule, gouernemẽt, authoritie and correction of all the saide newe Cut, Trench or Channel, and of the grounde and bankes on both sides on the same, in maner and fourme aforesaide to be assigned, limitted, appointed and layd out, and all royalties, liberties, frãchises, priuiledges, customes, fishing, fowling, lighterage, and al other profites, commodities, casualties and aduantages whatsoeuer, aswell of the same ground & soile, as of the water in the said new cut, trẽch or channell, and of either or any of them, in as large, ample and beneficiall maner, to all intents, cõstructions and purposes, as they the saide Maior and Citizens of the Citie aforesaide, now lawfullie doe, or anie of their predecessors at anie time heretofore haue lawfullie done, or of right may, should and ought to haue had, holden,

Fishing

holden, vsed, enioyed and executed any iu-risdiction, power, rule, gouernement, cor-rection, realties, liberties, franchises, pri-ledges, cuſtomes, fiſhings, fowlings, lightcrage, and al other profites, commo-dities and aduantages within the ſaid ci-tie of Chicheſter, and the liberties therof, and in, by and through the ſeuerall Ports & Hauens of Arundring and Hornmouth, and in and by all the Creekes, members & liberties of them or anie of them, accor-ding to the auncient cuſtomes, had, vſed and enioyed by the ſaid Maior and citizens of the ſaide Citie of Chicheſter, and their predeceſſors within the ſaid citie, and ac-cording to the fourme and effect of ſundry charters and graunts vnto them the ſaid Maior and citizens made and graũted by the Quẽns moſt noble Progenitors, and by her Highneſſe confirmed, or by anie of thoſe waies or meanes.

And that it may be alſo enacted, that it ſhall & may be lawfull to and for the ſaide Maior and Citizens of the citie aforeſaid, their deputies or workemẽ, to enter into any maner of lãds nere adioyning to the ſaid new Cut, Trench or Channel, lying within halfe a mile of the ſaid newe Cut, Trench or Channell, there to view what brookes, waters, ſtreames & ſprinnges are in the ſaid lands, which brookes, waters, ſtreames & ſprings may fitly, neceſſarily and commodiouſly be brought & conueyed by Dike or Trench vnto the ſaide newe Cut, Trench & Channell, to encreaſe the force of the freſh water in the ſaid trench or Channell, for the better maintayning, continuing, cleanſing and ſcouring of the ſaid new Cut, Trench or Channel. Vpon which viewe by thẽ made, if any brookes, waters, ſtreames, and ſprings be foũd in any of the landes aforeſaid, lying within halfe a mile of the ſaid new Cut, Trench, or Channel, which will fitlie, neceſſarilie and commodiouſly ſerue for the worke & purpoſe aboue mentioned:

That it ſhal and may be likewiſe lawfull for the ſaid Maior and Citizens, their deputies or workemẽ, to limitte, aſſigne, appoint & late out in anie of the ſaid lands where ſuch brookes, waters, ſtreames or ſprings ſhall be, ſuch and ſo much conue-nient portion and portions, quantitie and quantities of lande, and in ſuch conueni-ent place and places in the ſaid landes, as ſhall be thought apteſt and fittеſt for the conueyance of the ſaide brookes, waters, ſtreames and ſprinnges, vnto the newe Cut, Trench or Channell aforeſaid, as they the ſaide Maior and Citizens, their deputies or workemen ſhall thinke good for that purpoſe.

And that it may alſo be enacted, that af-ter the ſaid portion or portions, quantitie and quantities of land, in any the ſeuerall grounds aforeſaide, ſo by the ſaid Maior & Citizens, their deputies or workemen in forme aforeſaid and for the purpoſe laſt before mentioned, ſhall be aſſigned, limit-ted, appointed and laid out, That it ſhall and may alſo be lawfull to the ſaid Maior and Citizens, their deputies and workemen, to make dikes, trenches or other ne-ceſſary conueyances in the ſaid lands for the paſſing and conueying of the ſaide brookes, ſtreames, waters and ſprinnges, from place to place through all the ſaide lands, vnto ẏ new Cut, Trench or Chan-nell aforeſaide: And alſo to haue libertie from time to time to enter into the lands aforeſaid, after the dikes or trenches ſhall be there made (if nede ſo require) to re-paire, amende, maintaine, cleanſe, ſcoure, and kẽpe the ſame Diches and trenches there made, for the cõueiance and paſſage of the ſaid brookes, waters, ſtreames and ſprings, vnto the new cut, trench or chan-nell aforeſaid, without the let, trouble or denial of the Lordes, owners, or occupi-ers of the ſame lands: The ſaid Maior & Citizens, their ſucceſſours and aſſignes, compounding & agreeing with the Lords, owners and occupiers of the ſame lands, for all ſuch grounde as they ſhall vſe and imploy in and about the ſaide Dikes and Trenches, and yelding alſo and paying vnto them ſuch ſatisfaction and recom-pence for the ſame landes with the loſſes, hinderances and dammages which they and euerie of them ſhall ſuſtaine thereby, as ſhall be concluded and agreed for, be-twẽne the ſaid Lords, owners, and occu-piers of the ſame lãds, and the ſaid Maior and Citizens:

Trenches

Compoſi-tion

And that it may likewiſe be enacted, that the Maior & Citizens of the ſaid Ci-ty of Chicheſter, their ſucceſſors, deputies or workmẽ, ſhal not by vertue of this act, haue, take, vſe or imploy anie mãs groũd or land, to any the purpoſes or vſes afore mentioned, vntill they haue compounded with the Lords, owners and occupiers of the ſame ground for the ſame.

Prouided alwaies that if any Lord, ow-ner or occupier of any ſuch groũd or lãds, nedfull or requiſite to be vſed or imploied

to or for the purposes aforesaid, shall refuse such summe or sums of money or other cõposition for his or their title, interest or estate, of & in the said lands as shalbe to him or them offered or tendred by the said Maior and Citizens, their successors or assignes, for and in recõpence thereof: that then it shall & may be lawfull to and for the L. Chauncelor of England, or L. Keeper of the great seale for the time being, by his discretion, at the suit and petition of the Maior & Citizens of the said citie of Chichester, to appoint and authorise by Commission vnder the great Seale of England twelue Commissioners, whereof foure to be Aldermen or other discrete Citizens of the said Citie of Chichester inhabiting within the said Citie, and the other eight to be Noble men or Gentlemẽ being in the Commission of Peace in the said Countie of Sussex, inhabiting within the said Countie, which twelue Commissioners or sixe of them, whereof two to be of the said Aldermen or Citizens of the said Citie of Chichester, & the other foure to be of the saide Noblemen or Gentlemen, by vertue of this Act and of the said Commission, shall haue full power and lawfull authoritie by their discretion to name, assigne, appoint and determine what summes of money, yearely rent, or other recompence the Lords, owners and occupiers of all, or anie of the landes or grounds to be limitted, assigned, appointed and laide out for the purposes aforesaid or any of thẽ, their heires or assignes shal haue, take and accept of the said Maior and Citizens and their successours in full satisfaction of and for the same lande and ground, or of and for anie other hinderance, dãmage, losse, decaie or indempnitie that they the said Lordes, owners and occupiers or anie of them, their heirs or assignes shall or maie haue or sustaine by reason of the premisses, so as the same be set downe in writting indented vnder their hands and seales, whereof the one partie to bee deliuered to the said Lords, owners and occupiers of the said landes and grounds, their heires or assignes, and the other parte thereof to the Maior of the saide Citie for the time beyng, within one moneth next after the same shall bee so set downe in writing: And that such Lordes, owners and occupiers, their heires and assignes shall or may haue their remedie and recouerie of and for such money, yearely rent or other recompence against the Maior and Citizens of the said Citie of Chichester, and their successours and others, by action of debt, distres or otherwise, as for such like things in cases at the Common law is vsed, and like proceese and proceeding to be therin, as in other like cases at the Common law is vsed.

L. Chãcelor

Cõmission

Rent

Distres

And be it further enacted, that the Maior and Citizens of the said Citie of Chichester and their successours shall make and maintaine at their costes and charges, the hedges, bankes, walles and fences requisite and necessarie betweene the grounds so by them to be taken to the vse aboue said, and the grounds of other owners, and also conuenient Bridges and waies for the passage of the Quæns liege people and their carriages.

Maior

Bridges

Prouided also, and be it further enacted by the authoritie aforesaide, that no person or persons shall lade or vnlade anie goods, wares or Marchandise in the said newe cut, trench or channell, but at such lading and vnlading place, wharfe or key, as shalbe made for that purpose, at or neere the end of the said newe cutte, trench or channell nexte the saide Citie of Chichester aforesaid, vpon paine to forfaite for euerie tunne weight which shal be so laden or vnladen in anie other place in the said newe cut, trench or channell xx. shillings, and so after the rate: which said forfaitures shal be to the Maior and Citizens of the said Citie, and their successors, to the vse aforesaid, the same to be recouered by the said Maior and Citizens and their successours by action of debt in anie court of Record: in which actiõ, no essoine, protection or wager of law shal be allowed. And that goods, wares and marchandise shall or may be ladẽ or vnladen at the said lading and vnlading place, wharfe or key so to be made at or neere the end of the said newe cut, trench or channell next to the said Citie of Chichester, as safely and lawfully to all intents and purposes, as the same might haue bene laden or vnladen at the foresaid old Piere or Key before the making of this act.

Lading place

Forf.

Marchandis

Prouided alwaies, that if the said commissioners or sixe of them as aforesaid, shall name, assigne, appoint or determine anie summe or summes of money, other then by payment of yearely rent to be giuen or paied by the said Maior and Citizens or their successours, to the Lordes, owners and occupiers of the same land or ground,

ground, to be limited, assigned, appointed and laid out for the purposes aforesaid, or anie of them, that then before such time as the said Maior and Citizens or their successors shall have, take, use or employ the said land or ground, or any part thereof to the purposes or uses before mentioned, the said Maior and Citizens or their successors shall pay or satisfie, or cause to be paied or satisfied the said summe or summes of money to the said Lordes, owners and occupiers, their executors or assignes, so that the said Lordes, owners & occupiers or any of them require and demaund the same at the dwelling house of the Maior of the aforesaid Citie of Chichester for the time being.

Provided also that this present act or anie thing therein conteined, shall not in anie wise be available, extend or give any libertie to the said Maior and Citizens, & their successors, or any of them, to have or take anie the landes, tenements or hereditaments, or anie liberties, franchises, realties, priuileges, iurisdictions, rights, customes or dueties of the right honourable Charles Lord Howard, Baron of Effingham, Lord Chamberleine of her Maiesties most honorable household, & of the most noble order of ỳ Garter Knight, his heires or assignes, of, or in the manor of Appeldram in the cõtie of Sussex aforesaid, or any part or parcel therof or thereunto belõging or appertaining, or otherwise howsoeuer, without the speciall assent and agreement of the said Lord Howard his heires or assignes first had & obteined in writing vnder his or their hand and seale. An. 27. Eliz. cap. 22.

¶ Hawkes and Hawking.

Finding of Hawkes

EVery person which findeth Fawcon, Tercelet, Laner or Laneret, or other Fawcon that is lost of their Lord, shall forthwith bring the same to the Shirife of the Countie. And that the Shirife make proclamation in all the good townes in the Countie, that hee hath such an Hawke in his custodie. And if the Lord which lost the same, or anie of his meny commeth to challenge him and proueth reasonably, that the same is his Lordes, let him pay for the costs & haue the Fawcon. And if none come within foure moneths to challẽge him, that then the Shirife haue the Fawcon, making grẽt to him that did take him, if he be a simple man, and if he be a Gentleman & of estate to haue the Fawcon, that then the shirife redeliuer him the Fawcon, taking of him reasonable costes for the time that he had him in his custodie. And if any man take such Fawcon, & the same conceale from the Lord, whose it was, or frõ his Fawconer, or whosoeuer taketh him from the Lord, and thereof be attainted, shal haue imprisonment of two yéres, and yéld to the Lord the price of the Fawcon so concealed & carried away, if he haue whereof, & if not, he shall the longer abide in prison. An. 34. E. 3. cap. 22. See here 2.

Shirife

Proclamation

Costs

Foure moneths

Gentleman

Redeliuer

Conceale

Attainted Imprisonm.

2 ¶ Forasmuch as notwithstanding the statute 34. E. 3. cap. 22. (before 1.) the offenders doubt but little to offende in that behalfe. Be it ordeined &c. that if any steale anie Hawke, and the same carrie away not doing the ordinance aforesaid, it shall be done of him as a thefe that stealeth a horse or other thing. Anno 37. E. 3. cap. 19.

Steals Felony

¶ Hereford.

ANno 2. & 3. P & M. cap. 14. it is enacted, that the Deane & Chapter of Hereford may reedifie foure mils, where foure milles were destroyed, or necre thereunto, and to haue the waters, fishings, pathes, & weares as they had before to the foure milles.

Milles

¶ Heresie.

IN An. 25. H. 8. cap. 14. an act was made intituled. An act for the punishment of Heresie. And by this statute, the statute of 2. H. 4. cap. 15. was repealed.

2 ¶ In An. 31. H. 8. cap. 14. a statute was made for the punishmẽt of heretikes cõmonly called the Act of six articles, but it was repealed by 1. E. 6 cap. 12.

Six articles

3 ¶ In An. 34. H. 8. cap. 1. an act was made for the punishment of heretikes & prohibiting of certeine persons to preach or teach, or to reade scripture in English, and against ill Bookes, but it was repealed by 1. E. 6. cap. 12.

4 ¶ In An. 35. H. 8. cap. 5. an act was made concerning the qualification of the act of sire articles, but this act of 35. H. 8. was repealed by 1. E. 6. cap. 12.

5 ¶ In An. 1. E. 6. cap. 12. there were repealed & from thencefoorth made void by general words, al statuts cõcerning doctrine or matters of Religion. But 1. & 2. P. & M.

P. & M. cap. 6. the statutes made An. 5. R. 2. cap. 5. & An. 2. H. 4. cap. 15. & An. 3. H. 5. cap. 7. were reuiued, and afterward repealed by An. 1. Eliz. cap.

¶ Hexamshire.

THe said territorie, franchise & liberty of Heram and Heramshire, with the liberties of the same, may be, is, & shalbe from henceforth, taken to be within, and part, parcel and member of the said countie of Northumberland. And that aswell the pleas of the crowne, as also all suites betwixt partie and partie, may proceede & haue their due ende and triall within the said countie of Northumberland, by and before the Shirife & Corroners of the said shire, & also before the Justices of peace, Justices of gaole delinerie, Justices of assise, Nisi prius, Oier and terminer, & other officers and eche and euery of them, as the case shal require, and take effects, as any of the like haue bin, or ought to be, which haue happened or shall hereafter happen within the said countie of Northumberland, and that from henceforth the Shirife and other officers of the countie of Northumberland for the time being, may haue ful power and authoritie to execute his or their office and al proces to him or them directed within Heram and Heramshire, and liberties of the same, in as ample and large maner as hee or they may, should or ought to doe within any other part of the said Countie of Northumberland: any grant, priuiledge, custome, vsage, libertie, or any thing els whatsoeuer heretofore made, claimed, vsed, had, put in vre or execution, or inioyed to the contrary, notwithstanding: sauing to the Bailife of the liberties, or other officers of the said towne of Heram and Heramshire, or the liberties thereof, al liberties and priuiledges for executing of processe, returne of writs, and otherwise, as they or any of them of right ought to haue before the making of this act. Anno 14. El. cap. 13.

Northumberland Pleas of the Crowne

Shirife Coroners Iust. of P.

Shirife

Proces

Bailife

Returne of Writs

¶ High waies.

ANn. 14. H. 8. ca. 6. An act was made authorizing George Gilford to lay out a newe high way in his mannour of Hampsted in Cumbroke in the Weld of Kent, & to take in, seuer, and haue the olde high way there. And ỹ any person within the weld of Kent, may make of his owne land by the ouersight & assent of two Justices of peace, and twelue men of that hundred, and other hundreds adioyning, a newe way more commodious, and to haue and to inioy the old way in seueralty &c. And that they shall make certificate into the Chancerie within three moneths after, of the length and bredth &c. And after Anno 26. H. 8. ca 7. it is enacted that the said act of 14. H. 8. shall extend to al places conuenient in Sussex where the waies be noyous.

Rent Iust. of P

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2 ¶ In Ann. 37. H. 8. cap. 3. Is an acte for the amending of the high waies, besides Chester called Huntington lane.

Huntington lane

3 ¶ In Anno 1. M. 2. Par. cap. 6. Is an act made to indure for 6. yeres, for the repairing of a causey betwirt Bristow and Glouncster, with diuers deuises at large concerning that matter.

4 ¶ For the amending of high waies, being now very noysome and tedious to trauel in, and daungerous to all passengers and cariages: Bee it &c. That the Constable and Churchwardens of euery Parish within this realme, shall yerely vpon Tuesday or Wednesday in Easter weeke, call together a number of the parochians, and shall then elect and choose two honest persons of the Parish, to be Surueiors and orderers for one yeere of the works, for amending of the high waies in their Parish leading to any market Towne. the which persons shal haue authoritie by vertue hereof, to order and direct the persons and cariages that shalbe appointed for those works by their discretions, and the said persons so named, shal take vpon thē the execution of their said offices, vpon paine euery of them making default to forfait xx. s. And the said Constable and Churchwardens shall thē also name and appoint 4. daies for the amending of the said waies before the feast of the Nativitie of S. John Baptist then next following. And shall openly in the Church the next Sunday after Easter, giue knowledge of the same 4. daies, and vpon the said daies the parochians shall indeuor themselues to the amending of the said high waies and shalbe chargeable therunto as followeth: that is to say, euery person for euery plough land in tillage or pasture that he or they shall occupie in the same parish, and euery other person keeping there a draught or plough, shall finde and send, at euery day and place

Constable Church-wardens Easter weeke

Chuse

Supervisors

Refuse; Fort.

Appoint 4. daies

Notice

Plough land

Finde

to

to be appointed for the amending of the waies in the parish, as is aforesaide, one waine or cart furnished after the custome of the country, with oxen, horses, or other cattell, and all other necessaries meete to carie things conuenient for that purpose, and also two able men with the same, vpon paine of euery draught making default x.s. And euery other householder, and also euery cottager and labourer of that parish, able to labour, and being no hired seruant by the yere, shal by themselues or one sufficient labourer for euery of them, vpon euery of the said 4. daies, worke and trauell in the amendment of the said high waies, vpon paine of euery person making default to lose for euery day vi.d. And if the cariages of the parish or any of them, shall not be thought needful by the Surueiors to be occupied vpon any the said daies: that then euery such person ỳ should haue sent anie such cariage, shall send to the said worke for euery cariage so spared two able men, there to labor for that day, vpon pain to lose for euery man not so sent to the said worke vi.d. And euerie person and cariage aboue said, shall haue and bring with them such shouels, spades, pickes, mattocks, & other tooles & instruments as they doe make their own ditches & fences withall, & such as bee necessarie for their saide worke. And al the said persons and cariages shal doe & kepe their workes, as they shalbe appointed by the said Surueiors, or one of them, 8. houres of euery of the said dayes, vnles they shalbe otherwise licenced by the said surueiors, or one of them.

Cart
Two men
Fort. housholder
Fort. vi.d.
Two men
Fort.
Tooles
Worke
8. houres licence

And bee it enacted by the authoritie aforesaid, that the steward & stewards of euery Leete or lawday, shall therein haue full power and authoritie to inquire by ỳ oths of the iuriers, of al & euery the offences ỳ shalbe committed within the Leete or lawday against any point & article of this statute, & to assesse such reasonable fines & amerciaments for ỳ same, as shal be thought meete by the same Steward. And in default of such inquirie or presentment, the Iustices of P. of euerie place or Countie, shall haue authoritie to inquire of the same offences which shal be cõmitted within the limits of their commissiõ, at euery their quarter sessions, & to assesse such fines therfore, as they or two of thẽ, whereof one to bee of the Quorum, shall thinke meete. And the steward of euery Leete and lawdaie, shal make estreats indented of al the fines, forfaitures & amerciamẽts, for the defaults presented before him, and shal deliuer the one part thereof sealed and assigned by him to the Bailife or high Constable of euery hundred, rape, lath or wapentake, wherein the defaults shalbe presented, and the other half to the Constable & Churchwardens of the Parish wherein the defaults were made, the same to be yeerelie deliuered within fiue weekes after the feast of S. Michael the Archangel. And the Clerke of the peace shall make the like estreats indented of ỳ fines, forfaitures & amerciaments, for the defaults presented before the Iustices of P. and shall seale, subscribe, and deliuer the same in like sort, as is aforesaid: The which estreats and euerie of them shalbe a sufficient warrant to the said Bailife or chiefe Constable, to leuie the said amerciaments, fines and forfaitures by waie of distresse. And if no sufficient distresse can be found by the said Bailife or head Constable, or if the said offendor shal obstinatlie refuse to pay the said amerciamẽt, fine or forfaiture, & do not pay the same within twentie daies after lawfull demand of the same by the said officer: that then euery such person to forfeit the double sum that he should before haue paied.

Stewards of the Leete
Inquire
Amerce
Iust. of P.
Inquire
Quarter Sessions
Quorum
Clerke of the peace
Stewards Estreats
Bailife High Constable
Clerk of P.
Estreats
Warrant
Distresse
Refuse
Fort.

And be it further enacted &c. that all fines amerciaments & forfaitures, which shalbe due for any offence against ỳ Purview of this statute, shalbe to ỳ Churchwardens of euerie parish wherein the offences shalbe committed, to be bestowed on the high waies in the saide Parishes. And the saide Churchwardens shall haue authoritie to call the said Bailifes & head Constable to accompt before the Iustices of peace, or two of them, whereof the one to be of the Quorum, by bill, information, or otherwise: The which Iustices shall haue authoritie to take the saide account, and to committe the saide Bailife or head Constable to prison, there to remaine vntill

Bailifes Head Constable
Account
Cõstable Churchwardens
Fort.
Amerciament
Account Iust. of P.
Imprison.

vntill he shal pay al such arrerages as shal be adiudged by the said Iustices. And euerie of the said Bailifes and head Constables vpon their accompts, shall haue allowed for euery pound he shal collect and paie viij d. for his owne paines, and vij.d. for the fees of the Clerke of the Peace, or Steward of the Leete, for the estreats indented of euery seuerall Parish that they shal deliuer, as is aforesaide, and the successors of euery Churchwardens shall haue the like action of account against their predecessors, as is before appointed against the Bailifes. This acte to continue for seuen yeres, next after the beginning of this Parliament, and to the ende of the next Parliamēt then next following. Anno 2.&.3. P.& M.cap.8. and so it expired. But it is reuiued by 5. Eliz. cap. 13. with some alterations, as it followeth heere 5. and 6.

Allowence viii.d. Clerke of the peace Steward of Leete

5 ¶ Because the time of the continuance of the statute (2. and 3. P. and M. before 4.) is now expired, and yet the saide statute is very benefitial, and most necessary to be continued for the ease and common wealth of this land: Bee it enacted &c. That the said statute, and euery article and braunch of the same, shall from henceforth be, stand, and continue in full force, effect, and strength, for and during the terme of vv. yeeres next following, from and after the beginning of this present parliament, and after the expiration of the said vv. yeres, to the ende of the parliament then next after the end of the said vv. yeres to be holden and kept. And forasmuch as the said statute made in the second and third yeeres of king Philip, and Quéene Marie, in diuers partes of this Realme, serueth not to so good purpose & effect, as it may bee made, for that such substance & matter as is most fitte & conuenient for the reparation of the said high waies, cannot be lawfully had, fetched & taken out of the seuerall groundes & soyle thereunto nigh or adioyning, being no great losse or detriment to the owners of the same seuerall grounds & soile, whereby the amendment of the said waies is little increased, or else of very smal and slender continuance, to the great and continuall charge of the poore people inhabiting ther abouts. For reformation whereof, & that the reparations of the saide high wayes may hereafter in good due manner, well and sufficiently bee made: Be it &c. that from henceforth it shal and may be lawful to all & singuler Superuisor and Superuisors, and orderers of the workes for the time being, for the amendment of the said high waies thereunto elected and appointed according to the statute made in the second and third yere of king Philip & Quéene Marie (before 4.) for the better reparation and amendment of the high waies within their seuerall parishes and limits where they shalbe so made Superuisors, (if it shalbe so to them thought necessary) to take and carie away of the rubbish or smallest broke stones of any quarrie or quarries, lying or being within the parish where they shall be Superuisours without licence, controlment or impeachment of the owners or owner, so much as by their discretions shalbe deemed & iudged necessarie to the amendment of the said waies. And that for default of anie quarrie or quarries, not being within their said parish or limits, or in default of rubbish not to bee found in any such quarrie or quarries, it shal and may be lawfull to euery such Superuisor or Superuisors, for the vse aforesaid, in ỳ seueral grounds of any person or persons, being within the parish and limits where they shalbe Superuisors, and nigh adioining to the way or waies wherein such reparations shall bee thought necessary to bee made, and wherein grauel, sand or sinder is likely to be found, to dig or cause to be digged for grauel, sand or sinder, and likewise to gather stones, lying vpon any landes or grounds within the parish, and mēt to be vsed to such seruice and purpose, & thereof to take and carie away so much, as by discretion of the said Superuisors shall bee thought necessarie to bee employed in the amendment of the said high waies.

Superuisors

Carry stones Quarrie

Without licence

Seuerall grounds

Grauel Sand Digge Gather stones

Prouided alwayes, that it shall not bee lawfull to any such Superuisor or Superuisors by vertue of this acte, to cause anie rubbish to be digged out of any quarrie or quarries, but onely shal extend to such rubbish as shall bee founde there ready digged by the owner or owners of the said quarrie or quarries, or otherwise, by his or their licence and commaundement: Nor shall not extende to giue authoritie to any Superuisor or Superuisors to digge, or cause to bee digged anie grauell, sande or sinder in the house, garden, orchard, or meddowe, of anie person or persons: nor that it shall be lawful by this acte to any such Superuisor or Superuisors, to cause anie more pittes to be digged

Quarrie

Ready digged

Licence

House Garden Orchard Meddow

digged for grauel in any seuerall and inclosed ground then one only, and that the same pit or hole so digged for grauell, as is aforesaide, shall not by any way bee in breadth or length aboue tenne yards at the most. And that euery such superuisor as shall cause any such pit to be made & digged for grauel, sand or finder, as is aforesaid, shal within one moneth next after any such digging or pit made, cause ỳ same to bee filled and stopped vp with earth, at the costs and charges of the parishioners, vpon pain to forfait to the owner and owners of the soyle, wherein any such pitte shalbe made and digged, for euery default fiue marks, to bee recouered by action of debt, as in other like cases of debt hath bin accustomed.

One pit

Breadth and length

Fill againe

Forf.

And forasmuch as the high waies in sundry places of this realme be ful of continuall springs & water courses, by continuall increase and sinking whereof into the ground, the saide waies are not onely very dépe and dangerous, but also for the most part impossible to bee amended and repaired in any good and sufficient manner, without some further remedie prouided for the same: Be it therefore enacted, that from henceforth euery such superuisor and superuisors as is aforesaid, shal by force of this acte, within the parish or limits where he or they shall be superuisors, haue full power and authoritie to turne any such water course, or spring of water, being in anie of ỳ said high waies, into anie ditch or ditches, of the seuerall ground or soile of anie person or persons whatsoeuer, nert adioining to the saide waies, in such manner & forme, as by the discretions of the said Superuisors shalbe thought mætest and most conuenient.

Water course
Ditch
Seuerall ground

And be it further &c. that the hales, fences, ditches, or hedges nert adioining on either side to anie high or cõmon fairing way, shall frõ time to time be diked, scoured, repaired and kept low, & all trées and bushes growing in the high waies, cutte downe by the owner or owners of the ground or soile which shalbe inclosed with the said hales, fences, dikes, or hedges aforesaid, whereby the said waies may bee open, and the people haue more readie & easie passage in the same. And be it enacted, that frõ henceforth there shalbe yerely sixe daies during the time and force of this statute, obserued, vsed & imployed in reparation and amendmẽt of the said hie waies, in like manner and forme, as the saide foure daies were limitted, and appointed to bee obserued and kept by the said statute made in the second and third yeeres of King Philip and Quéene Marie.

Dikes

Scowres
Trees
Bushes

Sixe daies

Repairing

And be it further enacted by the authoritie aforesaide, that from henceforth all and singuler such superuisor or superuisors for the time being, within one moneth next after default or offence, made, done, or committed by anie person or persons, contrarie to the prouision, purport, & true meaning of the saide statute made in the second and thirde yeeres of King Philip and Quéene Marie, or contrarie to the prouision, purporte, and true meaning of this present act, shal present euery such default or offence to the next Justice of peace for the time being, vpon paine to forfait for euery such default and offence in such sorte not by them presented xl.s. And that euerie such Justice of Peace to whom any such default or offence shall be presented, as is aforesaid, shall certifie the same presentment so to him made at the next generall Sessions within the saide Countie then nert after to be holden, vpon paine to forfeit for not certifying of euery such presentment of euery such default or offence as is aforesaid v.li. And that the Justices of peace of euery county where the said defaults or offences shalbe committed, shal immediately haue authoritie to inquire of anie such default or offence comitted within the limits of their commission, at euery their quarter sessions, & to assesse such fines for the same, as they or two of them, whereof one to be of the Quorum, shal thinke mete.

Superuisor

Default

Present to the nert Iust. of P.

Certifie

Generall sessions

Forf.

Iust. of P.

Inquire

Fines

And be it further enacted by the authoritie aforesaid, that euery Justice of peace shall haue authoritie by this statute vpon his own proper knowledge in the open general sessions, to make presentment of any high waie not well & sufficiently repaired & amended, or of any other default or offence committed or done within the county and limits of his commission, contrary to the prouision & intent of this statute, or the said statute made in the second and third yeeres of K. Philip & Quéene Marie. And that euery such presentment made by anie such Justice of peace vpon his owne knowledge, as is aforesaid, shall be as good and of the same force, strength, & effect in the law, as if the same had bin presented, found, and adiudged by the oth of xij. men. And ỳ for euerie such default

One Iust. of P.

Presentmẽt

so

so presented, as is aforesaid, the Justices of the P. of the said countie, shall immediately at the said generall sessions, haue authoritie to assesse such fines as to them or two of them, whereof the one to be of the Quorum, shalbe thought meete: Saning to euery person & persons, that shall bee touched by any such presentment, to haue his or their lawfull trauerse to the same presentmẽt, as they might haue vpon any indictment of trespas, or forcible entrie, by the lawes of this realme before the making of this statute. And that all such fines, forfaitures, and amerciamẽts to be assessed by the saide Justices of P. at their generall sessions, in any the cases aforesaid, shalbe estreated by the clerke of the peace of the said countie, and shall be leuied in such manner and forme, and imploied to such vses and intents, as in the said statute made in the second and third yeres of K. Philip and Quéene Marie is limited and appointed. This act to continue for fiue yeres next after the beginning of this present Parliament, and from thence vntill the ende of the Parliament then next to be holden. An. 5 Eliz. cap. 13. See here following 6. more. Anno. 27. Eliz. cap. 11. this Act is continued till the end of the next Parliament. And Ann. 29. Eliz. cap. 5. it is made perpetual.

Just. of P.

Fines

Trauerse

Estreat Clerke of the peace

Continue

6 ¶ Where in the Parliament holde at Westminster in the second and thirde yéres of the raignes of King Philip and Q. Marie (before 4.) An acte was made and ordained for the amending and repairing of the high waies. And wheras there is one other acte made in the fift yeere of our Soueraigne Ladie the Queene that nowe is (before 5.) for the better amendment of high waies, wherin some doubts and defects haue béene: For explanation whereof, and better prouision hereafter to be made for amendment of high waies: Be it explaned and enacted &c. that euerie person or persons (except such as shall dwell in the citie of London) that shall be assessed to the paiment of anie subsidie to her Maiestie to v.li. in goods, or xl.s. in landes or aboue, during all such time as hee shall stand so assessed and not altered, and being none of the parties chargeable for the amendment of high waies, by any former law but as a cottager, shall finde two able men yerely to labor in the high waies, at such daies and times, as by the said seuerall statutes are limitted and appointed. And euery other that hereafter shall occupie a plough lande in tillage or pasture, lying and being in seuerall parishes, shalbe chargeable to the making of the waies within the Parish where hee dwelleth, as farre forth, and in such maner and forme, as anie person hauing a plough land in ante one parish, is or ought to be chargeable by reason of the said former statutes or either of them. And that euerie person or persons occupying and kéeping in his or their handes or possession, seuerall or diuers plough lands, as aforesaid, in seuerall or diuers Townes, shal be charged to finde in ech Towne or parish (where the plough landes being in his occupying do lie) one Cart, Waine, Mowrel, dung pot, or court sleads, carres, or dragges, furnished for the amendment and repairing of the high waies within the seuerall parishes where ỳ saide plough lands do lie, in such maner and forme, as if he or they were a parishioner dwelling within the parishes where the same seuerall plough lands doe lie.

Two men

London Subsidie v.li. goods xl.s. lands

One plough land Diuers parishes

Diuers plough lands

Cart

And be it further enacted by the authoritie aforesaide, that all and euery person and persons, that shall not repaire, ditch, or scoure any haies, fences, ditches or hedges, adioining to any high way or common fairing way, or shall not cut downe or kéepe lowe al trees & bushes growing in or next adioining to any ỳ saide waies, according to the true intent and meaning of the aboue recited Acte, made in the fift yere of the Quéens Maiesties raign that now is, for euery offence committed therin contrary to the true intent therof, shal forfait and lose for euery default x.s. And that all and euery person & persons, that shall occupie anie lands adioining to the saide groundes, so adioining to any such high way, or commõ fairing way, where any ditching or scouring should or ought to be, as is aforesaid, shall from time to time, as nede shall require, ditch & scoure in his and their grounde so adioining, whereby the water conueied from the said high waie, or common fairing waie, ouer the groũd next adioining, may haue passage ouer the said ground so next adioining to that ground, vpon paine of forfeiture for euery time so offending for euery rodde not so ditched and scoured twelue pence.

Default

Fork.

Occupiers

Scoure

Water

Fork.

And for the better kéeping of the high waies passable for her Maiesties people: Be it enacted &c. that no person or persõs, hauing anie grounde by lease or otherwise,

Lease

wise, adioining to anie high way, or common fairing way, leading to anie Market towne, shall cast or scoure any ditch, and throwe or laye the soile thereof into the high way, and suffer it to lie there by the space of sixe moneths, to the annoiance of the saide high waie, or common fairing waye, vpon paine of forfaiture for euery loade of soile so cast into the high waie, or common fairing way, in ditching or scouring, twelue pence. And where any heretofore haue been sacast into the high way, or common fairing waie, that there is a bancke betweene the saide waie and the ditch, it shall be lawfull for the surueiors and worhmen by the lawes and statutes of this Realme, appointed for the amendmẽt of the said waies, to make slewces or other deuices by their discretions, to conueie the water out of the saide waie into the ditch: anie law, right, interest, custome or vsage to the contrary notwithstanding.

Annoyance

Forf.

Surueiors

Slewces

And that al and euery penaltie summe or summes of money, forfeited for anie cause within this statute, shalbe leuied in euerie Parish by the Surueiours of the waies within that parish for the time being, by distresse and sale of distresse, in manner and forme, as fines or amerciaments in Leetes haue been vsed. And the money so leuied to bee imploied vpon the high waie, or cõmon fairing way, where the offence was committed. And if the Surueiors shall not or will not leuie and imploy the same within one yeere after the offence so committed: That then the said summe or summes, forfaiture or forfaitures, shalbe leuied in forme aforesaid, by the Constables or Churchwardens of the Towne or Parish where the worke ought to bee done in the high way (as aforesaid) and that he or they so leuying any of the saide penalties or forfeitures, shal make & yeelde such accompt, appointed in the before recited statutes, or either of them.

Surueiors

Distreine

Money

Refuse

Constables, Churchwardens

And be it further enacted by the authority aforesaid, that al and euerie Iustices of assises, Iustices of Oier and terminer, Iustices of the peace in their sessions, and Stewardes of Leetes and Lawdaies, in their Leetes & Lawdaies, shall heare and determine al and euery offence, matter, & cause, that shall grow, come, or rise by reason of this statute.

Iustices

Iust. of P.

Stewards

Oier & ter.

And where the ferrie or passage called the kings ferrie within the Isle of Sheppey in the county of Kent, before the making of the statute of High waies, was vsually repaired and maintained time out of memorie of man, at the charges of all the inhabitants and land occupiers within the whole Isle, by taxation and assessment, at one Court and Lawday, time out of minde, yeerely holden on the Munday next after the feast of Pentecost, at Kingsborowe within the said Isle, in the name of the Queenes Maiestie and her progenitours, onely for the maintenance of the same Ferrie: Be it therefore enacted, that the said court shall bee duely kept in such manner and forme, as hath beene heretofore accustomed, and that it shall and may bee lawfull to and for the Iurie impanelled and sworne at the same Courte, for the time being, by their discretions, reasonably to assesse and tare themselues and all other the inhabitants and lande occupiers of the said Isle indifferently, according to the rate of the land in euerie mans occupying towards the maintenance of the saide Ferrie and passage, and the waies belonging and leading to the same, so as no acre of fresh marsh and vplande be tared aboue the rate of a penie in one yeere, nor of euery twoe acres of saltemarsh aboue the rate of a penie in one yeere. And that all and euerie thing, profite, benefite, and commoditie, which heretofore hath beene giuen by anie person or persons whatsoeuer, towardes the maintenance of the said passage or Ferrie, shall be had and leuied to the maintenãce of the said passage or Ferrie. And that the Ferrie warden for the time being shall haue full power and authoritie to leuie, recouer and receiue the same, & the tares & assessments of euery person and persons by way of distresse, vpon the estreats made out by the steward of the said Court, as al amerciaments are vsed to be leuied & are extreated out of other the Q. Maiesties Leetes and Lawdaies. And that the said Ferrie warden, shall bestowe the money so leuied, vpon the repairing and maintenance of the said ferrie, passage & waies, & therof shal giue account, as they haue bin accustomed, to the steward of the said court & homage, there to bee sworne at the next Lawday following, and all arrerages in his hands remaining, shall deliuer ouer to the next Ferrie warden, on paine to forfait the double of the said arrerages, to bee leuyed as other paines and amerciaments

Kings ferry Sheppey

Iurie

Tare

Marsh

Ferrie warden

Estreats

Account

Arrerages

ments in the Court aforesaid assessed, and to be imployed to the maintenance of the said passage or ferrie. And forasmuch as the vsuall high waie leading from the Market Towne called Middleton to the said Ferrie is presently in such decay, that neither man nor beaste without great danger is able to passe, whatsoever necessitie should sodainely happen for men to repaire into or out of the said Isle, and the Parish where the same lieth is not able to repaire the same: Be it therefore further enacted, that it shall be lawfull from henceforth yerely during the space of ten yeeres, for three Justices of the P. whereof one to bee of the Quorum, nexte inhabiting to the said towne of Middleton within the said countie of Kent, reasonably to assesse and taxe all and euery land occupiers, dwelling out of the saide Isle, and within foure miles distant from the saide ferrie, as to their discretion shall seeme conuenient, not exceeding the summe of one penie, vpon euery acre of fresh marsh and vpland in one yeare, and vpon euerie ten acres of salte marsh one penie in one yere, and to assigne and appoint such person and persons as they shal think meete, for the collecting and imploying of the same vpon the high waies. And that it shalbe lawfull for the said three Justices for the time being, yerely during the said ten yeres, to take account and reckoning of the said person or persons, touching or concerning the said money so to be leuied or imployed. An. 18. Eliz. cap. 10.

Iust. of P.

Kent

Account

7 ¶ Whereas in the Parliament holden in the 18. yeare of the Queenes Maiesties raigne that now is, there was one verie necessarie and profitable lawe then made, for the repairing and maintaining of the ferrie and passage called the Kings Ferrie within the Isle of Sheppey in the Countie of Kent, and for the vsuall high waie leading from the Market Towne called Middleton to the saide Ferrie: In and by which acte or statute for the repairing and amending of the said high waie leading from Middleton to the saide ferrie being in great decay, it is amongst other thinges enacted, that it should bee lawfull from thencefoorth yerely during the space of tenne yeares, for three Justices of the peace, whereof one to bee of the Quorum, nexte inhabiting to the saide Towne of Middleton, within the sayde County of Kent, reasonably to assesse and taxe all and euerie land occupiers dwelling out of the said Isle, and within foure miles distant from the saide Ferrie, as to their discretions should seeme conuenient, not exceeding the summe of one pennie vpon euery acre of fresh marsh & vpland in one yeere, and vpon euery ten acres of salt marsh one penie in one yeere. And forasmuch as vpon the letter of the same branch some doubt and question hath risen, whether the said Justices could sesse anie but such as bee land occupiers and dwelling out of the said Isle, and within foure miles distant of the said ferrie: and that thereby the taxations by them to be made by the letter of the said law, will not suffice to repaire the saide decaied waies, for that the lands and grounds lying out of the said Isle, and within foure miles distant from the saide Ferrie, are for the most part occupied by such persons as bee inhabiting without the compasse of the said foure miles, by reason wherof the said high waies remaine still vnrepaired and not amended, & are growen into further decay then at the time of the making of the said statute they were to the great dãger and annoiance of the Queenes Maiesties subiects passing by and thorow the same: For the better explanation of the saide statute, and for the redresse of the saide waies: Bee it nowe enacted by the Queene our soueraigne Ladie, the Lords spirituall and temporall, and the commons in this present Parliament assembled, & by the authoritie of the same, that yerely from henceforth for euer, betweene the feast of Easter and the feast of Pentecost, it shall and may be lawfull to and for fiue, fiue, foure, or three Justices of the Peace, whereof one to be of the Quorum, inhabiting within eight miles of the said towne of Middleton within the saide Countie of Kent, to assesse & taxe vpon all & euery the landes & grounds lying & being without the said Isle, and within 4. miles distant from the said Ferrie, such assessements and taxations, for, and towardes the repairing and amending of the said high waie, as to them shall seeme reasonable; notwithstanding that the owners or occupiers of the same lands or grounds bee dwelling without the cõpasse of the saide foure miles, so that the same assessements and taxations exceede not aboue one penie for euery acre of fresh marsh & vpland for one yere, and not aboue one penie for euery tenne acres of salte marsh for one yere: The said former acte or anie article, branch,

Iust. of P.

Taxe

branch, or thing therein contained to the contrarie thereof notwithstanding. And that the saide taratians and assessements, shalbe leuied & imploied for and towardes the repairing of the said high way, by such person & persons dwelling out of the said Isle, within iiij. miles of the said Ferrie, as by the Justices that shall assesse & tare the same, shalbe limitted and appointed, & the same person and persons so to bee appointed, to haue like power & authoritie for the leuying thereof by distresse, in such maner and forme, as is limited to the said Ferrie Warden, by the said recited Statute, for the leuying and gathering of assessements within the said Isle. And the said person and persons so to be appointed to accompt and to deliuer the arrerages thereof (if any happē to be) to the said Justices, at such time and place, as by them shalbe appointed. An. 27. El. cap. 26.

Ferrie Warden

¶ Holy daies and fasting dayes.

ANno 2. E. 6 cap. 19. Is an Acte made prohibiting flesh to bee eaten on fish dayes. But see now a greater penaltie set downe, An. 5. Eliz. cap. 5. after Ships 13.

Flesh

2 ¶ Anno 5. E. 6. cap. 3. Be appointed which daies should bee kepte Holy dayes, and which fasting dayes. And after Anno 1. Mar. 1. Parliamento, cap. 2. this Act was repealed.

¶ Homage and Fealtie.

WHen a Fréeman shall doe homage to his Lord of whom he holdeth in chief, he shal hold his hands together betweene the hands of the Lord, and shall say thus: I become your man from this day forth, for life, for member, and for worldly honor, & shal owe you my faith for the lands that I hold of you: sauing the faith that I owe vnto our Soueraigne Lord the king, and to mine other Lords.

Freeman

When a Fréeman shal do fealtie to his Lord, he shall hold his right hande vpon a booke, and shall say thus: Heare you my Lord R. that I. P. shall bee to you bothe faithfull and true, and shall owe my fidelitie vnto you for the lande that I hold of you, and lawfully shall doe such customes and seruices, as my duety is to you, at the termes assigned: So helpe me God and all Saints.

When a Villaine shal do Fealtie vnto his Lord, he shall hold his right hand ouer the booke, & shal say thus: Heare you my Lord A. that I. B. from this day forth, vnto you shalbe true & faithful, and shall owe you fealty for the land that I hold of you in villenage, and shall be iustified by you in body and goods: So helpe me God and all his Saints. An. 17. Edw. 2.

Villeine

¶ Honors.

AN. 37. H. 8. cap. 18. An act was made for the erection for foure Honors, ỳ is to say: Westminster, Kingston vpon Hull, S. Osithes and Donington, & that the K. had power to erect as manie Honors as he would, and to annexe lands to euery of them, and that the fréeholders & copyholders hold as they did before.

2 ¶ An. 33. H. 8 cap. 37. An act is made, making the manor of Amthil, and diuers lands to be to the Honor of Amthil, with diuers articles concerning that matter, & the lands appointed to the suruey of the court of Augmentation.

Amthil

3 ¶ Anno 33. H. 8. cap. 38. An acte is made, making the manor of Grafton with diuers lands annexed to the same, to be ỳ Honor of Amthil, with diuers articles cōcerning that matter, and the lands appointed, to the suruey of the court of augmentations, except the lands belonging to the Duchie of Lancaster, with certaine prouisions for sauing of offices, & authorities to ỳ Justices, Wardens, Stewards, Lieutenantes, & Clerkes of the Swanimotes, and certain orders for woods and woodsales, and for paying and allowing of fees and wages and fewell, and reparations, and brouse, &c.

Grafton

Swanimot Woods Fewell

4 ¶ Ann. 31. H. 8. cap. 5. An acte was made, making the manor of Hampton Court an Honor, & a chase made thereunto, and diuers lands limitted to bee in the chase, and the chace to haue the libertie and preheminēces of ancient forests, chases and warrens, and the offendors therin of the lawes and ordinances of forests, chases and warrens, to be punished as other offendors be in other forests, chases, and warrens. And the tenants, fréholders, & copyholders, to inioy their liberties and profits, and to fence their ground while it is sowed wō corne, & the fréholders to deduct yerely ỳ third part of their rents, & the copyholders to pay half their fines, & the lutes, seruices, customs & rēts of the tenants not to be changed, & diuers other clauses concerning these matters.

Hampton Court

Freeholders Copyholders

¶ Horners.

AN. 4. E. 4 cap. 8. An Acte is made concerning the Horners of London to haue the choise of the hornes within 24. miles of London, and for search of hornes in certaine places with forfaiture. See the Statute.

¶ Horsebread.

FOrasmuch, as by occasion of the Statutes, 13. R. 2. cap. 8. and 4. H. 4. cap. 25. (which see in Victuals 8. and 10.) by which no Inholder could make any horsebread, diuers inconueniences haue happened to trauailers with horses: Be it &c. That from henceforth it may and shall be lawfull for euery Hosteler or Inholder, dwelling in anie Towne or Village, being a thorow faire or a common passage within this realme, and being no Citie, Towne corporate or market towne, wherein any common Baker exercising the occupatiõ of baking, and hath bẽ apprentice at the said occupation by the space of vij. yeeres, is dwelling: to make within his house horsebread, sufficient, lawfull, and of due assise, according as the price of graine and corne that now is, and hereafter shall bee from time to time: any thing or thinges mentioned in the said acts or Statutes of king Richard the 2. or H. 4. to the contrarie not withstanding.

Hosteler Inholder

Baker

And bee it, &c. that if the Horsebread which anie of the saide Hostlers or Inholders hereafter shall make, bee not sufficient, lawfull, and of due assise, according to the price of graines and corne, as is aboue said: Thẽ the Iustices of the Peace in euerie Shire, Libertie or Franchise within this realme, shall haue full power and authoritie to inquire, heare and determine the saide defaultes and offences of the said Hostelers and Inholders, hereafter to bee committed against the forme of this present Statute, and to sette such fines, and make like processe thereupon, as they commonly vse to doe vpon presentments of Trespasse against the peace. And that also likewise the Shirifes in their Turnes, and Stewardes in their Leetes and Lawdaies, shall haue full power and authoritie to inquire & determine euerie such default and offence of Hostelers, against the fourme of this present Statute, hereafter to bee committed within the limites of their iurisdictions. An. 32. H. 8. cap. 41.

Assise

Iust. of P.

Inquire Diet & ter.

Shirifes Stewards

¶ Horses, Mares, and Cattel.

NOne from henceforth shall take no such horse nor beast in such manner, (that is to ride in hastie messages or business &c.) against the agreement of them to whom they be. And if any that doe, & haue no sufficient signe nor authoritie of the King, he shalbe taken and imprisoned, til hee hath made due agreement to the partie. An. 20. R. 2. cap. 5.

Imprison.

2 ¶ From henceforth no manner of person ne persons, carrie or conuey anie horse out of this land, without the kings licence, vpon paine of forfaiture of the same, or anie mare aboue the value of vi. s. viij. d. without the kings special licence, vpon the saide paine of forfaiture of the same Mare, the owner thereof or his deputie receiuing for the same Mare vi. s. viij. d. at the time of the seisure, vpon the said forfaiture, or els it to be no forfaite, and at the time of seisure of the said Mare or Mares, they shalbe praised by the head Officers of the Towne where any such Mare is taken, & there openly to be solde to the best price, and the halfe deale of the ouer price of her being aboue vi. s. viij. d. to be to the king, & the other halfe to him that so seiseth, and the kings part thereof to bee deliuered to the Customer of the said port.

Out of England Licence

Port.

Mare

Praised

Customer

And that no maner person or persons, hereafter carrie or conuey any Mare or Mares out of this land, except euery of ỹ said Mares so caried be of the age of three yeres at the least, & not ouer the price of vi. s. viij. d. paying to the king for euery of thẽ not aboue the value of vi. s. viij. d. so to be caried or conueied in the same port, such Customes as hath bin for Mares before vsed. And for euery Mare of more value hereafter by the kings licence, after the forme afore saide, conueied or caried beyond the Sea, the owner thereof or his deputy, assignee, or seruant, shal pay vi. s. viij. d. for the custome of the same before it be shipped, vnder the pain of forfaiture of euery Mare so shipped, ere they be customed.

Custome

And ouer that be it enacted, that if anie person at the port, will giue for any of the Mares so to be caried, vj. s. ỹ it be lawful to him so giuing and paying the saide vj. s. to take the said Mare if thee bee not afore

foꝛe taken by the kings Officer, noꝛ the kings licence bee not in that behalfe aforeſaide foꝛ the ſame Mare to be caryed, obtayned.

Denizens

Prouided alway that it ſhalbe lawfull to euery perſon oꝛ perſõs, being denizens hereafter to carrie hoꝛſe beyonde the ſea (the kings lycence in that behalfe not obtained) foꝛ their owne vſe, not intending at the time of the ſhipping of the ſame, noꝛ then fully purpoſed to ſell him, and that intent to bee knowen by the othe of him that ſhal ſo ſhip the ſame hoꝛſe, taken befoꝛe the Cuſtomer oꝛ ſearcher of the ſame Poꝛte, this act notwithſtanding. An. 11. H. 7. cap. 3.

Horſe

Conuey

Wales Beyond ſea

Oxen Sheepe

3 ¶ No manner of perſon oꝛ perſons from henceforth ſhall carry oꝛ conuey any hoꝛſe, gelding, mare oꝛ colt out of this realme oꝛ Wales oꝛ Marches of ẏ ſame, into any partes beyond the ſea, noꝛ from henceforth carrie oꝛ conuey any Oxen, ſteeres, Bullocks, Calues, kine oꝛ ſhæp, out of this realme oꝛ Wales, oꝛ the Marches of the ſame, into any of the ſaide parties beyonde the Sea, without the kings ſpeciall lycence, vnder his great ſeale of England, vpon paine of foꝛfaiture foꝛ euery poll ſo conueyed contrary to this act xl s. noꝛ that any perſon oꝛ perſons ſhall from henceforth bring any ſuch hoꝛſe, geldings, mares, coltes, oxen, ſteeres, bullockes, calues, kine oꝛ ſheepe, to any hauen, poꝛt oꝛ creeke within this realme oꝛ Wales, oꝛ the Marches thereof, to be caried ouer the ſea out of this Realm, without the kings ſpecial licence: vpon payne of foꝛfaiture of euery ſuch hoꝛſe, mare, oxen & other cattels aforeſaid, ſo brought vnto any ſuch hauen, poꝛt oꝛ creeke to bee conueyed out of this realme into the parties of beyond the ſea, as is aforeſaid.

Licence Foꝛf.

Hauen

Foꝛf.

Prouided alwaies, that it ſhalbee lawfull to euery the kinges ſubiects, which foꝛ reaſonable cauſes ſhall intend to paſſe and repaſſe into, and out of this Realme, into any the parties of beyonde the Sea, to haue, take, and carrie with them out of this Realme, hoꝛſes, oꝛ geldings, foꝛ their onely occupation, commoditie and eaſe, in ſuch their iourneis, and not to the intent to ſell the ſame in any the parties beyond the ſea: & that intent to be iudged by the othe of ſuch the ſaid Subiects, that ſhall ſo doe ſhippe ſuch hoꝛſe oꝛ gelding, which othe ſhal be taken beforе the Cuſtomers, oꝛ any their ſufficient deputies oꝛ Searcher of the ſame poꝛt, where it ſhalbe ſhipped, beforе the ſhipping thereof.

Carry ouer ſea oꝛ ride vpon

Othe

Prouided alſo that this acte, noꝛ anie thing therein contayned bee in anie wiſe hurtefull oꝛ preiudiciall to ſuch perſons, as ſhall conuey Oxen, Sheepe, oꝛ other cattel, to the ſaid Towne of Calice, and Marches of the ſame, foꝛ the onely victualling of the ſaide Towne and Marches: So that alwaies euery ſuch perſon and perſons be bounde beforе the Cuſtomer, oꝛ their lawfull deputies of the Poꝛt, Hauen oꝛ Creeke, where ſuch Cattell ſhallbee ſhipped, by obligation to the K. vſe, in as great ſũme, as the value of the Cattell ſo to bee conueyed ouer, ſhall amount vnto, accoꝛding to the diſcretiõ of the ſame cuſtomer, that he ſhal not onely conuey the ſaid Cattel to the ſaid Town oꝛ Marches there to bee ſolde, oꝛ otherwiſe there to bee diſtributed and ſpent foꝛ the vytailing onelie of the ſame, but alſo to bring oꝛ ſende to the ſayde Cuſtomer, a ſufficient Certificate, within foure moneths, next after the date of the ſaide Obligation: the ſame Certificate to bee ſealed and ſubſcrybed with the handes of two of the Kinges Counſell of the ſaide Towne oꝛ Marches, and by the Cuſtomer oꝛ his deputie of the ſaid town, that the ſaid Cattels, haue bin truely brought without fraud and deliuery to ſome of the kings officers, oꝛ ſubiectes inhabitting and abiding in the ſaide Towne of Calice oꝛ Marches, there to be ſpent foꝛ the only victualling aforeſaid.

Calice

Victuall

Bound

Cuſtomer

Obligation

Certificate

K. counſell

Calice

And after that ſuch Cuſtomer hath receyued ſuch certyficate made, ſealed and ſubſcrybed in due foꝛme, as is aforeſaide, hee to cancell the ſame Obligation, vpon payne of foꝛfaiture of the ſumme of the ſayde obligation, and after to bryng oꝛ ſende the ſame obligation ſo cancelled with the Certificate therunto annexed, oꝛ els foꝛ lacke of ſuch due certificate ſo to bee made, the ſaide Cuſtomer to bring oꝛ ſend the ſaid Obligation vncãcelled into the kings Exchequer at the time of the making of his oꝛ their accompt foꝛ the yeere next after the time limitted in the ſaid Obligation: there to remaine vntill true knowledge be had, whether the ſaid cattel & euery part therof, haue bin duly brought without fraud to the ſaid town oꝛ Marches foꝛ victualling of the ſame, as is aforeſaide, ſo as foꝛ lacke of ſuch Certificate not made accoꝛding to the condition of the ſaide Obligation, proceſſe may be made in the ſaid Exchequer

Cancel the obligation Foꝛf.

Exchequer

Accompt

Certific

Proces

chequer for recouerie of the penaltie in the ſaid Obligation to the Kings vſe, according to reaſon. And if any Cuſtomer, Searcher or Comptroller of any port, hauen or Creeke within this Realm, ſuffer any ſuch cattels to be ſhipped in the ſame before ſuch obligation had, as is aforeſaid: or if any Cuſtomer faile in bringing or ſending into the Kings Exchequer, at his or their accompt the ſaid Obligation by him to be taken with the certificate (if any to him bee brought) in forme aboueſaide: that then euery ſuch Cuſtomer, Searcher and Comptroller ſuffering any ſuch cattell to bee conueyed ouer the Sea contrary to this acte, ſhall loſe and forfait like ſummes, as the partie ſo ſhipping or conueying the ſame cattel ſhall doe by vertue of this preſent acte, and for default of certificate of any ſuch Obligation and Certificate according to the tenoure and effect of this Acte, euerie ſuch Cuſtomer ſhall loſe and forfait ten pounds.

Cuſtomer

Forf.

Forf.

And bee it &c. that it ſhall not be lawfull to any perſon to carrie or conuey any ſuch Cattel, brought out of this realm, to the ſaide Towne of Calice or Marches, out of the ſaide Towne and Marches of the ſame, vpon paine of forfaiture for euery poll ſo brought out of the ſaid town and Marches fourtie ſhillings. The one halfe of which forfaitures and penalties (except the ſummes of money contained in ſuch Obligations) to bee to the King our Soueraigne Lorde, and the other halfe to the partie that ſhall ſeiſe or ſue for the ſame, &c. wherein &c. And if any plees bee pleaded in any ſuch action or ſute, not triable in the Realme, nor within any ſuch place where the Kings writ doeth runne, then by the authoritie of this acte euery ſuch plee (if any iſſue bee taken of the ſame) ſhall bee tryed by the verdict of twelue men, in the ſhire or place where any ſuch action or ſuit ſhalbe commenced, any thing to the contrary hereof notwithſtanding.

Forf.

Moitie

Plees

Tierdict

Prouided that it may be lawful to the Kings counſaillors of the ſaide Towne and Marches of Calice, to conuey out of this Realme to the ſame Towne & Marches, ſuch Horſes, Geldings and Mares for their owne vſes, as they ſhall thinke expediēt, not intending at the ſhipping of them to put thē afterward to ſale, whereby they ſhould bee conueyed out of the kings ſaid Towne and Marches, & that intent to bee iudged by the othe of them that ſhall ſhippe ſuch Horſes, Geldings, and Mares to bee taken before the Cuſtomer or Searcher, or any their deputies of the ſame Port, Hauen or Creeke where it ſhall bee ſhipped. And that other horſemen of the ſaide Towne and Marches, that is to ſaie, men of armes, ſpeares on horſebacke, archers on horſebacke, and Scouters, maie carrie and conuey out of the Realme, ſuch Horſes and Geldings, as anie of them comming into this Realme, ſhall haue brought with them, or leauing ſuch Horſes or Geldings, as they ſhall bring into this Realme, or comming hither within this Realme without any horſe or gelding may liberally carry and take with them, to the ſaid towne of Calice and Marches, other horſes and geldings of the breeding of this Realm, for their owne vſes, within and without the ſame Towne & Marches: This Acte or anie thing therein contayned to the contrarie notwithſtanding.

K. counſell Calice

Horſes

Othe

Cuſtomer

Searcher

Men of armes

Prouided alwaies that this acte or any thing therein mentioned be not in any wiſe hurtefull or preiudicial to the Maſter of the Kings horſes now or hereafter to bee, for ſuch things and commodities as ſhall and doe concerne his office: Any thing in this act to the cōtrarie notwithſtanding.

Maſter of the horſe

Prouided alſo that the Warden of the v. Portes now being, or hereafter to be, may yeerely at his pleaſure giue fiue horſes or Geldings, and no more within one yere, at one or diuers times, vpō like pain as is aforeſaide, to any perſon or perſons into the parties beyond the Sea, being in amitie with the Kings highneſſe or his ſucceſſors, This acte or anie thing therein contained notwithſtanding. This acte to continue vnto the laſt daye of the next Parliament.

Warden of the v. ports.

Prouided alwaies, that it ſhall be lawful to any of the kings ſubiects to carry or ſende to any parties of beyond the Seas, any Wares, whereof the price of any one Ware ſo to be carried, doth not extend to vi.s.viii. d. in like manner as they might doe before the making of this acte: Anie thing in this act to the cōtrary notwithſtanding. An. 22. H. 8. cap. 7.

Carrie

And after Anno. 28. Hen. 8. cap. 6. this Acte was continued to the laſt daye of the next Parliamen. And after Anno 31. H. 8. cap. 7. this acte was continued to the laſt

day

day of the next Parliament. And after 37. H.8. cap 25. this Acte was continued vnto the laſt day of the next Parliament. And after 7. E.6. cap. 11. this Acte was reuiued and continued vnto the laſte day of the next Parliament. And after Anno 1. M. 1. Seſſion. cap. 13. this Acte was continued vnto the laſte day of the next Parliament. And after 1. M. 2. Parliament, cap. 12. this Acte was continued to the laſte day of the next Parliament. And after An. 1. & 2. P. & M. cap. 16. this acte was continued to the laſt day of the nexte Parliament and after Anno 2. & 3. P. & M. cap. 21. this acte was continued to the laſt day of the next Parliament. And after An. 4. & 5. P. & M. cap. 9. it was continued vntill the laſt day of the next Parliament.

Marches of Scotland Arreſt

4 ¶ It ſhal be lawfull to euery perſon and perſons being the kings ſubiects, and inhabiting in the foreſaid Marches foreagainſt Scotland, to arreſt ante Scottiſh men leading or conueying any ſuch horſe, Gelding or Mare out of this realme into the ſaid Realme of Scotland, and that the

Moitie

moitie or one halfe of the price of the ſaide Horſe, Gelding or Mare, ſhall bee to the vſe of the ſeiſor and arreſtor of the ſame, after due triall of the ſame made, and the other moitie to the kings highneſſe. An. 23. H.8. cap. 16.

5 ¶ Euery perſon and perſons, as wel ſpiritual as temporall, of what eſtate, degree or condition ſoeuer he or they be, which at this time or at any time hereafter,

Parke

ſhall haue any parke or grounde incloſed

Ditch Dyke

with hedge, ditch, wall or pale, wherein any dēre is or hereafter ſhalbe vſually kept for game, containing the quantity of one mile in compaſſe, and is, or ſhal be ſeiſed thereof in fée ſimple, fée taile, or for terme of life, in poſſeſſion to his or their owne proffit and behoſe: that euery ſuch owner of euery ſuch parke & groūd, being in his owne hād, & euery farmor of euerie ſuch parke or groūd being letten to farme from the firſt day of May, that ſhall be in the yēre of our Lord God, 1537. ſhal kéepe for euery ſuch parke or ground being incloſed, as is aforeſaid, as long as the ſame parke or groūd incloſed ſhalbe vſed & kept with dēre in the ſame for games, two

2. Mares

Mares being not ſpaied, apt and able to beare foles, each of them of the altitude or

Height

height of xiij. handfuls at the leaſt, to bee meaſured from the loweſt part of the hoofe of the foote vnto the higheſt parte of the ſhoulder, euerie handfull to contayne foure ynches of the ſtandard, vpon paine

Forf.

of forfaiture of fourtie ſhillings for euery moneth lacking the ſaid Mares contrary to this Acte. And that euery ſuch owner or farmer of parke or ground, whereof the compaſſe is foure miles and aboue

4. miles compaſſe

(vpon paine aforeexpreſſed) ſhall keepe for euery ſuch Parke foure Mares being

4. Mares

not ſpayed, apt and able to beare foles, of the altitude or height of thirtéen handfuls at the leaſt, to be meaſured as is aforeſaid.

Prouided, that if it ſhall happen any of the ſaid Mares by miſchaunce or caſualtie for to die, that then the Lord, owner or owners of the ſaide Mares (prouiding others of like height and altitude, as is before limitted, within three monethes next after the death of the ſame Mares) ſhall not incurre the danger and penaltie of this eſtatute, any thing before rehearſed to the contrary notwithſtanding.

Dye

And it is alſo enacted by authoritie aforeſaid, that the Lords, owners and farmors of all parkes & groundes incloſed, as is aboue rehearſed, limitted & appointed by this Act, to keepe Mares, ſhall not at any time after ỳ ſaid firſt day of May, which ſhalbe in the yere of our Lord God 1537. willingly ſuffer any of the ſaide Mares to be couered & kept with any ſtoned horſe, vnder the ſtature of xviii. handfuls, to be meaſured in forme aforeherſed, vpon paine of forfaiture of xl. s. The one moitie of all which forfaitures ſhall

Couerd Stoned, horſe

Forf. Moitie

be to the king our Soueraigne Lord, and the other moitie therof to the party that will ſue for the ſame in any Court of our Soueraigne Lord the king by action &c. in which action, &c.

Prouided alway, that this act extende not to charge the Lorde, Owner or Owners of any Parke or grounde incloſed, within the Counties of Weſtmerland, Cumberland, Northumberland and the Biſhoprike of Durham, nor any of them to keepe any Mares, for any Parke or Parkes, ground or grounds incloſed, as is aforeſaid, lying in the ſaid Counties of Weſtmerland, Cumberland, Northumberland, and the Biſhoprike of Durham, otherwiſe then they haue or might haue done before the making of this Act. Nor alſo ſhall extend to charge the lords, owner or owners of any Parke or Parkes, or grounds incloſed, with the finding of any Mares (the herbage of which Parke

Cumberland Northumberland Weſtmerland Durham

or parkes is common to the tenants and inhabitants of the Townelhips next adioyning to the ſame parke or parkes) any thing in this preſent Acte made, to the cõtrarie hereof notwithſtanding. Anno 27. H.8.cap.6.

6 ¶ For aſmuch as the breed of good and ſtrong Horſes, is a great helpe and defence to the Realme, and a great commoditie to the inhabitants thereof, which is now much decayed, by reaſon that litle ſtoned Horſes and Nags bee ſuffered to paſture in Foreſtes, &c. and to couer Mares feeding there. Therefore for the increaſe of ſtronger horſes hereafter: Be it.&c. that no Commoner or Commoners within anie foreſt, chaſe, more, mariſhe, heath, common or waſte ground, nor any Officer or Officers, of, or within anie of the ſaid Foreſtes or Chaſes, or any other perſon or perſons whatſoeuer he or they bee, at anie time after the laſt daie of March, which ſhall be in the yeere of our Lord God, 1543. ſhall haue or put to paſture, in, to, or vpon any ſuch ground, foreſt, chaſe, more, mariſh, heath, common or waſte ground, any ſtoned horſe or horſes, being aboue the age of two yeres, & not being of the altitude and height of fiftæne handfuls to bee meaſured from the loweſt part of the hoofe of the forefote, vnto the higheſt part of the wither, and euerie handfull to containe foure inches of the Standerd: to paſture, feed, or be in or vpon anie of the ſaide Foreſtes, chaſes, commons, mores, marihes, heathes or waſte grounds, withm any of the Shires and territories of Norffolke, Suffolke, Cambridge, Buckingham, Huntington, Eſſex, Kent, Southamſhire, Northwilſhire, Oxford, Bark. Worceſter, Glouceſter, Somerſet, Northwales, Southwales, Wedford, Warwike, Northhampton, Yorkeſhire, Cheſhire, Staffordſhire, the Countie of the Citie of Yorke, the Towne and Libertie of Glouceſter, the Countie of the Towne of Kingſton vpon Hull, the Countie Palantine of Lancaſter, the Countie of Salop, Leiceſter, Herford, and Lincolne, or within anie of them: nor ſhall put to feede or paſture any ſtoned Horſe or Horſes, beyng aboue the ſaide age of two yeeres, and not being of the altitude and height of xiiij. handfuls, to be meaſured as is aboueſaid, within or vpon anie like grounde or groundes, as bene aboue written, lying or being within any other Shire of this Realme nor within any of them, vpon paine of forfaiture of the ſaide horſe or horſes, which ſhalbe ſo found in or vpõ any ſuch grõũd, foreſt, chaſe, more, mariſh, heath, commõ or waſte grounde, at any time after the ſaid laſt day of March, which ſhall be in the ſaid yere of our Lord God, 1543. contrary to the forme of this eſtatute. And it ſhall bee lawfull to euery perſon and perſons that ſhall find any ſuch horſe or horſes, contrarie to the forme of this eſtatute, to ſeiſe the ſame in maner and forme following, that is to ſay, the ſaid perſon or perſons ſo finding anie horſe or horſes, contrarie to this act in ame foreſt, chaſe, common, more, mariſh, heath or waſte ground, within the ſaid ſhires or other limits aforeſaid, or in any of them, ſhal firſt goe vnto the keeper or keepers of the ſame foreſt, chaſe, or to his deputie or deputies, or to the Conſtable, bailife, headborough, burſholder or tithingman of any Townſhip nerte adioining vnto the ſaid place, where the ſaid horſe or horſes ſhalbe. And ſhall command or require him or them, or any of them, in the kinges behalfe, to goe with him or them to bring euery ſuch horſe or horſes, as hee or they ſhall thinke to bee there feeding or going contrarie to this eſtatute, to the next pound: and there the ſaid horſe and horſes to bee meaſured by any of the ſame officer or officers, in the preſence of three other honeſt men to be named and appointed by the ſaide officer, and if it bee ſo founde, that the ſame horſe or horſes bee contrarie to this acte, that then it ſhall be lawfull to euery ſuch perſon or perſons, that ſhall ſo challenge and ſeiſe the ſaid horſe or horſes, as before is ſaid, to take and reteine the ſame horſe or horſes, and euery of them, to his owne vſe, as his owne proper goods and cattels for euer, without let, interruption, veration, ſuite or trouble of the owner or owners of them, or ante of them, or of any other perſon or perſons.

And it is further enacted by the authoritie aboueſaid, that if any of the ſaid keepers, their deputie or deputies, Bailifes, Conſtables, Headboroughs, burſholders or Tithing men, or anie of the ſaid three other honeſt men, which ſhall be required to be at the meaſuring of the ſaid horſe or horſes, as is aforeſaid, doe refuſe to doe, as is aforeſaid, or els doe not truely meaſure ſuch horſe and horſes: that then euery ſuch Bailife, Keeper, deputie or deputies, Conſtable, headborough, burſholder

Foyſt.

Finder

Seiſe

Keeper

Conſtable Bailife

Requere

Pounde

Retaine

Conſtable

Refuſe

Cõmoners Foreſt

Chaſes

Stoned horſe

xv. handfuls

Norff.

2. yeeres old

14. handfuls

Other ſhires

der and tithingman, and the ſaid three honeſt perſons to be named as is aforeſaid, and euery of them, not doing or refuſing to do his or their duety in the premiſſes, ſhall forfait and loſe forty ſhillings for euery time ſo refuſing to do, or not doing, as is aforeſaid: the one halfe thereof to be to the king, and the other halfe thereof to the partie that will ſue in any court of our ſaide ſoueraigne Lord the king, by bill or plaint of debt, information or otherwiſe. In which action or ſute the defendãt ſhal not be admitted to wage his law nor any eſſoine or protection, &c.

Forf.

Prouiſo

Prouided alway, that this Acte ſhall not extend to any ſtoned Horſe or Horſes, that ſhall happen once in any yeare after the ſaid laſt day of March, to breake, eſcape, or goe out of the ſeuerall paſture or ground, againſt the will and minde of the owner or poſſeſſour of ſuch Horſe or Horſes into any of the ſaid Forreſts, Chaſes, Moores, Mariſhes, Heaths, Commons, or waſt grounds, ſo that the ſaide Horſe or Horſes ſo breaking, eſcaping, & goyng out, doe not remayne or abide in the ſaide Forreſts, Chaſes, Moores, Maryſhes, Heaths, Commons or waſte grounds, or any of them, by the ſpace of foure daies next after ſufficient and open notice and knowledge giuen at the dwelling houſe of the owner of the ſaid horſe or horſes, or after open publication therof made vpon a Sunday, or other Feſtiuall day, in the Pariſh Church where the owner or poſſeſſor of ſuch horſe doth dwell.

Eſcape

Remains

4. dayes Notice

And be it &c. That all forreſtes, chaſes, commons, moores, mariſhes, heathes and Waſt groundes, within the Realme of England and Wales, and the Marches of the ſame, & euery of them, ſhal bee diuen at the feaſt of Saint Michael tharchangell next comming, or within fifténe dayes then next after, and ſo yerely to be diuen by the Lords, owners or poſſeſſioners of the ſaide Forreſtes & chaſes, or by the officers of the ſame, and by the Conſtables, Headboroughs, bailifes, Burſholders, & Tythingmen, within whoſe offices, precinctes and lymits, the Commons, Moores, Mariſhes, Heathes and waſt grounds, being out of the forefts and chaſes, be, or lie: vpon paine of xl.s. to bee forfaited to our ſoueraigne Lord the king by euery of the ſaid officers, bailifes, conſtables, headboroughs, burſholders, & tithingmen, as often and at euery tyme, as the ſaid diſt ſhall bee omitted or left vndone, or not effectually done within xv. dayes after the ſaide feaſt of S. Michael the archangel, as is aforeſaid.

Commons

Diuers

And it ſhall alſo be lawfull to the ſaide Lordes, Owners and poſſeſſioners of the ſaid forreſtes and chaſes, by their officers of the ſame, and to the Conſtables, Bailifes, Headboroughes, burſholders, and tythingmen, and euery of them, within the limits of their offices, to make like diſt of the ſaide Forreſtes, Chaſes, Commons, Moores, Mariſhes, Heathes, and waſt groundes, at any other ſeaſon and time of the yeere, whenſoeuer and as often as they ſhall thinke meete and conuenient.

Other time

And furthermore be it enacted, that if in any of the ſaide diſtes there ſhall bee found any Mare, Fillie, Fole, or Gelding, that then ſhalbee thought not able nor like to grow to be able to beare foles of reaſonable ſtature, or not able nor like to growe to bee able to doe profitable labours, by the diſcretions of ỹ diuers aforeſaid, or of the more number of them: then the ſame diuer or diuers ſhall cauſe the ſame vnprofitable beaſts, and euery of them to be killed: and the bodies of them to be buried in the ground, or otherwiſe beſtowed, as no noyance thereby ſhall come or growe to the people there neere inhabiting, or thither reſorting.

Mare Gelding Little growth

Kill

And it is &c. that the Juſtices of peace in euery ſhire, riding and other place, in their quarter Seſſions to be kept & holdē, by vertue of ỹ kings Commiſſion of the peace to them directed. And al Stewards of Léets & lawdaies, in the ſame Léetes & lawdaies, ſhall haue authoritie by this act, to inquire of all defaults, contempts, omiſſions, and offences, contrary to the effectes aboue written, & euery of them: And all preſentments therof to be found in any of the ſaid Léetes and lawdayes, ſhalbe certified by the Steward, or deputie Steward, or Courtholder of the ſame Léete or lawday, in ỹ next generall Seſſions of ỹ peace, to be holden in the countie where ſuch preſentment ſhall bee found or had, or vnto the Cuſtos Rotulorum of the ſame ſhire, within the fourtie daies next after that preſentment made: which Juſtices of Peace in their Quarter ſeſſions of the peace, ſhal haue power and authoritie by this Acte, to heare and determine euery ſuch preſentment before themſelues founde, or in any of the

Juſt. of P.

Steward of Leete

Inquire

Certifie

General Seſſions

Cuſtos Ro.

Juſt. of P.

Diet & ter.

Examination

Stewards Imbeſill Conceale

Fork. Moitie

Dier & ter.

Examination

Scabbed horſe.

Fork.

Leete

Stoned horſe

Common No Mares

Archbiſhop Duke

viii. ſtoned horſes

ſaid Leetes or lawdayes, to be preſented and certified, as is aforeſaide, as well by examinatiõ as otherwiſe: and if any ſuch Steward, Deputie Steward, or Courtholder aforeſaid, imbeſill or conceale any ſuch preſentment, or doe not certifie the ſame, as is afore written: euery of them ſo offending, ſhal forfait and loſe for euery ſuch offence xl.s. The one halfe of euery ſuch forfaiture, and of euery other the forfaitures afore written, to be to the king, and the other halfe to the perſon or perſons that will ſue for the ſame, before the ſaid Juſtices of peace, in their ſaide Quarter Seſſions, by bill or information, which Juſtices ſhall haue full power and authoritie by vertue of this Acte, to heare and determine euery ſuch offence, as wel by examination as otherwiſe, as is before mentioned.

And be it further enacted by the authoritie aforeſaid, that no perſon or perſons, after the feaſt of S. Michael the archangel next comming, ſhal haue or put to paſture any Horſe, Gelding or Mare, infect with ſcabbe or mange, in, or to, or vpon any of the ſaid Forreſtes, Chaſes, Moores, Marſhes, Heathes, Commons, waſte grounds, or comon fields, vpon paine to forfait for euery horſe, gelding or mare ſo infect, paſturing in any of ỹ ſaid grouñds, x.s. which offence ſhalbe inquirable and preſentable before the Steward in euery Leete, as other common annoyances be. And the forfaiture therof to be to ỹ Lord of the ſame Leete, where the ſaide offences ſhalbe preſented.

Prouided alway, that this acte or any thing therein contained, ſhal not extend nor be preiudicial to any perſon or perſõs hauing any ſtoned horſe or horſes, vnder the heights and altitudes aboue mentioned, for or concerning the hauing or putting any of the ſaid horſes to fẽding, in, or vpon any common or other waſte grounds, where any Mares or Fillies be not vſed nor ſuffered to be fed, paſtured or kept. An. 32. H. 8. ca. 13. Some part of this ſtatute for certaine places in certain Shires is repealed and altered by An. 8. Eliz. cap. 8. hereafter 11.

7 ¶ Euery Archbiſhop and Duke of this Realme, from and after the feaſt of S. Michael the Archangell, which ſhalbe in the yeere of our Lord God 1544. ſhall haue, finde, keepe, ſuſtaine and maintain of their owne proper horſes, and at their proper coſtes and expences, ſeuen ſtoned trotting horſes for the ſaddle, euery horſe of the ſame to be in age three yeeres and vpward, in height fourténe handfuls, reconning & accompting to euery handfull foure ynches of the ſtanderd, to bee meaſured from the neather part of the haire of the hoof, vnto the vpper part of ỹ withers, that is to ſaie, the vpper part of the ſhoulders, vpon paine that euery Archbiſhop and Duke, lacking the number of the ſaide horſes to them aboue ymitted, after the ſaide feaſt, by the ſpace of three Moneths, ſhal loſe and forfait for euery horſe ſo lacking as often as they or any of them ſhal ſo lack them by the ſaid ſpace of three Moneths xx. pound. The one moitie therof to the King, and the other moitie to ſuch as will ſue for the ſame by bill &c. in which ſuits &c. And that euery Marques and Earle of this Realme, and alſo euery Biſhop of this Realme (the yeerelie value of whoſe Biſhoprickes is of the yeerely value of a thouſand poundes or aboue) ſhall after the feaſt of Saint Michael the Archangel, haue, find, kéepe, ſuſtaine and maintaine, of their proper horſes, and at their proper charges and expences, fiue ſtoned trotting horſes for the ſaddles, of the age and height aforeſaid, vpon the paine aboue ſpecified, to be loſt and recouered to the vſe and in ſuch ſorme, as is afore remembred. And that euery other Biſhop of this realme, whoſe Biſhoprick is of the yerely value of a M. Markes and aboue: And euery Vicount & Baron, hauing lands, tenements, fées, annuities or offices, for terme of his life, to the cléere yeerely value of a M. Marks or aboue, vpon like paine, as is aforeſaid, ſhall after the ſaid feaſt of Saint Michael, haue, finde, keepe, ſuſtaine and maintaine, three ſtoned trotting horſes for the ſaddle, of the age and height afore mentioned, vpon the paine aboue ſpecified, to bee loſt, forfait and recouered, in manner as is aforeſaide. And that euery other Biſhop, Vicount and Baron of this realme, not afore mentioned, and alſo euery ſpirituall perſon, hauing benefices or promotions, to the yeerely value of fiue hundred Marks, and euery Temporall perſon, hauing lands, tenements, offices, fées or annuities, for terme of his life, in his owne right, or his wiues, to the yeerely value of fiue hundred Marks, after ỹ ſaid feaſt of Saint Michael, ſhall haue, finde, keepe, ſuſtaine and maintaine two ſtoned trotting horſes for the ſaddle, in manner and

Fork.

Moitie

Marques Earle Biſhop

v. ſtoned horſes

Biſhop

Vicont Baron

M. markes

iii. ſtoned horſes

500. markes

600. markes

ii ſtoned horſes

and forme, and vpon the paine afore rehearſed. And that euery other Spirituall perſon, being vnder the degree of a Biſhop, hauing benefices or promotions, to the clere yerely value of a hundred pounds or aboue, and not to the yeerely value of of fiue hundred markes, And all & euery other perſon tempozall not afore mentioned, whoſe wife, after the feaſt of Saint Michaell the Archangel next after mentioned in this act, ſhall weare any gowne of ſilke: or whoſe wife ſhall weare ane French hode or bonnet of veluet with anie habilement, paſte or edge of golde, pearle or ſtone, or any chaine of golde about their neckes, or in their partlets, or in any apparell of their bodie, ſhall after the feaſt of Saint Michaell the Archangel, which ſhal be in the yere of our lord God 1545. haue, finde, keepe, ſuſtaine and maintaine, as is afozelaide, one ſtoned trotting Hozſe foz the ſaddle: vpon the paine that euery ſuch ſpiritual perſō, vnder ẏ degree of a Biſhop, hauing lands tenements, benefices, or promotions, to the yerely value of one hundred pounds, and not to the yerely value of fiue hūdred Markes, as is afozelaid, and euery other tempozall perſon, whoſe wife after the ſaid feaſt of S. Michael ſhall weare anie gowne of ſilke, or whoſe wife ſhal weare any French hoode, or bonnet of veluet with any habilemēt, paſte or edge of gold pearle or ſtone, or anie chaine of golde about their necks, or in their partletes, or in any apparell of their bodie, ſhall loſe & forfait foz euery time that any of them ſhall want or lacke by the ſpace of three Monethes one trotting ſtoned Hozſe of the height and age afozeſaid, ten pounds: The one moitie thereof to the King, and the other to ſuch as will ſue foz the ſame in ſuch forme as is afore mentioned.

And bee it enacted by authoritie afozeſaide, that the Juſtices of Aſſiſes, and Juſtices of Peace, ſhall haue power and authoritie within the lymittes of their authoritie to heare and determine the defaultes done contrarie to this Acte, as well by preſentment as information, and to make ſuch proces vpon any preſentment and information afore them, as in any other caſes of treſpalles and contemptes done againſt the fourme of any eſtatutes, and ſhall ſet no leſſe fine or paine vpon ſuch perſons as ſhall bee conuict by confeſſion or tryall for offending this act, then is aboue lymitted. And for the better obſeruation of this act, bee it further ordeined by authority afozeſaid, that euery Shirife in anie Shire of this Realme, ſhall doe his diligence and good indenoure, to ſearch and know by vertue of his office, all defaultes done or committed by any perſon or perſons, in lacking of hozſes, contrary to this act, as ſhal happen within the ſhire where he is ſhirife, and ſhall once in the yere, that is to ſay, in the terme of S. Michael, certifie the ſaide defaults if any be, into the kings Eſchequer, by writing vnder his ſeale, to the intent that proceſſe may bee made againſt the offendors accordingly. And that euery ſuch certificate of the ſhirife, ſhall be of as good force & effect againſt the offendours of this act, as any information thereof in the ſaid Eſchequer. And in caſe anie ſhall be conuict vpon any ſuch certificats by confeſſion or trial, according to the courſe of the law, then the ſhirife making ſuch certificats, ſhall haue one moitie of the forfaiture, and the Kings Maieſtie the other moitie thereof.

Prouyded alwaies, that no perſon ſhal be impeached, moleſted, or troubled for any offence done contrary to this act, by bil, action, information, preſentment or certificates of the Shirife, vnleſſe that ſuch bill, action, information, preſentment or certificates be made or had, within one yeere next after the offence done contrary to this acte, any thing in this act to the contrarie hereof notwithſtanding.

Prouided alwaies, that this Acte nor anie thing therein contained, ſhall extende to anie Sonnes and Heires apparant of anie Duke, Marques, Earle, Vicont or Baron, nor to the ſonnes or heires apparant of any other perſon, hauing lands, tenements or hereditaments, to the yerely value of fiue hūdred Markes or aboue, to binde or compell any ſuch heires apparant, to finde or keepe anie horſes by vertue of this acte in the lyfe of their Fathers, except ſuch ſonnes and heires apparant haue landes, tenements, annuities, fees or offices, to the yeerelie value of fiue hundred Markes, but that euery ſuch ſonnes and heires apparant (except before excepted) may doo as they did or mought do afore the making of this act: any thing in this acte to the contrarie thereof notwithſtanding.

Prouided alwaies, that if any ſuch ſonne and heire haue landes, tenements, hereditaments, fees, offices or annuities, for

Spirituall perſon

Gowne of ſilke

French hood Habilement Chaine of golde

One ſtoned hoſſe

Forf. Moitie

Juſtices Juſt. of P.

Diery ter.

Proces

Fine

Shirife

Certifie Defaults Eſchequer

Conuict

Shirife Moitie

Within one yeere

Heires

600. marks

500. Marks

Sonne

for terme of life in his owne right, or in the right of his wife, to the cleare yerelie value of fiue C. Markes: that then ſuch ſonnes & heires hauing ſuch lands, tenements, hereditaments, fées, offices or annuities, to the cleere yerely value of fiue C. Markes, as is aforeſaide, ſhall finde, kéepe, ſuſtaine & maintaine one trotting horſe for the ſaddle, in forme aforeſaide, vpon the paine of xx.li. to be loſt & forfaite for euery three monethes, that any ſuch ſonne & heire ſhal lacke & want a trotting ſtoned horſe as is aforeſaid.

500. Marks

One ſtoned horſe

Forf.

And bee it prouided and enacted by authoritie aforeſaid, that if the wife of anie perſon or perſons weare any veluet in the lyning or other part of her gowne, other then in the cuffes or purfles of ſuch gawn or els weare any veluet in her kirtle, or weare any Peticote of ſilke: that then the huſband of euery ſuch wife ſhall finde one ſtoned horſe of the ſtature aboue in this act recited, or ſhall incurre the aboue ſaid penaltie and forfaiture of x.li. to be leuied and recouered, as is afore declared.

Wife Veluet

Kirtle Peticote

One ſtoned horſe

Forf.

Prouided alſo that this acte nor any thing therein contained, ſhall not extend to charge any perſon or perſons, whoſe wife or wiues ſhall weare any of the apparell or things aboue rehearſed, during the time ſuch wife or wiues ſhall be deuorced from their huſband or huſbands, or ſhall willingly abſent her ſelfe from her ſaide huſband, and during ſuch abſence ſhall weare any of the apparell or other things afore recited.

Denorced

Prouided alwaies that heires within age being Wardes, whoſe landes, tenements and hereditaments amount to the yeerely value of CC.li. ſhall not be compelled by authoritie of this acte, till they come to their full age, to kéepe any horſes, although the wiues of ſuch heires within age, weare any gowne of ſilke, or any French hood or bonnet of Veluet, with any habilemét, paſſ, or edge of gold, pearle or ſtone, or any chaine of gold, about their neckes, or in their partlets, or in any apparel of their body: any thing in this acte to the contrary notwithſtanding.

Heires

CC.li.

Prouided alſo, that if al or any the horſes kept by vertue of this act, ſhal happen to be killed, maimed or loſt, in the ſeruice of the kings warres. That then in euery ſuch caſe the owners of ſuch horſe or horſes ſo killed, maimed, perished or loſt in ỳ warres, ſhal haue libertie by the ſpace of ii. yeres next after ſuch chance of killing, maiming, periſhing, or loſing their horſes to prouide other horſes in the ſtéede and place of ỳ horſes ſo killed, maimed, periſhed or loſt in the warres, without any danger, loſſe, or penaltie of this act: any thing in this acte to the contrarie therof notwithſtanding.

Killed

ii. yeres

Prouided alſo, that cart horſes or ſumpter horſes ſhall not be taken, reputed, or reckned for any ſuch horſes, which any perſon is, or ſhall be bounden to kéepe by vertue of this act. An. 33. H. 8. cap. 5. This ſtatute ſeemeth to be repealed by 4. and 5. P. & M. cap. 2. which ſee Armour 8.

Carthorſes

8 ¶ Foraſmuch as before this time diuers ſubiects haue conueyed, aſwell into Scotland, as into other forreine realmes great multitude of Horſes, Geldinges or Mares, whereby the kings enimies haue ben ſtrengthned, and the gód bréde of horſes and Mares here decayed. Be it &c. That if any perſon or perſons, after the firſt day of Januarie next comming, doe ſell, exchange, giue conuey or deliuer into the Realme of Scotland, to the vſe of any Scottiſh man, or do carry, giue, exchãge, ſell, ſende, conuey, or deliuer into anie place beyond the Sea, out of this realme, or the dominions of the ſame, any horſe, gelding or mare, without ſpeciall lycence therof to be obtained of the kings Highneſſe, or his heires, vnder the great ſeale of this Realme, or vnder the priuy Signet, or if any perſon or perſons, after the ſaide firſt daye of Januarie, doe ſell, exchange, giue or deliuer to any Scottiſh man within this Realme of England, or Wales, the towne of Berwicke, or the Marches of the ſame, to the intent to bee cõueyed into Scotland, any horſe, gelding or mare, or doe conuey or carry any horſe, mare or gelding, into any forreine parties beyond the Sea, without like eſpeciall lycence obtayned of the Kinges highneſſe, or of his heires, vnder the great Seale, or priuy Signet, as is aforeſaide: That then the ſame perſon and perſons ſo offending contrary to this acte: ſhall loſe and forfait to our ſoueraigne Lorde and his heires, the ſame horſe, mare or gelding, ſo carryed and conueyed, and ſhall alſo loſe & forfait the ſumme of xl. pounde for euery ſuch horſe, gelding or mare ſo to be conueyed & carried in forme aforeſaide whereof the one moitie to be to the king, and the other moitie to him or them that will ſue for the ſame, by information, action of debt or detinue, in any of ỳ kings

Sell Conuey Scotland

Beyond ſea

Horſe Lycence

Exchange Scottiſh man

Forf.

Moitie

Courtes

Courtes of Recoꝛd, wherein &c. And that alſo all and euery perſon & perſons ſo offending contrary to this acte, ſhall ſuffer impriſonment by the ſpace of one whole yeere.

Imprſon

And bee it &c that it ſhalbee lawful aſwell to the Warden and Wardens of the Eaſt, Weſt, and Middle marches foꝛ the time being in their warden Courtes, as alſo to al and euery the Kings Iuſtices of peace in euery Shire, aſwell in England as in Wales in their quarter Seſſions, to inquire of all and euery offence oꝛ offences, hereafter to bee perpetrated, cõmitted oꝛ done contrary to this acte. And that it ſhal bee lawful to al and euery other perſon and perſons being the kings ſubiects, to arreſt & imprſon euery Scottiſh man, and all and euery other perſon oꝛ perſons, which ſhall leade oꝛ conuey cõtrary to the meaning of this act, any ſuch hoꝛſe, gelding oꝛ mare out of this realm, into the ſaid Realme of Scotland, oꝛ into any other foꝛreine place beyond the ſea, other then ſuch perſons as hereafter ſhal haue ſufficient warrant, by oꝛ from the kings highneſſe, oꝛ his heires, vnder his oꝛ their great Seale oꝛ priuy Signet, accoꝛding to the meaning of this act.

Warden of the marches

Iuſt. of P.

Wales Q. ſeſſions

Arreſt Imprſon Scottiſh man Conuey

Warrant

Prouided alway, and bee it enacted by the authoꝛitie afoꝛeſaide, that if the king our ſoueraigne Loꝛde, his heires oꝛ ſucceſſoꝛs, at any time hereafter, vnder his great ſeale oꝛ priuie Signet, doe giue lycence to any perſon oꝛ perſons to carry oꝛ conuey any hoꝛſes, mares oꝛ geldings into Scotland, oꝛ into any other parties beyond the ſea, oꝛ els do giue authoꝛity oꝛ commandemẽt to any perſon oꝛ perſons, by warrant vnder the great Seale, to lycence any other perſon oꝛ perſons to cary oꝛ conuey any hoꝛſes, mares oꝛ geldings into Scotlãd, oꝛ into any partes beyond the ſea: that then it ſhalbe lawful aſwell to all and ſinguler perſon and perſons, hauing ſuch lycence vnder the Kinges great Seale oꝛ priuy ſignet, as to all and euery other perſon oꝛ perſons, hauing lycence in wꝛiting vnder the ſeale of ſuch perſon oꝛ perſons, to whom the king ſhal giue authoꝛity, power, oꝛ commandemẽt, in foꝛme aboueſaid, to lycence other perſon oꝛ perſõs, to carry oꝛ conuey any hoꝛſes, mares oꝛ geldings into Scotland, oꝛ into any other parties beyond the Sea, to carrie and conuey ſuch number of hoꝛſes, geldings oꝛ mares, oꝛ any of them into Scotland, oꝛ into any other parties beyond the ſea, as ſhal be mentioned in anie ſuch licẽces, as beſoꝛe ſpecified, any thing mentioned in this acte to the contrary in any wiſe notwithſtanding.

Licence

Prouided alwaies and bee it enacted by authoꝛitie afoꝛeſaid, that this act, ne anie thing therin contained, ſhal in no wiſe extend to any perſon oꝛ perſons, which at any time hereafter ſhal carrie oꝛ conuey any hoꝛſe, mare oꝛ gelding into Scotland, oꝛ into any other foꝛreine parties beyond the Sea, to ſerue the king in his warres, with the ſame hoꝛſes, mares oꝛ geldings: any thing mentioned in this acte to the contrary in any wiſe notwithſtanding.

Serue Warres

And to the intent the Kings Maieſtie ſhall not hereafter bee deceiued in the number of ſuch Hoꝛſes, mares, oꝛ geldings, which hereafter ſhalbe carried and conueyed into Scotland, ne that the parties which hereafter ſhal obtaine any licence by foꝛce of this act, foꝛ the carryage oꝛ conueyance of any hoꝛſes, mares oꝛ geldings, to be carryed oꝛ conueyed into Scotland: Be it theꝛefoꝛe enacted by the authoꝛitie afoꝛeſaide, that all and euery ſuch perſon and perſons, which hereafter ſhalbe lycenced, accoꝛding to this acte, to carry oꝛ conuey any hoꝛſes, mares oꝛ geldings into Scotland, ſhall (beſoꝛe the ſame carryage oꝛ conueyance, vpon the paine of foꝛfaiture of the ſaide hoꝛſe, mare oꝛ gelding, oꝛ the double value thereof, whereof the one moitie to be to the king, & the other moity to him oꝛ them that wil ſue foꝛ the ſame by ſuch like action, as is beſoꝛe limitted in this acte) ſhewe his oꝛ their ſaid licence to one of the thꝛee Wardens, of the iii. Marches of Englãd, to the intent that one of the ſaid Wardens ſhall cauſe the number of the ſaid hoꝛſes, mares oꝛ geldings ſo licenced to be conueied into Scotland, not onely to be Kalendꝛed in a booke to remaine in his owne cuſtody, but alſo to be indoꝛſed & wꝛitten on the backſide of the ſaid licence, & the ſame indoꝛſement to bee ſigned with the hande of the ſaide Warden.

Deceiued

Perſons lycenced

Scotland

Foꝛf.

Shew his lycence Warden of the marches

Kalendꝛer

Indoꝛſed

Prouided alwaies, that it ſhalbe lawful to euery of the K. ſubiects, that ſhall paſſe ouer beyond the Sea, to ſhippe and carrie with them Hoꝛſes oꝛ Geldings foꝛ their onely occupation in their iourneis, & not to the intent to ſel ẏ ſame beyond the ſea. And that intent to be iudged by ẏ othe of him oꝛ them that ſo will carry ouer any hoꝛſe oꝛ gelding: Which othe ſhalbe take beſoꝛe the cuſtomers oꝛ their deputies, oꝛ ſearcher

Hoꝛſes to trauell on

Intent Iudgement

Of the Cuſtomer

ſearcher of euery ſuch port, where ẏ ſame horſe or gelding ſhalbe ſhipped, before the ſhipping therof: But this laſt Prouiſo is repealed by 5. Eliz. cap. 19. hereafter 10.

Wardens of the fiue portes

Giue horſes

Prouided alwaies, that the Wardens of the v. ports now being, or that hereafter ſhall bee, may yerely at his pleaſure giue vi. horſes or geldings and no more, within one yére, at one or diuers times, vpon like paine as is aforeſaide, to anie perſon or perſons in the parties beyond the ſeas, being in amity with the K. highnes or his ſucceſſors: this act or any thing therein to the contrary notwithſtanding.

Maſter of the horſe

Prouided alſo that this act or any thing therein mẽtioned be not in any wiſe hurtful or preiudicial to the Maiſter of the K. horſes, now and hereafter to bee, for ſuch things and commodities as ſhall and doe cõcerne his office: any thing in this act to the contrary notwithſtanding.

Mares

1. s.

Prouided alſo that it ſhal be lawfull to any the kings ſubiects to cary or ſend into any partes beyonde the Sea any Mares, wherof the price of any one Mare ſo to be caried, doth not exceed x. s. in ſuch like maner, as Mares being of the price of vi. s. viii. d. bin, or might haue bin cõueyed ouer the Seas, before the making of this acte, (which ſee before here 2.) any thing in this acte, or in any other act or actes heretofore made to the contrary hereof notwithſtanding. An. 1. Ed. 6. cap. 5.

But note, that the ſelling, exchanging or delyuering of any Horſe, Gelding or Mare into Scotland without lycence is Felonie at this day by 1. Eliz. cap. 7. here next following 9.

☞ 9 ¶ Where in the Parliament holden at London the iii. day of Nouember in the 21. yeere of the raigne of the late king of moſt worthie memory King Henry the eight, and from thence adiorned and proroged to Weſtminſter, and there continued by diuers prorogations, vntill the xv. day of January, in the 23. yeere of the raigne of the ſaide late king, amongſt other things (which ſee before in Felonie 13.) there was one acte or ſtatute made, whereby the ſelling, exchanging, or delyuery of any horſes, geldings or mares into Scotland, by any Engliſhman ſhould be Felony, which acte or ſtatute is intituled: An Acte that no Engliſhman ſhould ſell, exchange, or delyuer to bee conueyed into Scotlãd, any horſe, gelding or mare, without the Kinges lycence, as by the ſame acte and ſtatute more at large doeth and may appeare. And although the ſame eſtatute was a very good and neceſſarie lawe for the maintenance of the ſtrength of this Realme, and for the due preſeruation of the ſtate of the ſame, yet the ſaide ſtatute by certaine actes of repeale, made aſwel in the time of the late king Ed. the vi. as alſo in the time of Quéene Mary, was by certaine generall words repealed and made void, by reaſon whereof diuers wicked and euil diſpoſed perſons, haue of late time for their owne priuate gayne, cõueyed, diuers horſes, geldings & mares out of this Realme into Scotland, to the great ſtrength and boldning of the Scottiſh, & much to ẏ detriment & hinderance of this Realme: Wherefore be it enacted &c. that the ſaid act and ſtatute made in the ſaide 23. yere of the raigne of the ſaid late king H. the. 8. and all and euery branche, ſentence, articles, words, matters, and clauſes therein contayned, ſhall from the firſt day of May next comming, ſtand, remaine, & continue in full force & ſtrength, to all intentes and purpoſes, as fully & as wholy as euer the ſame was at anie time heretofore: any act or ſtatute of repeale, or any other matter or cauſe whatſoeuer to the contrarie notwithſtanding. Anno. 1. Eliz. cap. 7.

23. H. 8. cap. 16 Reuiued

★ 10 ¶ Where in the Parliament holden at Weſt. in the firſt yeere of the raigne of the late king Ed. the 6. brother to our Soueraigne Lady the Q. Maieſtie that now is, amongſt diuers other ſtatutes, there was one act & ſtatute made againſt ẏ carrying & conueying of any horſes, geldings or mares out of this realm, (which ſee here before 8.) In which acte amongſt other thinges there is one Prouiſo or branche contayning theſe words hereafter folowing: that is to ſay.

Horſes Scotland Felonie

Prouided alwaies that it ſhal be lawefull to euery of the Kinges ſubiects, that ſhall paſſe ouer beyonde the Sea, to ſhip and carie with them Horſes and Geldings for their only occupation in their iourneis, and not to the intent to ſell the ſame beyonde the Sea, and that intent to bee iudged by the othe of him or them ẏ ſo wil carrie ouer any horſe or gelding, which othe ſhal bee taken before the Cuſtomer or ſearcher, or their deputies of euery ſuch Port where the ſame Horſe or Gelding ſhall be ſhipped, before the ſhipping therof, as by the ſame Acte & Prouiſo it doth and may appeare. And bee it &c. that all the ſaide Prouiſo and branche

before

before rehearſed, mentioned & contained within the ſaide act and Statute, & euerie article and ſentence contained within the ſaid Prouiſo, ſhal from henceforth be repealed, made voide and of none effect, and that all the reſidue of the ſaid acte & Statute, ſhall ſtande, remaine, and bee in full ſtrength: any thing herein ſpecified to the contrary notwithſtanding. Anno 5. Eliz. cap. 19.

11 ¶ Foraſmuch as the Mores, Pariſhes, and fenne grounds of the Shires hereafter mentioned, by reaſon of their rottennelle & waterilhnelle, are not able to breede, beare, or bring forth ſuch great breed of Stoned horſes, as by the ſtatute of 32. Hen. 8. cap. 16. (before 6.) is expreſſed, without perill of marring & perylhing of them, and other horſes dare not be put forth for feare of Promoters, whereby the breede of Horſes, tillage and carryage decayeth in thoſe places.

Be it enacted &c. That aſmuch of the aforeſaid eſtatute, made in the 32. yere of king H. the eight, (before 6.) or any part, branche, or article, or any parcel thereof, touching or concerning any the Marſhes and ſeggey fenne grounds within the ſaid Iſle of Cly, ſituate, lying and being in the ſaide Countie of Cambridge, together with al other the Marſhes & ſeggey fenne grounds within the ſaide Shires of Cambridge, Huntington, Northampton, Lincolne, Norfolke, and Suffolke, ſhall bee from henceforth vtterly repealed, fruſtrate, voyd and of none effect in the Lawe: any thing in the ſaide former acte expreſſed to the contrarie notwithſtanding. Neuertheleſſe bee it ordained and enacted by the authoritie of this preſent Parliament, that no perſon or perſons whatſoeuer hee or they bee, at anie time after the laſt daye of March next coming, ſhall haue or put to paſture, into, or vpon any Marſh or ſeggey fenne ground, within the ſaid Iſle of Cly, or into or vpō any Marſh or ſeggey fenny groūds within the ſaid Counties of Cambridge, Huntingtō, Northāpton, Lincolne Norfolke and Suffolke, or any of them, any ſtoned horſe or horſes, being about the age of ii. yeres, & not being of altitude and height riii. handfuls, to bee meaſured from the loweſt parte of the hoofe of the foreſoote, vnto the higher part of the wither, and euery handfull to containe foure inches of the Standarde, to paſture, feede, or to bee nouriſhed, in, or vpon anie the ſayde Marſhes or ſeggey fenne grounds, within the ſaid Iſle, and within ỳ ſaide Counties of Cambridge, Huntington, Northampton, Lincolne, Norfolke & Suffolk, or any of them, vpō ſuch & the like paine, as by the ſaid former act is limitted & expreſſed. An. 8. Eliz. cap. 8.

Cambridge
Repealed
Put to paſture Fenne grounds
Cambridge
Stoned horſes ii. yeres old xiii. handfuls
Forf. ★

Hoſpitalls and Hoſpitallers.

FOraſmuch as many Hoſpitalls within the Realme of England, founded aſwel by the noble Kings of the ſame Realme, and Lordes and Ladies both Spirituall and temporal, as by diuers other eſtates, to the honor of God, and of his glorious Mother, in aide and merite of the ſoules of the ſaid Founders, to which hoſpitals the ſame Founders haue giuen a great part of their moueable goods, for the edifications of the ſame. and a great parte of their lands and tenements, therwith to ſuſtaine impotent men and women, Lazars, men out of their wittes & mind, and poore women with childe, and to nouriſh, relieue, and refreſh other poore people in the ſame, be now for the moſt part decayed, and the goods and profits of the ſame by diuers perſons, aſwell ſpirituall as temporal, withdrawen & diſpended in an other vſe, whereby many men & women haue died in great miſery for default of ayd, liuing & ſuccour, to the diſpeaſure of God, & peril of the ſoules of ſuch manner of ſpenders, The king our ſoueraigne L. conſidering the meritorious & deuout intent of the founders aforeſaide, and the inſolent gouernaunces in the ſame, hath by the aduiſe & aſſent aforeſaide, ordained and eſtabliſhed, that as to the Hoſpitalls which be of the Patronage and foundation of the King, the Ordinaries by vertue of the Kings Commiſſions to them directed, ſhall inquire of the maner & of the foundation of the ſaide Hoſpitals, and of the gouernance and eſtate of the ſame, & of all other matters neceſſary and requiſite in this behalfe. And the inquiſitions thereof taken, ſhall certifie in the Kings Chancerie. And as to other Hoſpitales which be of an other foundation & patronage then of the king: The Ordinaries ſhall inquire of the maner of the foundation, eſtate and gouernance of the ſame, & of all other matters and things neceſſary in this behalfe, and vpon that, make thereof correction and reformation, after the lawes of holy Church, as to them belongeth,

Goods
Lands
Poore people
K. foſidatiō Ordinary
Inquire
Certifie Chancery

longeth. An. 2. H. 5. cap. 1. Stat. 1.

2 ¶ An. 2. H. 6. cap. 2. It was enacted, that the Hoſpital of Saint Leonardes in Yorke, might gather thzaues, and haue an action foz them.

Earle of Leiceſter

3 Be it enacted, that Robert Earle of Leiceſter, his heires, executozs oz aſſignes, at his oz their willes and pleaſures, ſhall haue full power, ſtrength, lycence, & lawfull authozitie, to erect, found & eſtabliſh one Hoſpital oz Meaſondieu within the ſaid towne of Warwike, oz els within the ſaide towne of Kelenworth, at his oz their choiſe & election, foz the finding, ſuſtentation, & reliefe of the pooze, needy, & impotent people, to haue a continuance foz euer. And that the ſame Hoſpitall oz Meaſondieu ſo foũded, ſhal be incozpozated, & haue a perpetual ſucceſſiõ foz euer, in fact, dæd & name, of ſuch head mẽbers & numbers of pozſe, needy, & impotẽt people, as ſhalbe appointed, aſſigned, limitted oz named by the ſaid Erle, his heires, executozs oz aſſignes, vnder his oz their handes & ſeale. And further that the ſame Hoſpital oz Meaſondieu ſhal be named & called by ſuch name, as the ſaid Earle, his heires, executozs oz aſſignes, ſhal ſo limit, aſſigne and appoint. And the ſame Hoſpitall oz Meaſondieu being ſo incozpozated and named, ſhal by the name of the incozpozation thereof, haue full power, authoritie, & lawfull capacitie & abilitie to purchaſe, take, hold, receiue, enioy & haue, to them and to their ſucceſſozs, foz euer, manozs, lands, tenements & hereditaments, ſet, lying, and being within any County within this Realme of England, ſo that the ſame excéde not the yeerely value of CC. pounds abone al charges & repziſes, and ſo that the ſame oz any part oz parcel thereof be not holden of our Soueraigne Lady the Queene her heires and ſucceſſozs, immediatly by knightes ſeruyce in chiefe, oz els by knights ſeruice and not in chiefe. And further, that the ſame Hoſpital oz Meaſondieu being ſo incozpozated founded and named, ſhall haue full powzer & lawfull authozitie, by the trne name of the incozpozation thereof, to ſue and to bee ſued, impleade and to be impleaded, to aunſwere and to bee aunſwered vnto, in all manner of Courtes that now are, oz hereafter ſhal bee within this realme, aſwell Tempozall as Spirituall, in all manner of ſuits whatſoeuer they bee oz ſhall bee. And that the ſame Hoſpitall oz Meaſondieu ſhall haue and enioy foz euer, ſuch a common Seale oz Seales, as by the ſaid Earle, his heires, executozs oz aſſignes, ſhall bee in wziting vnder his oz their hand & ſeale, aſſigned, named oz appointed, whereby the head of the ſame incozpozation, with the members thereof, ſhall and may ſeale any maner of Inſtrument, touching the ſame incozpozation, & the landes tenements, and other things, thereunto belonging, oz in any wiſe touching oz cõcerning the ſame. And further ſhalbe ruled, gouerned, ozdered, directed and viſited, by ſuch perſon oz perſons, as ſhalbee ſo nominated, aſſigned oz appointed therunto by the ſaid Earle, his heires oz aſſignes, accozding to ſuch rules, ſtatutes, and ozdinances, as ſhall bee ſet foozth, made, deuiſed and eſtabliſhed by ẏ ſaid Earle, oz by his heires, oz aſſignes, in wziting vnder his oz their hande and ſeal: any law, ſtatute, cuſtome, vſage, oz other thing whatſoeuer to the contrarie in any wiſe notwithſtanding.

Common Seale

Ruled

Leaſe

Cuſtom Tolles

Maiozs

Fiſh Toll Herring Salt fiſh Oyſters

Sauing alwaies to all and euery perſon and perſons, bodies politique and cozpozate, their heires and ſucceſſozs, and the heires and ſucceſſozs of euerie of them, all ſuch right, title, claime, poſſeſſion, intereſt, rentes, annuities, ſeruices, commons, leaſes, conditions, offices, fees, actions, intereſt, demaundes, pzofites and commodities, which they oz anie of them ſhal haue, oz of right ought to haue, of, in, oz to anie Manozs, landes, tenementes, oz hereditamentes, hereafter to bee giuen, lymitted, oz aſſured, vnto the ſaide Hoſpitall oz Meaſondieu in fée, in fozme afozeſaide, (other then to the ſaide Earle, and to his heires, and other then any other perſon oz perſons and their heires, that ſhall bee the giuers oz graunters of the ſaide manozs, lands, tenements, and hereditaments, rents & ſeruices, and other pzofits, in fozme afozeſaide) in as ample, large, and in the ſame manner and fozme, as they oz any of them ſhall haue and enioy, oz of right ought to haue and enioy the ſame, as if this ſtatute had neuer beene had oz made. Anno 13. Elizab.

Capacitie Purchaſe

2 ſol. Pound land

Knightes ſeruices

Sue

4 ¶ Anno. 14. Eliz. Was made an acte foz the aſſurance of gifts, grants &c. made and to be made foz the pooze in Hoſpitals &c. which is not in pzint.

5 ¶ There were alſo two other Statutes made Anno 18. Eliz. the one cõcerning an Hoſpitall at Leyceſter, and the other foz the Hoſpitall of Saint Croſſe neere

nére Wincheſter, neither of which two Statutes are in print.

6 ¶ Anno 27. Eliz. An acte was made for the incorporation of the Hoſpitall of Chriſt in the Towne of Sherebourne, in the Biſhoprike of Durham, but this acte is not printed. And at the ſame time one other acte was made and not printed for the Hoſpitall of Eaſtbridge within the Citie of Canterbury.

¶ Hounſloe heath.

ANno 37. Hen. 8. cap. 2. An acte was made for the partition of Hounſloe heath, wherein is appointed certaine parcels to certaine perſõs for Copie hold landes, and that thoſe parcels ſhall be ſet as Copie holde landes, by leaſe for twentie and one yéres.

Leaſe

¶ Hull.

Cuſtomes Tolles

ANno 27. Hen. 8. cap. 3. An Acte was made for taking away the cuſtomes & tolls taken by the Maior and Communaltie of the Towne of Hull, which they toke for fiſh brought into that Towne. But this acte in Anno 33. Hen. 8. cap. 33. was from thenceforth made void. And it is there further enacted, that from henceforth it ſhal be lawfull to the Maiors and Burgeſſes of the Kings ſaid Towne vpon Hull, and their ſucceſſors, Maiors and Burgeſſes of the ſame, and al other Officers and Miniſters there for the time being, from time to time, at all times hereafter, to receiue, haue & take, of al & euery the inhabitants and fiſhermen of the ſaid Counties of Suffolke and Norfolke, and of al other places to the ſaid town of Hul, for ſuch Herring, Sprats, Saltfiſh, & for all other vitailes by them or any of them hereafter to be brought to be ſold vnto the kings ſaid Towne of Hull, ſuch ſummes of money as hereafter followeth: that is to ſay, for euery Laſt of Herrings of euery perſon priuiledged xx. d. for the Laſt. And for euery hundred of Salt fiſh iiii. d. for euery Laſt of Sprats viii. d. And of euery perſon not priuiledged, for euery Laſt of Herring ii. s. iiii. d. And for euery hundreth of Salt fiſh iiii. d. And for euery Laſt of Sprats viii. d. as afore the ſaid act made in the xx viii. yeere of the raigne of our ſaid Soueraigne Lord the K. the ſaid Maior & Burgeſſes haue vſed & accuſtomed to take: any thing expreſſed or contayned in the ſaid act to the contrary notwithſtanding.

Maiors

Fiſh Toll Herring Salt fiſh Sprats

Prouided alwaies, & bee it &c. that this acte, or any thing therein contained or expreſſed, ſhal not extend, nor in any wiſe be hurtfull or preiudiciall to charge or onerate any Citie, borough, or towne within this Realme, or the inhabitants of the ſame, or any of them, for any more, other cuſtome, impoſition, or paymẽt, or otherwiſe then they, or any of them of right were charged or chargeable, before the making of the ſaid act & eſtatute, made in the ſaid xx viii. yere: any thing expreſſed or contained in this preſent Acte, to the contrary in any wiſe notwithſtanding. Anno 33. Hen. 8. cap. 33.

¶ Hundreds.

THat Bayliwikes and Hundreds of the kings, nor of other great lords of the lande, bee not let to farme at ouer great ſummes, whereby the people may be ouercharged by making contribution to ſuch farmes. Articuli ſuper Chartas. An. 28. Ed. 1. cap. 14.

Farme

¶ Hunters and Hunting.

FOraſmuch as diuers Artificers, labourers, ſeruants, & Groomes keep Greyhounds and other dogges, and on the holy dayes when good people bee at Church, they hunt in other mens Parkes, Warrens, and conigers, and vnder ſuch colour at times make aſſemblies, conuentions, and conſpiracies, to riſe and diſobey their allegeance: It is ordained, that no maner of Artificer, Laborer, nor other laye man, which hath not lands or tenements to the value of xl. s. by yere: nor no prieſts nor other Clerke, if he be not aduanced to the value, of x. li. by yeere, ſhall haue or keepe from henceforth any Greyhounde, hound, nor other dog for to hunt, nor they ſhall not vſe ferrets, haies, nettes, harepipes, nor cordes, nor other ingins, for to take or deſtroy dære, hares nor conies, nor other gentlemans game, vpon paine of one yeres impriſonment. And that the Iuſtices of Peace haue power to inquire, and ſhall inquire of the offenders in this behalfe, & puniſh them by the paine aforeſaid. Anno 13. R. 2. cap. 13.

Artificer

Prieſt

Greyhounds

Ferrets Netts

Impriſon Iuſt of P. Inquire Puniſh

*

2 ¶ Foraſmuch as both red dære & ſallow haue bin greatly & chiefly deſtroyed with netts called dærehaies & buckſtalls, ſtalking

ſtalking with beaſtes, to the deſtruction of foreſtes, chaſes & parkes: Be it &c. that no perſon ſpirituall or temporall, hauing no parke, chaſe, nor foreſt of their owne, Keepe Nets keepe or cauſe to be kept, any nets, called Mærehayes, or buckſtals, by the ſpace of a Moneth next after proclamation of this act made, vpon paine to forfait for euery Moneth that he or they keepe, or cauſe to be kept the ſame nettes, hayes or buckeſtals x.li. And that no perſon from hencefoorth ſtalke, nor cauſe any other perſon to Foyl. Stalke ſtalke, with any bulh or beaſtes, to anie Mære being in any parke, chaſe, foreſt, or without, (but if it bee within his owne, ground, chaſe, foreſt or parke) without licence of the owner, Maſter of the game, Licence or keeper of the ſame ground, chaſe, foreſt or park, vpō paine of forfaiture for euerie Foyl time that he or they ſo ſtalke x.li. And furthermore, that no perſō or perſons without his owne ground, ſlay, take, or cauſe Kill to be taken by meane of craft or ingin, any Herons, without it be with hauking, or with a long bowe, vpon paine of forfaiture for euery Heron taken or ſlaine vi.s. Herons Foyl. viii.d. And ỹ no perſon or perſons without his or their owne grounde, take anie yong Herons out of the neſt, without licence of the owner of the grounde where Yong heron the ſaide neſt is, vpon paine of forfaiture for euery Heron ſo taken out of the neſt x.s. And that euery man that will, maie Foyl. and ſhall bee admitted to ſue for any of the ſaid forfaitures, by action of debt, and Sue like proceſſe to be had and made therein Proces as in other actions of debt at the making of this acte. And that the defendant bee not admitted to tender nor to do his law in any ſuch actiō, nor any eſſoine nor protection to be allowed for the defendant in the ſame.

Juſt. of P. And that two Juſtices of peace in their Seſſions, ſhall haue authoritie to cal before them any perſon ſuſpected of the premiſſes, & to their diſcreations to examine them in the premiſſes. And if by their exExamine aminatiō the parties ſo examined be foūd indefault, cōtrary to the premiſſes: then the perſon ſo found in default, to be committed to priſon, til he haue found ſuertie Impriſ. for the paymēt of the ſame forfaitures to the King. And that thoſe Juſtices that ſo examine them ſhal haue the tenth part of x. Part euery ſuch forfaiture for their labor in that behalfe. An. 19. H. 7. ca. 11.

3 ¶ Foraſmuch as the game of hunting of Hares, wherein the King and his Nobles haue heretofore taken their diſport, is nowe almoſt vtterly deſtroyed by the exceſſiue killing of them, with tracing of them in the ſnow: Be it &c. that no perſon or perſons, of what eſtate, degree or condiTrace tion they be, from hencefoorth trace, deſtroy & kil, no hare in the ſnow with any dogg, Hare bitch, or otherwiſe. And that the Juſtices of Peace, within euery Shire at euerie Seſſions of the Peace, & Stewardes of Juſt. of P. Lētes, ſhall haue full power and authoritie to inquire of ſuch offenders, & after ſuch inquiſitiōs found, the ſaid Juſtices of Inquire Peace, & Stewards of Lētes for euerie Steward hare ſo killed, ſhal aſſeſſe vpon euery ſuch offender vi.s. viii.d. to be forfaited to our Foyl. ſaid ſoueraigne Lord, that ſhalbe ſo foūd by the Juſtices of Peace in their Seſſions. And the forfaiture founde in euerie Lēte to be to the Lord of the Lēte. Anno 14. H. 8. cap. 10. ✶

¶ Husbandrie and Tillage.

THe king deſirous to redreſſe the great inconueniences that growe by the waſtings of townes, in turning tillage to paſture, whereby idleneſſe increaſeth, huſbandrie decayeth, Churches decay, & the defence of the realme is feble, and impaired: hath ordained, that no perſon of what eſtate, degree, or condition that hee bee, that hath any houſe or houſes, that Houſe at any time within iii. yeares paſſed, hath ben, or that now is, or that hereafter ſhal be letten to farme, with xx. acres of lande xx. Acres land at leaſt, or more, lying in tillage and huſbandrie, ỹ the owner or owners of euery ſuch houſe or houſes & land, be bounde to keepe, ſuſtaine and maintaine houſes and buildings, vpon the ſaide grounde and land, conueniēt and neceſſarie, for maintayning and vpholding of the ſaid tillage and huſbandrie. And if any ſuch owner or owners of any ſuch houſe or houſes and lande, take, keepe, and occupie any ſuch houſe or houſes and lande, in his or their owne handes, that the ſaid owner or owners by the ſaide authoritie, be bounde in like wiſe to keepe and maintaine houſes Vpholde houſes and buildings vpon the ſaid ground and land conuenient & neceſſary for the maintayning and vpholding of the ſaid tillage and huſbandrie. And if any man doe contrary to the premiſſes, or any of them, that then it be lawful to the King (if any King ſuch lands, or houſes be holden of him immediatly) or to the Lords of ỹ fees, (if any Lord of the fee ſuch

such landes been holden of them immediatly) to receiue yeerely halfe the value of the issues and profits of any such landes, wherof ẏ house or houses be not so maintained and sustained. And the same halfe deale of the issues & profits, to haue, holde and kéepe to his or their owne vse, without any thing therefore to be paied or giuen, to such time as the same house or houses bee sufficiently builded or repaired againe. And that no maner of fréehold be in the King, ne in any such Lord or Lords by the taking of any such profites, of, or in any such lands, in no maner of forme, but onely the King and the said Lord or Lords haue power to take, receiue, & haue ẏ said issues & profits as is abouesaid. And therefore the K. or the said Lord or Lords, to haue power to distraine for the same issues & profites, to be had and perceiued by them in forme abouesaid, by authority of this present act. An. 4. H. 7. cap. 19.

halfe of the issues

Freehold

Distreine

See this Statute confirmed heere 3. and 7. and in certaine partes of it also explaned.

2 ¶ For the auoiding of letting downe of townes: Be it &c. that all such townes, villages, boroughs, and hamlets, tithing houses and other habitations, in any parish or parishes within this realm, wherof the more part, the first day of this present parliament, was or were vsed and occupied to tillage & husbandry by the owner and owners thereof, for their singuler profit, auaile & lucre, wilfully, sithen ẏ said first day, be, or hereafter shalbe suffered or caused to fall downe & decay, wherby the husbandrie of the said townes, villages, boroughs, hamlets, tithing houses, and other inhabitations & parishes within this realme, bin or hereafter shalbe dearied and turned from the said vse and occupation of husbandry and tillage into pasture, shall be by the said owner or owners, their heires, successors or assignes, or other for them, within one yeere (next after such wilful decay) reedified & made againe méete and conuenient for people to dwel and inhabite in the same, & to haue, vse, and therin to exercise husbandry and tillage, as at the said first day of this present parliament or sithence was there vsed, occupied and had, after the maner & vsage of the countrey, where the said land lyeth, at the costes & charges of the same owner or owners, their heires, successors or assignes. And if sithence the first date of this present parliament, any landes, which at the same first day or sithen were commonly vsed in tillage, bin inclosed, or from henceforth shall be inclosed, be turned only to pasture, wherby any house of husbandrie within this realme, is or shall be hereafter decayd: that the al such lands shalbe by ẏ same owner or owners, their heires, successors or assignes, or other for them, within one yeere next insuing the same decay, put in tillage & exercised, vsed and occupied in husbandrie and tillage, as they were the same first date of this present parliamẽt, or any time sithen, & after the maner & vsage of the countrie where such land lieth. And if any person or persons do contrarie to the premisses, or anie of them: that then it be lawful to the K. (if any such lands or houses bin holden of him immediatly) after office or inquisitiõ founden thereof, comprehending the same matter of Record, or to the Lords of the fées (if any such lands or houses bin holdẽ of them immediatly) without office or inquisition thereof had, to receiue yeerely halfe the value of the issues & profits of any such lands, wherof the house or houses of husbandrie be not so maintained & susteined, & the same halfe deale of the issues and profits to haue, hold & kéepe to his or their owne vse, without any thing therof to bee paied or giuen, to such time as the same house or houses be sufficiently reedified, builded, or repaired again, for the exercising & occupying of husbandrie. And immediatly after that, aswell the interest & title giuen by this act, to our soueraign Lord the K. as to the Lordes of the fée, to cease and no longer to indure. And that it shalbe lawfull to the owner or owners of such lands, house or houses, holden immediatly of our said soueraigne Lord the king, to haue and inioy the same, and to take the issues and profits therof, as if no such office or inquisition had neuer bin had ne made. And that no maner of fréehold bee in the king, ne in anie such Lord or Lords, by vertue of this Act, or taking of anie such profits, of, or in anie such lãd, in no maner and forme, but only the king and the said Lord or Lordes haue power to take, receiue & haue the said issues and profits therof, as is abouesaid, and therfore the K. or the said Lord or Lordes to haue power to distraine for the same issues & profits to be had and perceiued by thẽ, in forme abouesaid, by authoritie of this present act. Be it &c. that if any of the said L. or Lords immediately do not exe-

Townes

Decay

Reedifie

Inclosure

King

Office found

L. of the fee

Ceast

Freehold

Distreine

Lord immediate

cute the premisses, according to the tenor of this act: that then the Lords immediat aboue thē, within halfe a yere next after that, to haue, receiue, and take the moitie of the issues and profites thereof, in like maner & forme, as is aforesaid, of the said Lords immediate, and so euery Lorde or Lords from one to another, to haue like time and aduantage, of, and in the premisses, as in the said act is contained.

Half yere

Prouided alway, that this acte extend not, nor be preiudiciall or hurtfull to any Parke or parkes for Deere, made or to be made, or to anie marsh or marshes, for walling & inclosing, or for any lands contained in the same within this Realme. This act to continue and indure for euer. Anno 7. H. 8. cap. 1. See hereafter 3. and 7. more, where also this statute is confirmed, and in some points explaned.

Parke
Marsh

3 ¶ Forasmuch as the good statute of 4. H. 7. cap. 19. (before 1.) hath taken little effect, but in such lands as be immediatly holden of the king, partly by y negligence of other Lords, and partly by reason of the little benefit that is therein giuen vnto them: Be it &c. that the K. and his heires and successors, from & after the feast of S. Michael tharchangel, which shalbe in the yere of our Lord God 1538. shall take and haue the moitie of all issues, reuenues, rents, & profits, comming & growing of al & singuler meases, lands, and tenements now and then remaining inclosed, decaied or conuerted from tillage into pasture, contrary to the tenor & true meaning of the said acte, made in the said 4. yere of King H. 7. being at this present day found already by office & verdict of xij. men, or which hereafter at anie time by like office and verdict shall bee found, of whomsoeuer they be holden, which haue been decaied and conuerted from tillage vnto pasture, fifth three yeres next before the foresaid 4. yere of the raign of the said noble K. Henrie the 7. vntil such time as the owners of the said meases, lands and tenements, shall haue builded and reedified againe, in and vpon conuenient places of the said meases, lands & tenements for euery 50. acres, 40. acres, or 30. acres of land, one sufficient tenement, mete for an honest man to dwell in, and also vntill such time, as the same owners haue conuerted, or caused al the said lands so misused to be conuerted from pasture into tillage again, according to the nature of the soile, and course of husbandrie vsed in the countrie where anie such lands do lie, and according to the true intent and meaning of the said act.

King
Moitie
Decayed
Office
Verdict
Built
Tenement

Prouided alwaies, and be it &c. that if any owner of lands and tenements, at anie time after the last day of April, in the yeere of our Lord God 1536. decay anie house of husbandrie, having xx. acres of arable land at the least thereunto lying in tillage, or conuert the same lande into pasture, contrarie to the true intent and meaning of the said act, then if the Lord of whom any such houses and landes by the holden immediatly, do not take the benefite of the said acte, concerning taking of the moity of the profits of that same house and lands so misused, as is aboue rehearsed, within one yere next after the said decaie or within one yere next after the conuerting of the said land from tillage into pasture: The kings highnesse in default of the said Lords immediate, shall & may from and after any office found thereof, haue & take the one moitie of al the issues, reuenues and profits, comming & growing of the same house and lands so decaied or conuerted from tillage into pasture, vntil such time as the owner of the saide house and lands so misused, haue reedified the same house, and conuerted and put the same lands againe into tillage, according to the nature of the soile, & course of husbandrie vsed in the countrey there, as is aboue rehearsed. Prouided alway that the kings highnes shall not haue, claime, or challenge any freehold or tenure, in or to any of the premisses, by taking of the moitie of any such profites, nor that any Lord of whom any such meases or landes be holden, shal lose ne forfait anie their tenures, seruice, or other their right, of and in the same, but onely that his highnesse, his heires & successors, shall haue full power by vertue of this present acte (after the finding alwaies of any office or offices) from time to time onely to distraine for paiment of the moitie of the yerely issues, reuennes & profits of all such lands & tenements as bee vnto the kings highnes limitted and appointed by this act, according to the true intent and meaning of the same acte, vntill such time as the true intent and purpose of this present acte, shall be duely and truely put in execution in euery behalfe, to all intents, as is before declared.

Dinner
Decaies houses
Lord immediate
One yere
King
Take the issues
Reedifie
Freehold
Distreine

Prouided also, y this act nor anie thing therin contained, bee in any wise preiudiciall

Infant Persons out of the realm

cial or hurtful to any infant within ỹ age of 21. yeres, nor to any person or persons being out of the kings realme, for any issues and profits to be leuied, perceiued or take̅ by vertue of this present act, as long as they shall be within age, or out of this realme: Nor shal extend to anie marsh or Fen grounds, nor to any manors, lands, or tenements, being inclosed at this present day, within any Forest, Parke, or chase, wherin be deere, belonging vnto ỹ kings highnes, or to any temporal Lord, Knight or Squire of the realme of England or Wales, so that they haue licence obtained at this present day of the K. said Highnes, or of any his noble progenitors to imparke the same, and also haue compounded with the owners thereof, that the same owners be satisfied for the same: any thing in this act to the contrarie notwithstanding. Prouided alwaies, ỹ this present act extend not, nor be in any wise hurtful or preiudicial to any owners of any lands or tenements in any counties of this realme of England, but only vnto al & euery the counties hereafter specified, that is to say, the Counties of Lincolne, Nottingham, Leicester, Warwike, Rutland, Northampton, Bedford, Buckingha̅, Oxford, Barkshire, the Isle of wight, Worcester, Hereford and Cambridge. An. 27. H. 8. cap. 22. See hereafter 7.

Marsh

Forest Parke

Licence

Into what Counties this act doth extend

4 ¶ That there shall be yeerely, after the feast of the Annunciation of our Lady, which shal be in the yeere of our Lord God 1553. as much lande or more, put wholly in Tillage & vsed, and sowen according to the custome of the Countrie, and nature of the ground, & so shalbe continued and vsed for tillage, and sowen for euer, by the owners, farmers, or occupiers therof, to euery towne, parish, village & hamlet, within the Realme of England & Wales, as was or hath bẽ put to tillage in any one yere, and so kept in tillage by the space of foure yeres, any time since the first yere of the raigne of king H. 8. vpon pain to forfait to the king and his heires, for euery acre not put in tillage vsed and occupied according to the forme and effect of this present act v. s. for euery yere so offending. And for the better execution of this act: Be it ec. that the king, his heires and successors, at his and their will and pleasure, frõ time to time may direct his and their seuerall commission and Commissions, vnder the great Seale of England, to such persons as it shal please them. And that the same Commissioners or foure of them at the least, shall haue power and authoritie by vertue of this act, and of the said commission, to inquire, search and trie by the othes of twelue lawful and indifferent persons or more in euerie Hundred, rape, or wapentake, such as may dispend yerely xl. s. of freehold, what lands and tenements in euerie towne, Parish, Village or hamlet within the limits of their charge, haue (against the forme and effect of this present acte & statute) at any time or times, since the said first yeere of the raigne of King Henrie the eight bẽ conuerted & turned from tillage to pasture, and so lying conuerted and turned frõ tillage to pasture, and is now, and hereafter so shalbe continued and occupied in pasture. And that the said xij. persons or more vpon their oths, shall make true and lawful presentment and certificate, aswel of all and singuler the premisses, as of the names or surnames of the owners, farmers and occupiers of ỹ same in writing vnder their Seales to the said commissioners, at such day, time & place, as shalbe limited to thē by the said commissioners. And that the said Commissioners, after such presentment thereof had and made, shal cause the same presentmentes to bee ingrossed in parchmẽt, indented and sealed with their seales, whereof the one part thereof shall bee deliuered to the foreman of the Jury, & the other part theof, shall be certified in the Kings court of Chancery within two moneths after such presentment so had & made. And that from thencefoorth the said presentments with conuenient spæd, shall be certified and estreated out, and sent from the said court of Chancerie, into the court of the Eschequer, there to remaine of Record, among the Kings Maiesties Records, of the same Court of Eschequer, to the intent ỹ this statute shall be the more diligently, and indifferently put in execution, according to true meaning thereof. And bẽ it ec. that such commissioners, as shall hereafter be authorised by vertue of the kinges Commission, to put this acte in execution, shall before such time as he or they shall sit vpon the same Commission, take a corporall oth, before the Lorde Chauncelor of England, or the Lorde Keeper of the great Seale, for the time being. or before such other person or persons, as shall haue authoritie from the Lorde Chauncelor of

Tillage

Forf.

Commissioning

Inquire

Oths

Presentmẽt

Commissioners

Indented

Chancerie

Eschequer

Commissioners

Orde L. Chancr. or

England, or the keeper of the great seale for the time being by Dedimus potestatē to receiue and take his or their othes truly, faithfully, indifferently, and iustly, according to the vttermost of his or their wits, learnings & cunnings, to indeuour themselues for & to the true execution of this statute, and of all & euerie thing contained in the same, for the better maintenance of tillage, and increase of corne to be had according to the true meaning of this acte.

Dedimus potestatem

And be it further enacted &c. that the said commissioners, or two of them at the least, shall haue authoritie and power, to direct their precept to the Shirife of the County, being within the limits of their commission, to warne such, and as manie honest men of their Bailiwike, as is aforesaid, by whom the truth may best bee knowen, to inquire, & true presentments make of all and euery the premisses, and to set such reasonable fines, issues and amerciaments, vpon such persons, as shall make default of their apparances, or making their apparances, shal neglect to do their duties, in & about the execution of the premisses, as to the same commissioners or foure of them, shalbe by their discretions, thought méete and conuenient, so that the same fine or amerciament for any one default, exceede not the summe of xx.s. And that the same fines, issues and amerciaments so by them tared and set, shall bee yeerely well and trulie streated, into the saide court of Eschequer, & there to bee leuied to the kings vse, as other fines and amerciaments, haue bin there accustomed and vsed there to be leuied.

Precept Shirife

Inquire

Fines

Amerce

Eschequer

Prouided alwaies &c. that the putting of any lands or tenements hereafter from pasture to tillage, according to the forme and effect of this act, shall not in anie wise extend to be anie cause of breach or forfaiture of anie bond couenant, payment or condition, made or hereafter to be made betweene anie person or persons which in anie wise is or shall bee repugnant or contrariant to this acte.

Breach of couenant

Prouided alwayes &c. that this acte, ne anie thing therein contained, shall not in anie wise extend to anie land conuerted, or to bee conuerted into pasture, that shall bee kept without fraude or coueine onelie for the maintenaunce of the houses and hospitalitie of anie person or persons, nor to anie land that commonly or vsually hath lien to pasture, by ỳ space of fortie yeres last past, nor to anie waste grounds or heaths, nor to anie common downes, fens, moores, or marshes, which haue not bēn commonly and vsually, for the most parte sowen or put in tillage, within xl. yeres last past, nor to any lande now being lawfull warren or nowe vsed and kept for conies, nor to anie grounde stubbed or wourtēd wood, bushes, brome or furze into the kind of pasture: nor to anie land now inclosed in anie parke, commonly vsed with déere, and that without fraud or couin hath bin vsed for any parke, within 4. yéeres last before this présent sessions of ỳ Parliament: nor to anie salt marshes, nor to anie marshes that commonly within x. yeres hath bin once surrounded or ouer flowen with water, nor to anie ground enclosed by the licence of our Soueraign Lord the K. or anie of his noble progenitours, nor to anie orchard, gardē, pale or pond yard nor to any meddow ground yerely mowen, or to be mowen for hay, nor to any land, set, or to be set with saffron, or with hoppes, nor to any land sowen or to be sowen with hemp, flaxe, woade or madder, nor to any lande without fraud or coyne sowen or to be sowen with acornes, or set, or to bee set with wood, during such time as the same shalbe vsed, or put to the vses and intents before specified. Prouided also that this act nor any thing therein contained, shal in any wise extend or bee preiudiciall or hurtful to anie person or persons, which at anie time or times hereafter, shal conuert anie arable lande to pasture, in any parish, towne, village, hamlet, or other place or places of this Realme, for the which such person or persons haue already or within one yeere after the feast of Easter next comming, or within one yere next anie such inquisition hereafter to be found, after such conuerting of arable ground into pasture, hath or shal turne, or conuert to tillage and arable ground, as much pasture, ground or leaze, within ỳ same parish, towne, village or hamlet, or within anie of them, where any such land so hath bēn or hereafter shall be conuerted from tillage to pasture, and do suffer the same lande so turned from pasture to tillage, so to continue in tillage, & be arable without turning the same to pasture againe, so long as the lands turned to pasture as is aforesaid, shall bee vsed in pasture: any thing in this present act contained to the cōtrary hereof notwithstāding.

Pasture for houshold

Foztie yeres Waste grounds Marshes

Warren

Conies

Stubbed grounds

Parke

Saltmarshes

Licence

Orchard

Meddowe

Saffron Hoppes Hempe Flaxe Woad Madder Acornes Wood

Conuert arable to pasture

Frō pasture to tillage

And

Commissioners Justices Just. of P.

And it is &c. that aswell all Commissioners, Justices of assise, Justices of Oier and determiner, as Justices of the peace in their Sessions, & none other, shall have full power and authoritie to inquire of the premisses, and shall certifie all presentments that shall be had before them, into the court of Chancerie, and from thence to be estreated in conuenient time into the kings court of ỳ Eschequer, and that the partie grieued, if he wil, may haue & tend his traners, according to ỳ lawes of this Realme in the same Court, whether the said lands or tenemẽts so founden by any inquisition, be holden of the king immediately, or not.

Inquire

Chancerie

Eschequer

Prouided also, and be it &c. that this act, nor anie thing therein contained, shall or may in anie wise extend, to giue any authoritie to any shirife, vndershirife, or any other officer, Bailife or minister to infringe, breake or enter into any libertie or liberties for the execution of any precept, or other proces which shall be hereafter to him or them awarded by authoritie and vertue of this act, otherwise thẽ hee or they might haue done before the making of the same: any thing herein contained to the cõtrary in any wise notwithstanding.

Shirife Bailife

Prouided also &c. that if any person or persons offending this act, be at any time hereafter impeached or sued by force of this act, for any offence or offences, committed or done, or to bee committed or done contrarie to this acte: that then the partie offending so sued, shall not bee impeached by the king &c. or by anie other for ỳ same offence, by vertue of anie law, act or acts, statute or statutes heretofore had or made, for the reformation of any the articles, or branches cõtained in this acte: anie thing in this acte, or any other act or acts, had or made to the contrarie in any wise notwithstanding.

Prouided also &c. that this acte, or anie thing therein contained, shall not extend to charge any person or persons, with anie penaltie or forfaiture, for, or concerning any offence done or to be done, contrary to the tenour of this act, vnlesse he or they so offending, be sued or impeached for the same within three yeres next after the same offence be found by inquisition, as is afore saide: This acte to indure for terme yeres, and from thence vnto the end of the next Parliament. Anno 5. El. 6. cap. 5. But this Statute is repealed by 5. Eliz. cap. 2. hereafter 7.

Penaltie

3. Peeres

¶ The said acte (S. of Anno 4. H. 7. cap. 19. before 1.) and euerie branch therin shall be from henceforth put in due execution, and remain and continue in force for euermore. And whereas the prouision in the said acte, doth onely extend to house or houses, hauing twentie acres of lande at the least or more, lying in tillage and husbandrie: vpon the interpretation of which wordes, some doubte hath risen. Be it &c. that the said estatute (S. of An. 4. H. 7. cap. 19. before 1.) and the penaltie and pursuiance of the same, shall from henceforth extend to houses to be decayed, that haue or hereafter shall haue 10. acres of ground or more, to them lying or belonging, whether the same, or anie part thereof be, hath ben or shall be vsed or put in tillage or not, the same twentie acres to bee accompted and measured after the quantitie, rate and measure of the Statute or ordinance called the Statute, treatise or ordinance De terris mensurandis, and not otherwise: anie vsage or custome or other thing whatsoeuer to the contrarie thereof notwithstanding.

House with 10. acres

And for a further prouision for reedifying of houses decayed, restoring of pasture in tillage and for increase of corne: Be it &c. that the kings and Quenes highnesse, and the heires and successors of the Quenes Maiestie shall and may at all times hereafter, as often as to them shall seme nedefull and conuenient, award their highnes Commission or commissions vnder the great Seale of England, to be directed to such persons, as to them shall seme meete, able and conuenient, whereof three at the least shall be of the Quorum, authorising them thereby, or foure of them at the least, whereof two to be of the Quorum, to execute and see executed this present acte, according to the true intent, effect & meaning of the same: The which commissioners or 4. of them at the least whereof 2. to be of the Quorum, by vertue of the said Commission, & of this present act, shal haue full power and authority to inquire, heare and determine by the oths of twelue men, or by information, or other lawfull waies or meanes, vsed in other cases in any of the king and Queenes highnesse ordinarie courts of Record, all & singuler defaults and offences committed or done since the feast of Saint George the Martyr in the

Commissio

Inquire Diers &c.

xr. yeere of the raigne of the late king of famous memorie king Henrie the 8. or hereafter to be committed or done, aswel contrarie to the tenor and effect of the said former act, as contrarie to one other acte made in the Parliament holden in the seuenth yeere of the raigne of the saide late king Henry the eight (S. cap. 1. before 2.) intituled: An act to auoide letting downe of townes. And also to inquire, heare, order and determine by the said waies and meanes, all groundes whatsoeuer, conuerted from tillage to pasture, sithence the said feast of Saint George the Martyr in the said xr. yeere of the said raigne of the said King H. the 8. or hereafter to be conuerted from tillage to pasture: & also of al ground in or nere anie Corne field newly vsed or imploied, sithence the said feast, or hereafter newly to bee vsed, imploied or conuerted to the keeping of Conies, not being lawfull warren, and whereby any corne of any person or persons, other then the owner of the same conies, sithence the said feast hath bin, or hereafter shalbe decaied, destroied or consumed, & the saide Commissioners, or foure of them, whereof two to be of the Quorum, shall & maie take order and direction for the reformation of such offences, decaies and defaults in maner & forme following, that is to saie: They or foure of them at the least, whereof two to be of the Quorum, shall & maie binde by recognisance, in good sums of money, to bee knowledged to the vse and behoofe of our Soueraigne Lord the king, and soueraigne Ladie the Queene, her heires and successors (which recognisance by this act, they shall be enabled to take) the person or persons first offending and guiltie in any of the foresaid decaies or defaults, and then being or continuing owner in fee simple, fee taile, for terme of life, for terme of yeres or by copy of court roll, in possession or in reuersion or remainder, after any estate or estates for terme of yeres, or for terme of life, of such decaied house or houses, and ground thereunto lying, or of x. acres parcel thereof, or of such ground conuerted from tillage to pasture, or of such ground which is or shall be vsed or imployed to the keeping of Conies, as is aforesaide, or anie of them, in such summes of money, as to such commissioners shall seeme reasonable for the reedifying of such decaied houses, and for the conuerting of such ground so conuerted from tillage to pasture, into tillage a-

Conuerted from tillage to pasture

Conies

Diuers

Recognisance

Owner

Conies

Rectifying of houses

Tillage

gaine, and for the diminishing & destroying of Conies, within such conuenient time, and in such maner and fourme as to the same Commissioners or foure of them, whereof two to bee of the Quorum, shall seeme meete and conuenient, and by their discretion shalbe set, limited and appointed. And if the offender or offenders doe dwel in any other shire, or cannot be gotten to be bound by recognisance, before the said commissioners, as is aforesaide: that then the said commissioners or foure of them, whereof two to be of the Quorum, shal take such other order for the reedifying of the houses & conuerting of ground into tillage, and destroying of Conies, according to this statute, as shalbe thought meete by their discretions: And shall cause the same their order to be entred of Record within one moneth after their Record
said order made, and shal within the same moneth deliuer or cause to bee deliuered the copie of their saide order, signed and sealed by them, or foure of them, to the tenant, farmer or seruant, keeping, residing or inhabiting the ground or place, for which the order shalbe made: to the intent the same may be deliuered ouer, or declared to the said owner or owners that shal or ought to be charged by, or vnto the same. And if the place in which anie such decaied house or houses hath bin or shall be situate, shall be found in the hands of anie person or persons, other then such person or persons, as first did suffer or make the said decaie: then the said commissioners, or foure of them, whereof two to be of the Quorum, shal and may order and inioine al and euerie person and persons, hauing the immediate and present inheritance in the saide grounds and places, wherein any of the aforesaid decaies shal be found as is aforesaide, to reedifie and Reedifie
build againe the said decaied house, either in the said place where it was decaied, or nere vnto the same within the same towne, parish or hamlet, within such time, and in such sort, as to the said Commissioners or foure of them, whereof two to be of the Quorum, shall seeme reasonable and conuenient: And shall further assesse and Taxe
taxe all and euery person and persons, hauing anie particular estate in the saide grounds, belonging to anie such house decaied, for terme of life, yeeres, or by copie of Court roll, to bee contributorie towards the said reedification and building, in such summe or summes of monie, to be

Decaied houses

paied

paied to the aforesaid person, hauing the immediate and present inheritance, and being ordered & enioyned to reedifie the same, as to the same Commissioners or foure of them, whereof two to be of the Quorum, shall seeme meete and reasonable, hauing respect and regard to the seueral estate, and termes of al and euery the said particuler tenaunts, and to the commodities, profits and emoluments thereto seuerally and respectiuely belonging, and also hauing respect to such couenãts, grants, agréements and conditions as be or shalbe cõtained in any lawful writing made concerning the estate of any of the persons to be charged for the said reedification, or for the contributiõ of any thing towardes the same freeholde, estate, remainder or reuersion as is aforesaid, according to their seuerall interest, estates, commodities and profits.

Dyuers

Couenants

And bee it enacted by the authoritie aforesaid, that all and euery person & persons, bodies politique and corporate, that shall haue any estate or interest, in anie of the saide houses, places or groundes, wherein anie of the aforesaid decaies shal be committed and found or presented, as is beforesaid, from or by anie person or persons so ordered and inioined, as is aforesaid: shall be charged and chargeable, according to his or their estate or estates, commodities and profits in the same, in like sorte and maner, as hee or they from whom, or by whom the same estate or estates, shalbe by anie meanes derined, or conueied, should or ought to haue béen by force of the said commandement & iniunction. And also that the person or persons, that shal be appointed or charged by the said orders & iniunctions, or by this estatute, to reedifie any of the decaied houses beforesaid, and to haue any contribution, rate or summe of money, or other thing of any others, towards the same, shall and may by vertue hereof, haue an action of debt for the same, against the partie or parties, appointed to pay the same, and against their heires, executors or assignes, in anie of the King and Quéenes Maiesties ordinarie courts of Recorde, or shall sue for the same, by information before the saide Commissioners, or foure of them, whereof two to be of the Quorum: In which suite no iniunction, wager of law, protection, nor essoine shal be allowed for the defendant. And if anie party or parties, that should or ought to paie or giue anie summe of mony, or other thing in contribution, as aforesaid, shal vpon a reasonable requeste thereof to bee made, wilfully refuse or delay to pay or giue the same: that then the plaintife vpon his suit, to haue & recouer treble damages, against the said defendant. And further be it &c. that if the said ground or grounds, so conuerted from tillage to pasture, or vsed or employed to the kéeping of Conepes, to the destruction of corne as is abouesaide, shalbe found in the handes or possessions of anie person or persons, other then such as did conuert the said grounds from tillage to pasture, or vse or imploie the saide grounds with Conies, as is aforesaide, that then the said commissioners or foure of them, whereof two to bee of the Quorum, shal and may order and inioyne the occupiers of the said ground or grounde so conuerted from tillage to pasture, or so vsed or employed to the kéeping of Conies as is aforesaide, to turne the same againe into tillage, or to destroy or deminish the saide Conies, kept vpon the same ground, within such time, and vpon such paines, as by them shall be limitted and appointed. And bee it &c. that euery such order and iniunction aboue mentioned, shall be entred of Recorde, and the copie thereof written in parchment, and signed and sealed by the said Commissioners or foure of them, whereof two to be of the Quorum, and deliuered to the occupier or occupiers of the ground and places, wherein any of the aforesaid offences, decaies or defaults shall be found, as is aforesaide, to the intent the same may bee deliuered ouer or declared to all such other persons, as shall or ought to be bounden or charged by the same. And further be it &c. that the saide Commissioners or foure of them, whereof two to bee of the Quorum, shall and may haue power and authoritie, by force of the said Commission, and of this Acte, to commit euery person refusing to bee bounde by recognisance as is aforesaide, and euerie the said particuler tenants refusing to declare to the saide Commissioners, or 4. of them, whereof two to bee of the Quorum, how long, or what his said particuler estate is, to prison, into the nert gaole in the said countie, there to remain without baile or mainprise, vntil he shal be bound in recognisance as is aforesaid, or shewe or declare his or their particuler estates or estate in the premisses to the said Commissioners or foure of them,

Refuse

3. damages

Conies

Record

Refuse

Imprisk. Recognisance

Action of debt

Shirife

whereof two to be of the Quorum, as is afoꝛesaid. And be it &c. that the shirifes, & all other ministers within the Counties where such sessions shall bee appointed, shalbe attendant vpon the said commissioners, & shal returne befoꝛe them all such

Pꝛotes

pꝛoces and pꝛecepts as they shall haue in commandement to doe, & be obedient vnto them, as they are bound to be to the Justices of .D. oꝛ of Oier and determiner, at all times and places foꝛ the execution of the said commissions and of this act. And the same Commissioners oꝛ 4. of them, whereof two to bee of the Quorum, shall

Inquire Oier & ter.

haue powꝛer & authoꝛitie to inquire, heare and determine as is afoꝛesaid, of, foꝛ, and vpon all foꝛfaitures, recognisances, and bꝛeaches of oꝛders, and iniunctions, that shalbe taken, knowledged oꝛ made befoꝛe the said commissioners oꝛ foure of them,

Amerce Shirife

and to assesse such fines and amerciamẽts as to them shall seeme méete and conuenient, vpon the shirife, and other officers and persons whatsoeuer making default and foꝛ contempts and other misdemeanoꝛs befoꝛe them, And shall haue authoꝛitie to

Reforme Impanels

reforme all impanels to be returned beforꝛe them, as the Justices of peace may doe. And further be it &c. that euery of the commissioners shall haue foꝛ euery

Commissioners x.s. foꝛ euery day

day he shal sit to execute his commission x.s. and to the clerke that shal serue & write all pꝛocesse and other Recoꝛds beforꝛe the said commissioners foꝛ euerie day he shal attend vpon the said commissioners iij.s.

Clerke iij.s.iiij.d. Shirife

iiij.d. the same to be paied by the shirife oꝛ clerke of the Court, of the fines, foꝛfaitures, and amerciaments, that shall arise oꝛ bee sessed foꝛ any matter oꝛ default beforꝛe the said Commissioners, and the shirife to bee allowed vpon his accompt foꝛ the same: So that the same be noted and specified in the estreate, signed by the said Commissioners oꝛ foure of them, whereof two to be of the Quorum. Pꝛouided alwaies and bee it enacted &c. that the saide Commissioners oꝛ anie of them, by vertue of this acte, shall not haue powꝛer oꝛ authoꝛitie, to doe anie thing touching the offences oꝛ defaults afoꝛesaide, contrarie to the oꝛdinance oꝛ purueiance of anie estatute heretofoꝛe made, oꝛ to the exclusion oꝛ taking away of anie benefite oꝛ libertie, permitted oꝛ saued to anie manner of person by any pꝛouision, in anie of the said statutes, contrarie to the effect of anie licence heretofoꝛe granted by the K. and Queens highnes, oꝛ any of the ancestoꝛs oꝛ pꝛedecessoꝛs of the M. highnes, so that the same licence bee shewed to them, oꝛ foure of them vnder seale, beforꝛe conuiction of the offence, oꝛ defaults afoꝛesaide: any thing afoꝛesaid to the cõtrarie therof in anie wise notwithstanding. And foꝛasmuch as it is like to bee, that some houses

Licence shewed

Houses and xx.acres

hauing xx. acres of ground oꝛ moꝛe to thẽ lying oꝛ belonging, be decaied without any willing default in them that had ẏ inheritance oꝛ possession therof, as by fire,

Fire Surrounding

bꝛeaches, and surrounding of waters, oꝛ by destruction of enemies oꝛ Rebels, oꝛ of such as had particuler estates therein, without impeachment of wast, oꝛ by such other like meanes oꝛ waies. And ẏ they who by the oꝛdinãce afoꝛesaid, should reedifie the same, are of such powerty that they cannot by al entendment reedifie oꝛ build vp al the same houses againe. And foꝛasmuch also as some perchance haue erected and builded vp new houses in some

New houses

other places vpon the same landes lying to the said houses oꝛ vpon some other land neer therunto, in lieu & place of the house decaied which are as anatleable to the cõmon wealth, as the new reedifiyng of the decaied houses in the olde places should be, in which cases equitie requireth they should not be punished foꝛ the said decaie. And foꝛasmuch as it is like to bee ẏ some ground conuerted from tillage into pasture, is deuided into diuers smal parcels remaining and being in diuers & seueral mens hands, so that any one part will not be sufficient to keepe any plough vpon: & foꝛ that some grounds haue bin tilled foꝛ destroying of mosse, bushes, bꝛomes, furzes, heath, & not onlie to bee continued in tillage, & such like: and that also some demeanes in the absence of the owners haue

Demeanes

beene deuided to sundꝛie occupiers, who haue tilled the same not being commonly vsed to tillage beforꝛe ẏ said feast of Saint Geoꝛge, and foꝛ that diuers other particular causes may foꝛtune to be, which the generall pursueiance of this statute cãnot remedie without greater hurte then good to be done by the same: And foꝛ that also that in some places of this Realme, it is not necessarie the pursuey of this statute to extend and to be fullie executed, but in some places and vpon some occasion oꝛ causes, it may moꝛe conueniently be spared then put in vꝛe, and is therefoꝛe necessarie to referre such things with all other circumstances to the discretions of the Commissioners, who maie moꝛe perfectly

Discretiõ of the commissioners

featly vnderstand the same: Be it therfore ordained & enacted by authoritie of this present Parliament, that the saide Commissioners or foure of them at the least, whereof two to bee of the Quorum, shall and may consider the saide cases, and such other like, and vse their discretiõs in tempering and qualifying of the said generall puruey-ance of this or any of the foresaide former statutes, & in ordering of the saide cases, and such other like, and to omitte the execution and penaltie of this Act, and of the other former actes, accordingly, as to the wisedomes and discretions of them or foure of them at the least, whereof two to be of the Quorum, shalbe thought most necessarie: This act or the aforesaid former actes in anie wise notwithstanding. And shall haue power and authoritie to cancell recognisances taken before them, and not appearing to them forfaited, if it shall seeme to thẽ or foure of them, whereof two to be of the Quorum, meete & conuenient.

Dimit execution

Cancel recognisance

And it is further ordered & enacted &c. ẏ wheras any ground by meanes of this acte, shal fortune hereafter to be conuerted from pasture into tillage, according to the intent of this acte, which ground is chargeable with any rent reserued, since the time that the same grounde was conuerted from tillage to pasture, and which was reserued & made the greater, in consideration that the same was so conuerted from tillage into pasture, or stored with cũnies: that al such rents, if they be greater then the ground turned into tillage, or the ground by reason of the destruction of cũnies is worth, shalbe abated and apportioned by the saide Cõmissioners or foure of them, whereof we will two of them to be of the Quorum, according to their discretions, if they shall thinke the same so meete.

Pasture to tillage

Rent

Cunnies

Abate rent

Prouided alwayes and be it enacted by the authoritie aforesaide, that the retayning or nonpaiment of anie such parte or portions of anie rents, that shal be abated or deducted by the Commissioners, as is aforesaide, shall be no breach or forfaiture of any bond, penalty, couenant, graunt or conditiõ, to be cõtained in any indenture, bond obligatorie, or other writing, agreement or promise whatsoeuer to the contrarie notwithstanding.

No forf. by detaining of rent

And be it further enacted by the authoritie aforesaide, that the saide Commissioners, or foure of them, whereof two of them be of the Quorum, shal haue power, and authoritie by vertue hereof, to make and direct forth preceptes & processes, as well to the Shirife of the Countie, as to all other freeholders & persons that ought to attend or appeare before the said Commissioners, for the triall, answering or prouing of any offence against this Statute, or against any of ẏ aforesaid former Statutes, to appeare before them at anie day and time that the said commissioners or foure of them, whereof two to be of the Quorum, shal limite or appoint, and vpon the appearance of the said persons to giue day ouer from time to time, as they shall thinke meete.

Proces Shirife

Appeare

And be it further enacted, &c. that if any such person or persons, as presently haue, or hereafter shal haue any houses builded or reedified, or to bee reedified, or anie grounds to be conuerted to tillage, according to the tenor and effect of this statute, or of anie of the foresaid Statutes: That then the said person or persõs, their heires or assignes, shall within iij. yeeres, nexte after the ende of this Session of Parliamẽt, demise or let to farme the houses alreadie builded or reedified with the xx. acres of ground, which before time did appertaine & lie to the same, or x. acres parcel thereof, if there be now no more of the same landes in their handes that hath the houses builded or reedified, or ought to reedifie the same, or with so much other lãds, lying conuenient for the said houses: and shall demise and let to farme the houses hereafter to bee reedified within two yeeres after the same shall be so reedified with the xx. acres of lande, or the x. acres parcell thereof, or the like number of acres, as is aforesaid. And if any of the said houses & lands shall not be demised or letten to farme as is aforesaid: that then the saide Commissioners or iiij. of them at the least, whereof two to be of the Quorum, shal haue power & authoritie by vertue of this act, to demise and let the saide house & landes, to any person or persons, hauing no other farme or tenements within the same parish, nor hauing any action or sute at that Parliament against the owner, and requiring the same for seuen yeeres at the most, for such reasonable rent, and vpon such reasonable couenants, as the saide Commissioners shall thinke meete for both parties: So that they take good assurance for the payment of the rentes, and performing of the couenants, to the

iij. yeeres

Let to farme

House & lãd

Demise

vij. yeeres

Owner

Owner of the same, as they shall thinke conuenient: vpō which lease the Owners of the house and lands so letten, their executors and assignes, and euerie of thē for the time being, and also euerie such lessee their executors and assignes, and euerie of them shall haue such remedie and actions the one against the other, as they should or might haue had, if they themselues had onely bene parties & parties of the said leases. And be it enacted by the authoritie aforesaid, that if any person or persons shall be condemned or charged, with, or for any offence, that he or they ought not to bee charged withall by this act, or by any of the aforesaid former estatutes: that then the said partie & parties, shall & may haue his or their Trauerse & remedie therefore in the Starre chāber, before the counsell there.

Actions

Offence

Trauers Starre chamber

And be it &c. that this estatute shall at the pleasures of the king & Quēnes maiesties, hir heires and successors, be put in execution, either by Commissioners to be appointed, according to the tenor of this acte, or els by the Cōmissioners to be appointed by their Maiesties for the execution of certaine statutes thereof made in this Session of this present Parliament.

Prouided alwaies &c. that this acte nor any thing therein cōtained, shal extend to any house or building, made or to be made by any tenāts in dower, or other particular tenant, without the assent of him or them in reuersion or remainder of estate of inheritance, vnlesse the same house or building be or shalbe made & erected, according to the intent and purview of this estatute: any thing in this statute to the contrarie notwithstanding.

House Tenant in dower

And be it &c. that if any person or persōs shall be conuicted or condemned, of, or for any offence or forfaiture of anie recognisance, or other matter contained and specified in this act, vpon any information at the suite of any party or parties: That thē the one moitie of all such forfaitures and sums of money, as shall be due for the offence or forfaiture contained in the information, shall be to the partie or parties, y shall exhibite and prosecute the same: any thing in this act, or in any of the aforesaid acts to the contrary notwithstanding.

Moitie

And be it further enacted, &c. that the saide Commissioners, or foure of them at the least, whereof two of them to bee of the Quorum, shall inroll, or cause to bee inrolled of Record, all such orders, provisions, paines, penalties, forfaitures, fines, amerciaments, condemnations, and conuictions, as shall be had, made, set, taxed, lost or forfaited, by reason or occasion of any matter or thing contained in this act, or in any of the aforesaide former acts. And the same Records to be well obserued and kept, in such sort and order, as the said Commissioners, or foure of them, whereof two of them to be of the Quorū, shall thinke mete and conuenient. And be it further enacted, &c. that the said Cōmissioners or foure of them at the least, shall by vertue hereof, haue authoritie to make, or cause to be made, process for the leuying of all such amerciaments, fines, summes of money and forfaitures that shalbe due to be paied, by reason of anie presentment, iudgement, recognisance, order, iniunction, assessment, default, or other matter whatsoeuer, had, made, giuen or done, according to the purport and intent of this estatute, as Iustices of P. may doe for any fines or forfaitures before them. And the said Commissioners or foure of them, whereof two to be of the Quorum, shall yerely at the feast of S. Michael the archangell, make, or cause to be made estreats indented, of all such forfaitures, penalties, fines, amerciaments, and sums of money, as shall be due in the yere next before the said feast, vpō the forfaiture of any recognisance, or for any of the causes or offēces above said, the same estreats to be subscribed and sealed by the said Commissioners or iiij. of them, whereof ij. to be of the Quorum: The one parte thereof to be sent into the court of the Exchequer at Westminster, within xl. daies after Michaelmas, & the other part thereof to be deliuered to the shirife of the shire, which shalbe a sufficient warrant to him and his deputie, to leuie the same in such sort as he ought or may leuie the summes contained in the Estreates, to the Shirifes directed forth of the court of the Exchequer, & the Shirife to discharge therewith his accompt.

Process

Estreates

Exchequer

Shirife

And be it, &c. that if any offendour shall once be condemned, & pay his fine or forfaiture, for any of y offences aforesaid, in any Court before any Iustices or Commissioner, hauing authoritie for that purpose: That then the said offendor or offendors, shal not eftsones be charged againe for the offence being paied, but shall and may pleade his former payment in barre thereof. And be it further enacted, &c. that

Pay fine

Barre

the

Clerke the Clerke or Clerkis that shall write the matters & recordes before the said Commissioners, shall take for ỹ entrie of plees & other his doings, such fees & none other, as shall be appointed by the said Cõmissioners or iiij. of thẽ, whereof two to be of the Quorum, and written on a Table that shall be fixed openly in the place where the Session shall be kept: upon paine that the same Clerke so offending shal lose and forfeit to the partie grieued, treble the value of that which was so taken, and be or they that shall imbesill any recognisance or record, shal for euery such offence lose & forfeit v.li. and be committed to prison vntil he shall pay the said summe of v.li. and also make such other recompence and satisfaction, as the said cõmissioners, or foure of them, whereof two to be of ỹ Quorum, shall thinke conuenient.

Table

Fork.

3. damages

Imbesill record

For. Imprisl.

Satisfactiõ

Prouided alwaies, and be it &c. That this act nor any thing therein conteined, shall extend to charge any person or persons that shall kepe anie ground in pasture, for the keping of his or their owne horses, kine, or other cattell, for the onely victuall to be spent in his or their house or houses.

Pasture of houshold

And be it &c. that this act, nor any thing therein cõteined, shall in any wise extend to recidue any chiefe manor, place, nor any other houses or buildings, but such as shal be meet & conuenient for the farmour or tenants of any other farmeholders or tenãts for the maintenãce of the grõnds that be or shalbe assigned or layed to be occupied with the saide houses, builded or to be builded according to the intẽt of this statute, by the discretion of the said Cõmissioners or iiij. of them, whereof two to be of the Quorum: Nor shal extend to cõuert to tillage any ground not exceeding v. acres, which is or shall be vsed & inclosed for any Garden, orchyard, hoppyard, rape seed, or for cunnies for the onely prouision of any mans house, and to be spent in the same, and not being hurtfull to the grõne of any person or persons, other then the owners of the said cunnies, so that the said garden, orchyard, hoppyard or cunnie garth, shal lie adioyning or nigh within one mile to the dwelling house of the owner thereof: Nor shall extend to conuert any ground to tillage, which is or shall be left untilled and not sowen with corne by reason of the euilnes, barenesse, or barrennesse of the same, vntill such time as the sayd ground shall be apte and meete for tillage and to beare corne againe, as by the said Commissioners or foure of them, whereof two to be of the Quorum shal be thought conuenient: this statute or any other Statute to the contrarie notwithstanding.

Manor house

v. Acres

Garden Orchard Cunnies

Barren grounds

And be it &c. that if any person or persons at any time after the Session of this present Parliament, shal conuert or turne to pasture anie grounde now being arable, and kept most commonly in tillage, for the space of twentie yeres last paste before the Session of this present Parliament, and shall not eare or breake vp to tillage, as much other ground now being pasture within the said Lordship or Parish, where the said ground so conuerted doeth lie, within one yere next after anie such conuersion, & shall not kepe the said newe eared ground continually in tillage after any such conuersion, vnlesse that for barrennesse thereof he or they shal cõuert ỹ same to pasture, vpon the like order of earing so much other ground being pasture within the said Lordship, where such conuersion shal be made, shal lose and forfait for euery acre conuerted into pasture contrarie to the forme of this acte yerely v.s. The one halfe thereof to the king and Quenes Maiesties, and the other to him or them that will sue for the same by bill, plaint, &c. wherein &c. This acte to endure to the last date of the next Parliament. Anno 2. & 3. P. & M. cap. 2. This acte was continued 4. and 5. P. & M. cap. 9. And An. 1. Eliz. cap. 9. to the ende of the next Parliament: But see here the note next following.

Arable to pasture

Other ground

Fork.

Moitie

*

6 ¶ The two statutes (2. and 4. before) are repealed by the Statute now following. And yet see a Prouiso in the last ende of this nexte Statute hereof, whether so much of the sayde two Statutes is leste in force, as forbiddeth conuerting of Tillage to pasture, in such cases where the same is not forbidden by this statute following here.

Repealed

7 ¶ Forasmuch as the statute 4. H. 7. cap. 19. (before 1.) and one other statute made 7. H. 8. cap. 1. (before 2.) and the statute made 27. H. 8. cap. 22. (before 3.) are very good and profitable lawes for the common wealth: It is therefore ordained &c. that the said Acts and euery of them, and euery branch and article in the same, and euerie of them contained, shall from hence forth be put in due execution, and remains and cõtinue in force for euermore.

And

And also where by an Act made in the 27. yere of the raigne of our said late Soueraigne Lord king H. the 8. whereby diuers & sundry Religious houses of Mōks, Chanons and Nonnes, which might not dispend in lands, tenements, and hereditaments aboue the cleare yerely value of CC.li. were geuen to the same late king H. the 8. his heirs and successors for euer: (which see Monasteries 9.) It is amongst other things enacted and ordained, that al and singuler persons, and bodies politike and corporate, to whom the said late king H. the 8. his heires and successours, after the making of the same Act, should giue, graunt, let or demise any site or precinct with the houses thereupon builded, together with the demeanes of any Monasteries, Priories, or other religious houses that should be dissolued or giuē to the said late king H. the 8. by that act, & the heires and successors or assignes of euery such person, bodies politike or corporate, should kéepe, or cause to be kept an honest continuall house and household in the same site or precinct, and should occupie or cause to bee occupied yerely as much of the demeanes in ploughing & tillage of husbandrie: that is to say, as much of the said demeanes which then were commonly vsed to be kept in tillage by the gouernours, Abbats, or Priors of the said houses, Monasteries, or Priories, or by their farmor or farmors occupying ỳ same, within the time of xx. yéres next before that act, vpon paine to forfait to the kings highnesse for euery moneth so offending, vj.li. xiij.s. iiij.d. to be recouered to his vse, in any of his courts of Record.

And ouer that, by the same statute it is enacted, that al Iustices of peace in euery Shire where any such offence should bee committed and done contrarie to the true meaning and intent of that act or statute, should in euerie quarter & generall Sessions within the limites of their Commissions, inquire of the premisses, and should haue ful power & authoritie to heare and determine the same, & to taxe & assesse no lesse fine for euery the said offences, then in before limitted for the said offence & estreats thereof to be made and certified into the kings Exchequer; according and at such time and forme, as other estreats of fines, issues and amerciaments be made by the same Iustices, as by the same act more at large doth appeare: Which part of ỳ same act concerning keeping of house and household in the said scites & precincts, and ac-cupying of such demeanes of the same in tillage, as is aforesaid, then was and yet is thought verie beneficiall to the cōmon wealth, and most needfull to be put in due execution: Be it therefore enacted by the authoritie aforesaide, that the said branches and articles of the said statute laste aboue mentioned, made in the sayde 27. yére of our said late soueraign Lord king Henrie the 8. and euerie penaltie & thing touching the same, be also from henceforth put in due execution, and shall remaine and continue in their full force and vertue, according to the good intent and meaning of the same last recited statute: saue thing in this present acte to be hereafter contained to the contrarie notwithstanding.

Religious houses

200. pound

Grant

Demeanes

Houshold

Plough

xx. yeeres

Forf.

vi.li. xiii.s. iiij.d.

Iust. of P.

Generall Sessions

Inquire

Diet & ter.

Fines Estreats

Exchequer

And forasmuch as there hath béene sithence the making of this saide Statute, certaine other lawes and statutes made in the time of our late Soueraigne Lord king Edw. the 6. (which see before 4.) and in the time of our late Soueraigne king Philip & Quéene Mary (which see before 5.) for the reedifying of decayed houses of husbandrie, and for the increase of tillage, which being in some partes thereof imperfect, and in some places too milde and gentle, haue not brought to the decayed state of tillage, and of houses of husbandrie, that long loked for remedie, which was then hoped for: Be it therefore enacted by the authoritie aforesaid, that the sayd lawes and Statutes made in the times of the said late king Edward the 6. and king Philip and Quéene Marie, touching and concerning the decay of houses of husbandrie, and for the increase of tillage, and euery article and thing in them and euerie of them contained, shall be from henceforth repealed and made voide to al intents and purposes.

Decay of houses of husbandry

Repealed

And be it ꝙ. that from & after the feast of the Annunciation of our Ladie, which shalbe in ỳ yére of our Lord God 1564. all such lands and grounds, or so much or quantitie as in any towne, tillage, hamlet, Lordship, place knowen, or Parish within the realme of England or Wales, haue bene eared, ploughed, and put in tillage in any one yére, & so kept in tillage by the space of iiij. yéres, any time sithence the feast of Saint George the Martyr, in the xx. yére of ỳ raigne of king Henry the 8. (other then the said demeanes of the said late Monasteries, Priories, and religious houses

Lands

iiij. yeeres

Demeanes Religious houses

houſes giuen, as is aboue rehearſed, to the ſaid late king Henrie ỳ 8. in the 27. yeere of his reigne) ſhall be eared, plowed, bied, and kept in tillage, or cauſed to be eared, plowed, bied, & kept in tillage for euer, according to the nature of the ſoile and cuſtome of the countrey, by the occupier or occupiers thereof, without fraud or colluſion, vpon paine that euery offender contrary to this act, ſhall loſe & forfeit yearely for euery acre x.s. which forfeiture ſhal go & be in maner & forme followyng, that is to ſay, to ſuch perſon or perſons as be next in reuerſiõ or remainder thereof, for terme of life, liues, or in tayle, their executors or adminiſtrators. And that by the authoritie of this act, it ſhall be lawfull for him or them, to leuie the ſame penaltie & forfeiture of x.s. for euery acre by diſtres, and to iuſtifie or make their anowries or cognyſances for the ſame, in ſuch maner & forme, as anie perſon or perſons may doe for rents reſerued vpon eſtate or eſtates made for terme of yeres, of anie landes or tenements: or otherwiſe ſhal and may ſue for the ſame penaltie and forfeiture by action of debt, bill, plaint, or information in any Court of Record, of the Queenes moſt ſouereigne Lady, her heires or ſucceſſors, wherein no wager of law, eſſoine or protection ſhall be allowed or admitted for the partie defendant. And if they or anie of them doe not diſtreine, or otherwiſe claime or demaund the ſaide penaltie and forfeiture by anie the wayes or meanes aforeſaid, within ỳ ſpace of one whole yere nexte after the offence done, in forme aboueſaid, and purſue for the ſame with effect, without fraud or couin, & doe not recouer (& might haue recouered the ſame) with ſuch ſpede as may be by the due order of the lawe: That then after ſuch default, it ſhal be lawfull for him or them to whoim the reuerſion or remainder of the fee ſimple of the ſaid land ſhal appertaine, their executors or adminiſtrators, to diſtreine, anow, or make cognyſance and iuſtifie, or otherwiſe to ſue for the ſaid forfeiture and paines in forme aforeſaide, at any time within one yere nexte inſuing any ſuch default. And in his or their default the ſaid penaltie or forfeiture, to goe and be to the immediate Lord or Lords of the fee or fees, of whom the ſaid landes bene holden, to be recouered in maner & forme aforeſaid, ſo that he or they doe take and ſue for his or their remedie therein, within one yere next inſuing any ſuch default, in maner and forme aforeſaid. And in his and their default the ſaid penaltie and forfeiture to goe and be to the Queens highneſſe, her heires and ſucceſſours, to be recouered by anie of the meanes or remedies aforeſaid, at any time or times at her or their willes & pleaſures, or otherwiſe to any other perſon or perſons that will ſue aſwell for the Queenes Maieſtie, her heires and ſucceſſors, as for him or themſelues, for the ſame paine and forfeitures: vpon which ſute, the one moitie ſhalbe & goe to the Queenes Maieſtie, her heires or ſucceſſours, & the other to him or them that will ſo ſue for the ſame, by action of debt, bill, plaint, or information, in any of the Queenes Courts of Record, wherein no eſſoine, protection, or wager of lawe ſhal be admitted or allowed for the party defendant.

And be it ꝛt. that if any perſon or perſons being an occupier and owner of anie ſuch landes & grounds, as is aforeſaid, of any eſtate of inheritãce, ſhal offend againſt the forme of this acte: That then the ſaid penaltie & forfeiture ſhall goe and be to the nexte immediate Lord or Lordes of the fee or fees thereof, his or their executours or adminiſtratours, to be recouered by ſuch waies & meanes, as before is limited and appointed, ſo that he or they do purſue and take their remedie for the ſame, in forme aforeſaid, within one yere nexte after ſuch offence committed. And if any ſuch occupier and owner ſhal be a copyholder, or cuſtomarie tenant, that then the ſaid penaltie or forfaiture to goe and be to the Lord or Lords of the manor of whom the ſame copie or cuſtomarie tenements ben holden, their executors or adminiſtrators, ſo that he or they doe purſue & take their remedie for the ſame, in ſuch maner and forme, & within the time laſt before limited. And in euery ſuch defaulte of the ſaide Lord or Lordes of the fee or fees, and of the Lord or Lordes of the ſaide manor or manors, as is aforeſaid: The ſaid penalties & forfaitures to goe and bee to the Queenes Maieſtie, her heires and ſucceſſours, or to ſuch other perſon or perſons as wil ſue for the ſame, aſwell for the Queene her heirs or ſucceſſours, as for him and themſelues, in ſuch maner and forme, as before is declared: In euery which ſute none eſſoine, protection, or wager of lawe ſhall be admitted or allowed for the partie defendãt. See here (8. following) This ſtatute in part repealed.

Forf.

Diſtreſſe

Sue

Doe not claime

One yeere

Default Tenant in remainder

Diſtreine

One yeere

Immediat Lord

Queene

Owner Occupier

Forf. Immediat Lord

One yeere

Copiholder

Prouided

Tillage to pasture

Maintenance of houshold

Sell beeues Muttons

Graser Markets Faires Butchers

Parkes Warrens

Licence

Milch kine

Horses Swine Waste grounds

Fresh marth

Orchard Garden Saffron Hoppes

Acornes Wood grounds

Meadowes

Horses Draught oxen

For houshold

R. seruice

Mansion house

Prouided alwaies that this act, or anie thing therein contained, shall not be preiudiciall, ne shal extend to charge any person or persons that hath or shal turne any ground from tillage to pasture, and shall keepe such ground in pasture, whole & not conuerted to tillage, for the onely maintenance & keeping of his or their owne horses, geldings, mares, or draught Oxen, or for the maintenance or keeping of kine or other cattell, for the onely victuals to be spent in his or their owne houses, so that the same person or persons hath, or shall not haue in his or their possession, occupation or disposition, other sufficient pasture ground for that purpose, within v. miles of his or their mansion house.

Prouided also &c. that no person or persons that shall commonly fede & sell yerely Beeues or Muttons to a greater number then he or they shall yerely spend in victuall, in his or their owne mansion house or houses, or that shal be a common fatter of beeues or muttons, or any of them, as a common Graser or Sheepemaster, to be commonly solde in markets and faires, or to the common Butchers, shal not be taken, expounded, or vnderstand to be such person or persons, as by this Prouiso last aboue mentioned, may keepe any ground or pasture whole and not conuerted to tillage, for the maintenance and keeping of kine or other cattell, for the onely victuall to be spent in their owne houses, but bing shall be excepted out of the same Prouiso any thing in the saine Prouiso conteined to the contrary notwithstanding.

Prouided also &c. that this acte or anie thing therein conteined, shall not extend vnto any lawful Parke or parks, or ancient warrens now vsed with deere or cunnies, or to any parke or parks heretofore lawfully vsed as Parks, & being now disparked, or to any other grouns that heretofore haue bene by any her highnes progenitours, or hereafter shal fortune to be made parke or warrens by licence of our Soueraign Lady the Queene, her heires and successours, with sufficient clause of dispensation for conuerting of tillage into pasture, and bene or shalbe layed, bestowed and imploied to the maintenance and keeping of deere or cunnies, without fraud or couin, & not to the finding or keeping of any other cattell or beastes, but only milch kine for him or themselues, or his or their keeper of such Parke or warren, for the prouision of his or their house or houses, or for keeping of his or their horses, geldings, mares, colts, or swine: Nor shall extend to any waste grounds, commons, heathes, downes, fennes, mores, commonly vsed as common: Nor to any heathes, fennes, mores, marishes, keping now vsed in seuerally, and not commonly vsed to be sowen and put in tillage since the said feast of S. George, in the said xx. yere of the reigne of K. Henrie the eight. Nor to any fresh marshes being surrounded with water, within the space of fiue yers, next before the first day of this present Parliament: Nor to any Orchard, Garden, pale or ponyard: Nor to anie ground set or sowen with saffron, hoppes, garlike, onions, flaxe, woad or madder, or being without fraud or guile sowen with acornes, or set with any kinde of young woods: Nor to any wood grouns which be not stubbed, or wherein the wood hath bin felled, or hereafter shall be felled, and the roots and stubbes thereof yet remaining vndigged vp: Nor anie meddowes or other grounds, without fraud or couin accustomably vsed to bee mowen for hay once in the yere at the least, during such time as all and euery the same shall be vsed or put to the vses and intents before specified; any thing in this acte conteined to the contrary notwithstanding.

And where in the said first Prouiso it is mencioned, that this act or any thing therein conteyned, shall not extend to be preiudiciall to anie person or persons for keeping of anie grounde in pasture or meddow, for the onely maintenaunce or keeping of his or their owne horses, mares, geldings, or draught oxē, or for the maintenance or keeping of kine or other cattell, for the onely prouision or victualling of his or their mansion or dwelling house or houses. Be it declared and enacted by authoritie aforesayd, that if it shall fortune any such person or persons to bee absent and not resident at or vpon his or their vsuall mansion or dwelling house or houses, with his familie or housholde, for and by occasion of seruice or attendance to bee done by anie such person or persons, by the expresse commandement of the Queenes Maiestie, her heires or successours, within the Realme or without, or els hauing two or three mansion or dwelling houses, and shalbe resident & dwelling with his familie but at one of them, or shalbe within age: That then during and for the time of such seruice, attendance, minoritie

Within age

poritie and absence, & one yere next after from any his said dwelling houses, or during & for the time that he or they shalbe resident & dwelling with his familie, but not or vpon one of them, shall & may keepe such grounds in pasture or meddow, belonging or vsually occupied with any of ỳ said two or three houses, and with no moe, nor others in his or their owne hands or occupation, or let it out to anie other person or persons, without incurring of anie dãger or forfeiture by vertue of this acte, so that the same person or persons, shall & do keepe the same mansion and dwelling house or houses vnletten, & in good & sufficient reparations, and mete & conueniẽt for him or them to repaire and resort vntó at all times for his or their dwelling and abode: any thing in the said proviso, or in any part of this act to the contrary thereof in any wise notwithstanding.

Mansion house

Repaire

Prouided alwaies, that the repeale of any acte or statute now repealed by this present act, nor any other matter or thing therein conteined, shal in any wise extend or be interpreted, iudged, or expounded, to hinder, hurt, or take away any sute, information, or informations exhibited and now depending in the Quenes Maiesties court of Eschequer, or in anie other court of Record, for, or in any wise cõcerning the decay of any houses or tenemẽts of husbandrie, or for conuerting of anie lands or tenements from tillage into pasture, contrarie to the forme and effect of any statute or statutes heretofore made: But that all and euery such sutes & informations shall stand, remaine and be of as good force & effect in the law to al intents, constructions and purposes, as the same & euery of them were before the making of this act. And that the said ans & statutes, now by this present act repealed, shall for and in respect only of the said informations and sutes, and euery of them so now depending, stand, remaine, and be in such like force and effect, as they and euerie of them were before the making of this act: any thing herein conteined to the contrarie thereof notwithstanding.

Sute

Eschequer Court

Information

Remaine in force

And whereas some doubt and question hath heretofore risen and bin moued vpon certeine words conteined in the said statute, made in the said iiij. yere of ỳ reigne of our late king Henrie the viij. that is to say, vpõ these words: House or houses letten to farme, with xx. acres of land at the least, or more, lying in tillage & husbãdry, whether ỳ same xx. acres of land or more should be accounted and taken to be all arable land, & wholly put in tillage or not, and also what quantitie and measure euerie acre should be of, and conteine: For a plaine and perfect declaration and interpretation whereof: Be it enacted and declared by the authoritie of this present Parliament, that the saide statute is and shall be expounded and taken to extend to house or houses that now haue or hath, or at any time heretofore, sithen the first yere of the reigne of the saide late king Henrie the seuenth haue or hath had, or that hereafter shal haue xx. acres of ground to the same house or houses lying or belonging, or with the same commonly occupied or vsed, although the same ground hath not bin, is, or shall be al wholly vsed as arable lãd, and put in tillage, but onely some part thereof, and that the content of euery acre, shalbe taken and rated after the rate and measure limited and appointed in the ordinãce or treatise De terris mensurandis, (which see hereafter in Weights 5. and 6.) Any ambiguity, doubt, or thing whatsoeuer to the cõtrary thereof notwithstanding.

Errable

Measure

Expolition

xx. acres

Prouided alwaies &c. that if any person or persons hath, or at anie time hereafter shall sustayne anie penaltie, forfeyture, or losse for, or by reason of anie offence committed or done contrarie to the tenour or effect of this act, or anie other of the actes before recited and confirmed: that then he or they shall not be effsones sued, vexed or impeached for the same offence: any thing in this acte, or in anie other of the actes aforesaid had or made to the cõtrarie thereof notwithstanding.

And be it enacted, that the Lord Chancellor or Lord Keper of the great seale of England for the time being, shal haue ful power & authoritie by vertue of this acte, from time to time to award and direct a Commission or Commissions vnder the great seale of England, into euerie Shire or countie within this Realme & Wales, to such persons as by his wisedome & discretion shalbe thought most mete and conuenient, authorising them or foure of them at the least, by vertue thereof, and of this acte, to inquire & search out within euerie towne, village, parish and hamlet within their Commission, by the othes of xxx lawfull indifferent persons, or other wise, according to their good discretions of the offences committed or done against this

L. Chancellor L. Keeper

Cõmission

Wales

Inquire Townes

Othes

statute,

Houses let to farme xx. acres

ſtatute, or anie other the ſtatutes before mentioned, & by this acte confirmed, and whether anie perſon or perſons to whom anie penaltie or forfeiture is giuē, limited or appointed by the ſame, or any of them, haue taken the benefit or aduātage of the ſaid forfeitures and paines or not, according to the ſame lawes and ſtatutes. And that within iij. moneths next after euerie ſuch inquiry and ſearch, the ſaid Commiſſioners or foure of them at the leaſt, ſhall make certificate thereof, & of their doings by vertue of the ſaid Commiſſion, vnder their hands and ſeales, into the hie Court of Chāncerie, vpon paine of forfeiture of euery ſuch commiſſioner xx.li. ſterling to the Quēns Matеſtie, her heires and ſucceſſors. And that the ſame Cōmiſſioners, or two of them at the leaſt, ſhall haue authoritie & power by vertue of this acte, to direct their preceptes to the Shiriffes of the Countie, being within the limits of their Commiſſion, to warne as many honeſt men of his Bailiwike as the ſaid cōmiſſioners ſhal appoint, by whom the truth in the premiſſes may be beſt knowen, to inquire and true preſentment make of all & euery offences cōmitted or done contrary to the ſaid acte or any of thē, & to ſet ſuch reaſonable fines and amerciaments vpon ſuch perſons as ſhal make default of their apparances, or making their apparances, ſhal neglect to doe their duties in and about the executiō of the premiſſes, as to the ſame Commiſſioners or foure of them ſhall be by their diſcretions thought meet and conuenient, ſo that the ſame fines or amerciaments, for any one default exceed not the ſumme of xx.s. And that the ſame fines and amerciaments ſo by them taxed and ſet, ſhall be yerely well and truely eſtreated vnto the Court of Eſchequer, & there to be leuied to the vſe of our ſouereigne Ladie the Quēne, her heires and ſucceſſors, as other fines & amerciaments haue bene there accuſtomed and vſed to be leuied. And that if the ſhirife to whom ſuch precept ſhalbe awarded, ſhalbe remiſſe or negligent in ſeruing the precept and returning of the ſame at the time and place appointed and preſcribed in the ſame precept: that then the ſaid Cōmiſſioners or foure of them, ſhall for euerie ſuch default aſſeſſe and taxe vpō the ſaid Shiriffe x.ſolid and ſhall eſtreat the ſame into the ſaide Court of Eſchequer, to be leuied to the Quēnes Matеſties vſe, her heires & ſucceſſors, as is aforeſaid.

Three moneths

Certifie

Chauncery Forf.

Precepts Shirife

Inquire

Amerce

Fines exceed not xx.s.

Eſtreated Exchequer

Shirife

Negligent

Commiſſioners

Taxe

Eſchequer

Prouided alwaies, that it ſhall not be lawfull to any Shirife, Vndershirife, or Shiriffes deputy, to infringe or enter into any Liberties of Franchiſes, for the execution of any ſuch precept, but ſhall make his Mandatum to the Bailife of the franchiſe or libertie, for the executing and ſeruing of the ſame. And that the Bailife of euery ſuch franchiſe & Libertie, ſhal ſerue & execute the ſaid precept according to the tenor thereof, in ſuch like maner & forme, as the Shirife ſhould or ought to haue done if it had bene within his Bailiwike, vpon paine of forfeiture of x.li. to be eſtreated and leuied as is aforeſaid.

Shiriffe

Libertie

Mandatum

Bailife

Forf.

Prouided alſo &c. that putting of anie lands or tenements hereafter frō paſture to tillage, according to the tenor & effect of this act, ſhall not in any wiſe extend to be anie cauſe of breach or forfeiture of anie bonde, couenaunt, payment or condition made, or hereafter to be made betweene any perſon or perſons, bodies politike or corporat, which in any wiſe is or ſhall be repugnant or contrarie to this act.

Paſture to tillage

Prouided alwayes that this act, or anie thing therein conteyned, ſhall not extend to giue any benefit, aduantage or libertie to anie perſon or perſons, which at anie time ſithence the laſte feaſt of S. George the Martyr, haue conuerted or imployed, or hereafter ſhall conuert or imploy anie more ground to the keping of cunnies not being lawfull warren, then fiue acres at the moſt, and the ſame to be within one mile of his dwelling houſe, and alſo not noyſome or hurtfull to the corne of anie perſon or perſons, other then of the owner of the ſame ground, ſo that he or they put and keepe in tillage as much or as many Acres of his owne proper ground, lying within the ſaide manor, Lordſhip or Parith, as the ſaide cunnigrey ſhall conteine aboue the ſaid number of fiue acres, that hath not heretofore bene liable, to be continued in tillage by force of any lawe or ſtatute: any thing in this acte before mentioned, to the contrarie hereof notwithſtanding. And where alſo by the ſaid ſtatute of Henrie the 7. the meaning of the makers thereof appeareth to be, that euery houſe of huſbandry, hauing xx. acres of land or more belonging or lying thereunto, or with the ſame commonly occupied, vſed, or demiſed, the ſame xx. acres or more ſhould not be ſeuered or diuided frō the ſaid houſe or houſes, but ſhould be demiſed, occupied or vſed together, for the better

Cunnies

Fiue acres

Dwelling houſe

maintenance

maintenãce of euery such house or houses, and of tillage and husbandry. Be it therefore enacted that no person or persons whatsoeuer, hauing or that hereafter shal haue any such house or houses of husbandrie, with xx. acres of land or more belonging or lying vnto the same commonly occupied, vsed or demised, shal from and after the first day of this present Parliament, kéep or deuise the same xx. acres of lãd or more, nor any part thereof, frõ any of the said house or houses, vnlesse the same bee kept in tillage or otherwise for the profite of husbandry, according to the nature of the grounde, or according to the custome of the Manors, where the same land shall so be, vpon the paines and forfaitures contained in the said estatute of Henrie the 7. to be taken in such forme, as by the same statute appeareth, except he or they shall lay and assigne to the said house or houses, or to anie other house or houses, being within the same Parish or Lordshippe, or within two miles of the said houses (being also not bound to bee maintained and vpholden by forme of the said statute of king Henrie the 7.) asmuch other lãd within the same parish or Lordship, within two miles, as is aboue saide, for, and in lieu of such, or so much of the former lande, as ought to haue continued by force of the saide statute, with the former house, and cannot cõueniently be returned to the said former house. And bée it ec. that if anie such house or houses of husbandrie and land be diuided or seuered the one from the other by reason of anie lease or leases, for terme of life, liues or for terme of yéres, made or graunted before the first daie of this present Parliament: that then whensoeuer the said lease or leases shall ende or determine, by anie manner of meanes, so as the same house or houses, & lands thereunto belonging, shal be discharged of all such leases: the same house & houses and lands so demised, shall not afterwardes be seuered or deuided the one from the other, but shall goe, be kept, and occupied togither at all times after, according to the declaration before mẽtioned, vpon the paines and forfaitures last before specified, and to be taken also as in the saide statute is mentioned: Except by the returning or reuniting of the same land to the saide house, there shall or may growe anie manifest decaie of anie other houses newly edified, or of any other farmes that hath bin by meanes of distributiõ or seuerance of the land or landes, or anie parte thereof made or assigned to be seuerall tenements or holds. And where the said statute made in the said 7. yere of the raigne of the said K. Henry the 8. among other things in the same it is enacted, that if sithence the first day of the same Parliament, anie lands which at the same first daie, or sithence the same first daie were commonly vsed in tillage, were inclosed, or from hencefoorth should be inclosed and turned onely to pasture, whereby anie house of husbandrie then was, or hereafter should bee decaied: that then all such lands should be by the owner & owners thereof, their heirs, successors or assignes, or other for them, within one yeere next insuing the same decay put in tillage, and exercised, vsed and occupied in husbandrie and tillage, as they were the first day of the same Parliament, or at anie time sithence, and after the maner and vsage of the Countrie where such lands do lie, as by the said act more plainly may appeare. And forasmuch as vpon the saide parte of the said statute, diuers doubts and questions haue been moued heretofore: Be it therefore enacted and declared by authoritie aforesaid, that if at any time sithence the making of the said act, and before the said feast of Saint George, in the said xx. yere of the raigne of the said late K. Henrie the eight, any lands belonging to anie such house of husbandrie, as is aforesaide, haue been turned from tillage to pasture, by any person or persons: that then the same lands or so much other landes being within the same Parish, Lordship, or manor, that heretofore was not lyable or bound by anie lawe or statute to be kept in tillage, shalbe turned againe into tillage within one yere next after the session of this present parliament, and kept in tillage for euer, according to the custome of the countrie, and nature of the soile, whether the saide house whereunto the said lands did belong, bee decaied or no, or whether the same lands were inclosed or not inclosed, or whether some part thereof and not the whole, were kept in tillage or not, vpon the paines contained in the same statute made in the said seuenth yeere of the raigne of our said late king Henry the eight.

Prouided, that if any person or persons whatsoeuer, hauing any pasture, heath, waste or barren ground, which hath not bin heretofore commonly vsed to be ared or til-

Deuise xx. acres

Other land

Lease

Decay of other houses

Inclosure

Tillage to pasture

Within one yere

Pasture Waste grounds Barren grounds

led for ryme, & yet neuertheleſſe the ſame perſon or perſons, to the intent to better and amend the ſaid ground, and not to vſe the ſame for tillage, haue or hath at anie time heretofore turned or put the ſame into tillage, or at anie time hereafter ſhal turne or put the ſame into tillage, & hath or ſhall keepe the ſame grounde for that cauſe onely in tillage, by the ſpace of fiue yeeres together: that this act, or any thing therein contained, ſhall not compell anie ſuch perſon or perſons, to continue or put in tillage the ſaide paſture, heath, barren or waſte ground ſo eared: any thing before expreſſed in this act, to the contrary thereof notwithſtanding.

Tillage 4. yeeres

Prouided alwaies, that this acte or any prouiſo, clauſe or article therein cõteined ſhal not be vnderſtood or expounded to extend, or be in any wiſe prꝛiudicial to thoſe parts or portions of grounds wherein any Ore of Leade, Tinne, Iron or Coales, commonly called ſea coale, ſtone coale, or Mire coale, haue bin, are, or hereafter ſhal be vſually gotten, by meanes whereof the ſame grounds cãnot conueniently be put and kept in tillage: This act, or any other law, vſage or cuſtome to the cõtrarie in any wiſe notwithſtanding.

Leaue Tinne Iron Coale

Prouided alſo, that this act nor anie thing therein contained, ſhal extend to compell any perſon or perſõs to put in tillage any lãds or grounds within any forreſt or chaſe (except the forreſt of Snowden in Northwales) otherwiſe then before the making of this Statute he or they ought, or were bounde to do: This act to indure to the end of the next Seſſion of Parliament.

Forreſt Forreſt of Snowden

Prouided alway, that this ſtatute or anything therein cõtained, ſhal not extend to compell any inhabitant of the Cõtties of Northumberlande, Weſtmerlande or Cumberland, to reedifie, maintaine or to keepe in manurance any houſe or ground that ſhalbe ouerthrowen, burned, deſtroied, waſted or decaied by enemies, or by anie occaſiõ of warres or inuaſiõs, during the warres, or within foure yeeres after the concluſion of peace next following ſuch ouerthrowing, burning, deſtruction or waſting: anything in this preſent acte to the contrarie notwithſtanding. And foraſmuch as this act ſhall cõtinue but to the end of the nert Seſſion of Parliament: Be it therfore enacted &c. that no perſon or perſons ſhall from henceforth conuert from tillage to paſture, any ground which was in tillage the firſt day of this Parliamẽt, other then ſuch as they might lawfully haue conuerted from tillage to paſture, before the making of this act: anie thing contained in this act, to the contrarie notwithſtanding. An. 5. El. cap. 2.

Northum. Weſtmer. Cumberl.

Decaied by enemies Warres 4. yeres P.

This was diſcontinued 8. Eliz. and 13. Eliz. cap. 25. reuiued, and cõtinued to the ende of the next Parliament: and 14. Eliz. cap. 11. this Statute of 5. Eliz. was continued to the ende of the next Parliament. And Anno 27. Eliz. cap. 11. this acte was continued to the ende of the next Parliament, with this prouiſo, viz. That no perſon or perſons ſhall be ſued, vexed or troubled for any offence or offentes contrarie to the ſtatute or ſtatutes for tillage, vnleſſe the information, action or ſuit bee or ſhall bee brought for the punishment of ſuch offence or offences within two yeres next after the ſuit or action, or title of action or ſuit ſhall be deuolued or accrued to the perſon or perſons that ſhall ſo ſue or informe againſt the offender or offenders: And that euerie information vpon anie the ſtatutes of tillage to bee exhibited for the Quenes Maieſtie, her heires and ſucceſſors only, ſhalbe brought within fiue yeres after the action or information accrued to her highneſſe, her heirs or ſucceſſors. Anno 27. Eliz. cap. 11. and Anno 29. Eliz. cap. 9. the ſaide ſtatute of 5. Eliz. cap. 2. and prouiſo 27. Eliz. cap. 11. were continued to the ende of the nexte Parliament: And Anno 31. Eliz. cap. 10. the ſame ſtatute and prouiſo were continued to the end of the nexte Parliament. And Ann. 35. Eliz. cap. 7. the ſame ſtatute and prouiſo are continued to the end of the Parliament next inſuing with this prouiſo next following.

Continued

8 Prouided alwaies, & be it alſo enacted by the authoritie aforeſaid, that all & euerie ſuch branch & branches of the ſaide ſtatute made for the maintenãce & increaſe of tillage, (here 7. as concerne the tiring, plowing, vſing, & keeping in tillage for euer of ſuch lands or grounds, or ſo much in quãtity as before the making of the ſtatute had bẽn tired or plowed, & put in tillage in any one yere, & ſo kept in tillage by the ſpace of 4. yeres at anie time ſithence the feaſt of S. George the martyr in the 20. yeere of K. Henrie the 8. and euery matter, clauſe, article, prouiſion, penaltie and forfaiture in the ſaid ſtatute concerning the ſame, ſhall ſo farre forth onely as they concerne the ſame, from henceforth be repealed, ceaſe, & be vtterly void, anie thing

in

in the said statute, or in this present acte to the contrary notwithstanding. Anno 35. Eliz. cap. 7.

¶ Idemptitate nominis

Escheators

FOR the great mischiefs which often haue happened, and daily do come, of that the Escheators, shirifes, and other the Kings Ministers do seise the lands, goods and cattels of many, surmising that they bee outlawed, where they bee not outlawed, because that they beare such names, as those which bee outlawed, for default of good declaratiō of the surname: It is ordained, that if any complaine him in such case, he shal haue a writ of Idemptitate nominis, in the maner as hath bene vsed in times past. And if any mans lāds, goods or cattels bee seised in such case by Escheator, shirife or other minister, he shal finde suertie before the Minister, which hath the warrant to seise, to answere the king of the valure of such lands, goods & cattels in case that he may not discharge him, without taking any thing of the partie. And if such Minister doe not the same, and thereof be attainted, the partie shal haue suite against such Minister, and recouer his double damages, and neuertheless hee shall bee grieuously amerced towards the King. Anno. 37. Edward. 3 cap. 2.

Suerty

Attainted

ll. damages

Amerce

2 ¶ A writ of Idemptitate nominis, may be graunted & giuen, good & maintenable for the executors of euery testator aswel of the same effect, as the same action of Idemptitate nominis was maintenable before this Parliamēt for any person himself, which was or might haue bin molested or grieued, by cause or colour of any such outlagarie. And this Ordinance haue relation & force by authority aforesaide, for the executors of euery testator, aswel of euery outlagarie pronounced in any person at any time before this Parliament, as of all maner of outlagaries to bee pronounced in any person in time to come. An. 9. H. 6. cap. 4.

Executors

¶ Ieofaile.

Verdict

IF any verdict of xii. men or more shalbe hereafter giuen in any action, suite, bill, plaint or demaund, in any Courts of Record, the iudgment thereupon shall not be stayed or reuersed, by reaso of any default in forme, or lacke of forme, touching false latin, or variance from the Regiſter, or other defaults, in forme, in any writ original or iudicial, count, declaration, plaint, bill, suite or demaund, or for want of any writ original or iudiciall, or by reason of any vnperfect or insufficient return of any shirife, or other Officer, or for want of any warrant of Attorney, or by reason of any matter of default in procesſe, vpon or after any aide prier or voucher, nor anie such Record or iudgment after verdict to be giuen hereafter, shal be reuersed for any the defects or causes aforesaid: any law statute or vsage to the contrary notwithstanding.

False latin

Variance

Writte orig.

Returne of Shirifs

Warrant of Attorney

Aide prier

Voucher

Reuerſe

Prouided alwaies, and be it &c. that this act or anie thing therein contayned, shall not extende to any writte, declaration or suite of appeale of felonie or murder, nor to anie indictment or presentment of felonye, murder, treason or other matter, nor to any procesſe vpon any of them, nor to anie writte, bil, action or information, vpon any popular, or penal Statute: any thing aforesaide to the contrary notwithstanding.

Appeale

Indictment of felony

Murder

Treason

Procs

Prouided also and bee it &c. that all Atturneis in any suite or action, in any court of Record, shal deliuer in the warrant of Atturneis in such action, or suite, wherein they be named Atturneis, to be entred or filed of Record, in such manner and forme as heretofore by the law or statuts in that behalf made, they should or ought to haue done, vpon paine to forfait tenne poundes for euery such offence: The one moitie thereof to bee to the Queenes Maiestie, her heires and successors, & the other moitie to such officer or officers, to whome, or in whose office the same warrant should be deliuered, entred or filed, & to suffer imprisonmēt by the discretion of the Iustices of the Court for the time being, where any such default shall fortune to be had or made: The saide ten poundes to bee recouered by action of debt, bill, or information: In which no essoine or protection &c. shall be allowed. Anno 18. Eliz. cap. 14.

Atturnies warrant

Forf. Moitie

Imprisō

¶ Isle of Weight.

Farmes

NO manner of person, of what estate, degree or condition he is or shal bee, take any seuerall farmes mo then one, of any manors, lands and tenementes, parsonages or tythes, within the said Isle of Weight, wherof the farme of them altogether shal exceed the summe of x. Marks

Leaſes

yeerely. And if any ſeuerall leaſes before this time haue bin made to any perſon or perſons, of diuers ſundry farme holdes, ouer the ſaid yerely value of ten Marks: then the perſon or perſons that now hold the ſame, to chooſe one or mo of the ſaide farmholdes at his pleaſure: ſo that the farme of them alſo choſen, bee not aboue the yerely value of x. Marks, to hold after the forme of his leaſe, & the remnãt (from the feaſt of Saint Michael tharchangell, which ſhall bee in the yeere of our Lorde 1490) to ceaſe & be vtterly void. And the occupyer and farmer of them from thence to bee diſcharged againſt his leſſor of the rent reſerued vpon the ſame leaſes. And if any perſon do hereafter the contrary of this act: that then the leſſee, in that behalf to forfait to the king for euery ſuch taking x. li. Prouided alwaies, that they which haue payed any fines, or made any building, or done great reparation vpon any ſuch farme, and be put from the ſaide farme by reaſon of this act, ſhalbe recompenced for ſuch building or reparation, as right & good conſcience requires: that recompence to be adiudged by the diſcretion of the captaine of the ſaid Ile for the time being, or his Lieutenant of the ſame in his abſence. An. 4. H. 7. cap. 16.

x. Marks ente

Clofde

Leſſee Forf.

Fines Buildings

Captaine of the Ile

¶ Incontinencie of Prieſtes

Archbiſhops Biſhops Diuines

IT ſhal be lawful to al Archbiſhops and Biſhops, and other Ordinaries hauing Epiſcopal iuriſdiction, to puniſh and chaſtice ſuch Prieſts & Clerkes, and religious men being within the bounds of their iuriſdictions, as ſhall bee conuicted afore them by examination and other lawfull proofe, requiſite by the lawe of the Church, of Aduowtrie, Fornication and Inceſt or any other fleſhly incontinencie, by committing them to ward & priſon, there to abide for ſuch time, as ſhalbe thought to their diſcretions conuenient for the quality and quantity of their treſpas. And that none of the ſaid Archbiſhops & Biſhops, or other Ordinaries aforeſaid, be thereof chargeable, of, to or vpon any action of falſe or wrongful impriſonment: but that they be vtterly thereof diſcharged in any of the caſes aforeſaide by vertue of this act. Anno 1. H. 7. cap. 4.

Conuicted

Aduowtrie Fornication Inceſt Imprſit.

2 ¶ An. 31. H. 8. cap. 13. It was enacted, that if a Prieſt did carnally vſe a woman, to whome he had ben maried, or contracted, or onely kept company, or familiaritie with her, it ſhould bee Felony in him and the woman: And that if any Prieſt kept a concubine as by paying of her borde, maintaine her with money, aray or other giftes or meanes, to the euill example of other perſons, he ſhould forfait all his goods, cattels and ſpiritual promotion, and be in priſon. And the ſeconde offence thereof ſhould bee felony, & the woman to haue like punishment. But theſe clauſes were repealed by 32. H. 8. cap. 10. And there it is enacted, that if any ſuch offendor, as is aboue written, hereafter ſhal happen to be duly cõuicted or attainted, by the lawes mentioned in the aforeſaid acte, or of, or vpon any the crimes or offences afore written: that then euerie ſuch offendor for being conuicted or attainted, ſhall from henceforth vpon his firſt conuiction or attainder, onely forfait and loſe to the king all his goodes, cattels and debts. And if the ſame offender at the time of that his firſt conuiction or attainder, haue any moe benefices or eccleſiaſticall dignities or promotions then one: then ỳ ſame offendor ſo conuicted or attainted, ſhal forfait & loſe for terme of his life, al iſſues, reuenues & profits of al his ſaide benefices or other eccleſiaſtical dignities or promotions, except one of the ſame benefices or other eccleſiaſticall dignities or promotiõs. And if it ſhal fortune any ſuch offendor or offendors, at any time after ỳ ſaid firſt conuiction or attainder, to commit, doe, or perpetrate, any of the ſaid offences before rehearſed, & be thereof effſones duely conuicted or attainted by the lawes aforeſaide: that then euery ſuch offendor ſhal only loſe & forfait to the king, all his goods, cattels & debts, and alſo during his life all the iſſues & profites of all his lands, eccleſiaſtical dignities, benefices, offices & promotiõs, to be had, leuied, perceiued & taken to the kings vſe. And if it ſhal fortune any ſuch offendor or offendors, at any time after his ſaid ſecond cõuiction or attainder to commit, do, or perpetrate any of the offences before written, and be alſo thereof duely conuicted or attainted by the lawes aforeſaid: that thẽ euery ſuch offender ſhall only forfait and loſe to the king all his goods, cattels and debts, and alſo during his life al the iſſues & profites of all his lands and tenemẽts, & of all his eccleſiaſtical dignities, benefices, Offices, and promotions to bee had, leuyed, perceiued, and taken to the Kinges vſe, and alſo ſhall further haue and ſuffer continuall imprſonment of his

Concubine

Forf.

2. Offence Felony

Repealed

Conuict

1. conuicte Forf. goods

Forf.

Benefices

2. Offence

Forf.

3. Offence

Forf.

Imprſt.

Woman his body during his life. And euery womã being sole & vnmaried, with whom any preest shal so offend in any of the offences above written, shall forfaite for their first conuiction or attainder, of, or vpõ any the crimes or offences aforesaid, al her goods, cattels & debts. And for her second conuiction or attainder, of, or vpon any of the crimes or offences aforesaid, al her goods, cattels, & debtes, and also the one halfe of all the issues, reuennes and profits of all her lands, tenements & hereditaments by all the terme of her life. And for her third conuiction or attainder, of, or vpon any the crimes or offences aforesaid, she shall forfaite all her goods, cattels & debts, and also during her life, all the issues & profits of all her landes and tenements, and also shal furder suffer imprisonment of her body, by al ỳ terme of her life. And if the womã with whom any preest shall so offend, in any the offences abouesaid, be maried: that then for euery such conuiction or attainder, of, or vpon any ỳ crimes or offences aforesaid, she shal haue & suffer imprisonmẽt of her body, by all the terme of her life, at the kings wil & pleasure: any thing contained in the said former act, to the cõtrary of the said penalties, in this act mẽtioned, in any wise notwithstanding. Sauing to all & singuler person and persons, bodies politike & corporate, their heires, successors and assignes, & to the heirs, successors & assignes of euery of them (other then such persons that shall hereafter fortune to offende, contrarie to the tenor of this act) al such right, title, interest, possession, entre, action, cõdition, rents, remainders, reuersions, annuities, fees, cõmons, leases, liberties and commodities, which they or any of them haue, shall, or ought to haue, at the time of anie such offence committed or done, by any of the saide offendors, contrarie to the tenor of this act, in as large and ample mãner and forme, to all intents, cõstructions and purposes, as if this act had neuer bene had ne made: any thing in this act contained to the contrary notwithstanding. Anno 32. H. 8. cap. 10. Quere if this statute bee repealed by 1. & 2. P. & M. cap. 8. by the generall wordes that repealed all statutes made against the Popes Supremacy.

Woman
Fox.
2. Offence
3. Offence
Impris.
Maried Woman
Bodies politike
Quere

¶ Incumbents.

The said statutes (that is to say Anno 25. E. 3. pro Clero ca. 3. which is in Addition 5.) be firmely holden & kept. And moreouer, our soueraigne Lord the K. for the reuerence of God and holy church, wil and granteth, that if he present to any benefice that is full of any incumbent, that the presentee of the K. shal not be receiued by the Ordinarie to such benefice till the K. hath recouered his presentment, by proces of the law in his owne Court, & if any presentee of the K. be otherwise receiued, and the incumbent put out, without due proces as afore is said, the said incumbent shall begin his suit within a yere after the induction of the Kings presentee at the least. An. 13. R. 2. cap. 1.

Presentee
Incumbent Proces

2 ¶ As it is ordained by the statute made in the 17 yere of King Edward, grandfather to our soueraigne Lord the King, that if the K. make collation or presentment to any benefice in an others right, that the title whereupon he grounded him, should be well examined that it bee true, and at whatsoeuer time before iudgement giuen, the title be found by good information, vntrue and vniust, the collation or presentment thereof made, shall be repealed & annulled. And moreouer, in a statute made afterward in the time of K. Richard, it was ordained & established, that if the king present to any benefice, that is full of any incumbent, that the K. presentee shall not be receiued by ỳ ordinarie, till the king hath recouered his presentment, by proceste of the law in his owne court, & if any presentee of the king be otherwise receiued, and the incumbent out without due proces, as is aforesaid, ỳ same incumbent shal commence his suite within a yere after the induction of the K. presentee. Our soueraigne Lord the king considering the great mischiefe of the incumbent in this behalf, hath ordained & established, by the assent aforesaid, ỳ if any such incumbent bee out of his benefice, without due proces in ỳ maner aforesaid, ỳ the said incumbent so out without proces, may be at large, & sue for his remedie by the said statute, & begin his suit in this case at what time shal please him within the yere, or after, at his wil, & that aswel for the time past, as for the time to come, notwithstanding the terme so limited by the said statute. An. 4. H. 4. cap. 22.

Collation
Examine title
K. Presentee Recouer by proces
Incumben. Suit

¶ Indicauit.

Forasmuch also, as plees in court spirituall, haue heretofore had many times

Plees

vnreasonable delaies, by reason that our writ that is called Indicauit, was manie times brought before the Iudges of such matters at the beginning of such suites, & thereupon our chiefe Iustice could not proceed lawfully nor in due manner to awarde a writ of Consultation, vpon such manner of proceeding. It is agreed, that such a writ of Indicauit shal not be grãted from henceforth to any man, before the suite hanging in the spirituall Court betweene the parties be recorded. And that our Chauncelor be certified thereupõ, by the sight of the libell. An. 34. E. 1.

Consultation

Chauncelor

¶ Indictmentes.

Shirifes

Felony

FOrasmuch also as Shirifes fayning many times certaine persons to be indicted before them in their Turnes of felonie and other trespasses, do take diuers persons that are not culpable, nor lawfully indicted and imprison them, to the intent that they may extort money from thẽ, where as they were not lawfully indicted by twelue men: It is ordained, that Shirifes in their turnes, and in other places, when they are to inquire of offendors by the Kinges precept, or of office, shall cause such inquests to be taken by lawful men, & by vij. at the least, which shall put their seales to such inquisitions, and such as shal be foũd culpable by such inquests, they shall take and imprison as they haue vsed afore times to do. And if they doe imprison other then such as shall be indicted by such inquest, ỳ parties imprisoned shall haue their action by a writte of false imprisonment against the Shirife, as they should haue against any other person that should imprison them without warrant. And as it is said of Shirifes, so shall it be obserued against the Bailifes of anie frãchise. West. 2. cap. 13. An. 13. E. 1.

Turnes

Inquests

Imprisõ.

Action False imprisõn

Bailifes

☞

2 ¶ Shirifes and Bailifes of franchises, and all other that take indictmentes in their turnes or elsewhere, whereas indictments ought to bee made, shall take such indictment by roll indented, whereof the one parte shall remaine with the indictors, and the other part with him that taketh the inquest: So that the indictmentes shall not be imbesilled, as they haue beene in times past: And so that one of the inquest may shewe the one parte of the indenture to the Iustices, when they come to make deliuerance. An. 1. E. 3. cap. 17. Stat. 2.

Shirifes Bailifes

Rol indented

Inquest

3 ¶ After any man is indicted of Felonie before the Iustices in their sessions to beare and determine, it shall be commanded to the Shirife, to attach his bodie by writ or by precept, which is called a Capias, & if the shirife returne in the saide writ or precept, that the body is not found, another writ or precept of Capias shall be incontinently made, returnable at 3. weeks after, & in the same writ or precept it shal be comprised, that the shirife shal do to be seised his cattels, and safely to kepe thẽ, til the day of the writ or precept returned. And if the shirife returne that the body is not found, and the indictee commeth not, the exigend shall be awarded and the cattels shalbe forfait, as the law of ỳ realme demandeth. But if he come & yeld him, or be taken by the shirife, or by other minister, before ỳ returne of the second Capias, then the goods and cattels shalbe saued. An. 25. E. 3. cap. 14.

Felonie

Shirife

Capias

Seisi cattel

Returne

Exigent Forf.

4 ¶ Because ỳ nowe of late, inquests were taken at Westminster, of persons named to the Iustices, without due returne of the Shirife, of which persons some were outlawed before the said Iustices of Record, and some fled to Sanctuarie for Treason, and some for Felony, there to haue refuge, by whome aswell many offendors were indicted, as other lawful liege people of the King not guiltie, by conspiracie, abbettement, and false imagination of other persons, for their speciall aduantage and proper lucre, against the course of the common law vsed and accustomed before this time: Our Soueraigne Lord the king, for the great ease and quietnes of his people, will and graunteth, that the same indictment so made, with all the appurtenances to the same, be reuoked, annulled, void and holden for none for euer. And ỳ from henceforth no indictment bee made by anie such persons, but by inquests of the kings lawful liege people, in the manner as was vsed in time of his noble progenitors, returned by the shirifes or bailifes of franchises, without any denomination to the shirifs or bailifs of franchises beforehand made by any person of the names which by him should be impanelled, except it be by the ministers of the saide Shirifes or Bailifes of franchises, sworne and knowen to make the same, and other ministers to whome it appertaineth to make the same, according to the lawe of England. And if any Indictment bee made hereaf-

Inquests

Returne

Sanctuaries

Conspiracie

Void

Shirifes Bailifes

ter

ter in any point to the contrary, that the same indictment bee also void, reuoked, & for euer holden for none. Ann. 11. H. 4. capitulo 9.

Clois

☞ Iust. of P.

Inquest

5 ¶Be it enacted &c. that the Iustices of peace of euery shire of this Realme, for the time being, may doe to be taken by their discreation & inquest, wherof euerie man shall haue lands and tenementes to the yerely value of xl.s. at the least, to inquire of the cõcealmẽts or other inquests taken afore them and afore other, of such matters and offences, as are to be inquired and presented afore Iustices of peace wherof complaint shalbe made by bil or by billes, aswel vpon franchises, as without. And if any such concealement bee found of any inquest, as is afore rehearsed, had or made within the yere after the same concealement, euery person of the same inquest, to be amerced for the same concealments, by discreation of the same Iustices of the peace the said amerciaments to be assessed in plein sessions. Anno 3. H. 7. cap. 1.

Conceale

Discretion Amerc.

* ☞

6 ¶From the feast of the Natiuitie of our Lorde next comming, these wordes: vi & armis; vz. cum baculis, cultellis, arcubus & sagittis, or such other like, shal not of necessitie be put or expressed in any inquisition or indictment, nor that the party or parties being hereafter indicted of any offence, shall haue or take any aduantage by writ or writs of Error, plee or otherwise, to annull or auoide any such inquisition or indictment, for that the saide wordes: vi & armis, vz. cum baculis, & cultellis, arcubus & sagittis, or any of the same or like wordes, shall not be put or comprised in the said inquisitions or indictments, but that the same inquisitions or indictementes, and euery of them lacking the said wordes, vi & armis, vz. baculis, cultellis, arcubus, & sagittis, or any of them shal from henceforth by the authoritie aforesaid, be taken, deemed and adiudged to all intents, constructions and purposes as effectuall and good in the law, as the same inquisitions and indictments, hauing the said wordes, vi & armis, vz. baculis, cultellis, arcubus & sagittis, comprised & put in euery of the same inquisitions and indictementes, were or heretofore haue beene take, deemed or adiudged: any law, vsage or custome, heretofore had & vsed, to the contrary notwithstanding. Anno 37. H. 8 cap. 8.

Vi & armis

Error

*

¶Infections.

Proclamation London

PRoclamatiõ shalbe made aswel in the Citie of London, as in other cities, boroughs and Townes, as afore, that none of what condition soeuer he be, doe to bee set or ouerthrowen from henceforth, any tiels, annoyãces, issues, doung, intrailes, nor none other ordure in the ditches, ryuers, waters, and other places aforesaid, and if any do, he shall be called by writ before the Chauncelor at his suite that will complaine, & if he be found guiltie, he shalbe punished after the discretiõ of the Chancelor. Ann. 12. R. 2. ca. 13.

Annoyance Doung Riuers Waters Tiels

Chauncelor

¶Informers.

☞

FOr repressing of diuers disorders in ẽmõ Informers, and for better execution of penall lawes, Be it enacted, that euery Informer vpon any penall statute, shall exhibite his suit in proper person, and pursue the same only by himselfe, or by his attorney in Court. And that none shalbee admitted or receiued to pursue against any person or persons vpon any penal statute, but by way of information or original action, and not otherwise, nor shall haue ne vse any deputie or deputies at all, and that vpon euery such information which shalbe exhibited, a special note be made of the very day, Moneth, & yere, of the exhibiting thereof in any office, or to any officer, which lawfully may receiue the same, without any manner of Antedate therof to be made. And that the same information bee accompted & taken to be of Record from that time forwarde, and not before.

Proper person

Informatiõ Original action

A note of the daye

And be it likewise enacted for the cõsideratiõ aforesaid, that no processe be sued out vpon any such information, vntil the information be exhibited in forme aforesaid, & that vpõ euery such processe shalbe indorsed aswel the parties name y pursueth the same processe, as also the statute vpõ which the informatiõ in that behalfe made is grounded. And that euery clerke making out processe contrary to y tenor & prouision of this act, shall forfait & lose xl. s. for euery such offence: The one halfe to be to the Quenes Maiestie, her heires and successors, and the other halfe to the partie against whome any such defective proces shall be awarded, to be recouered in any Court of Record, by action of debt or information, in which no essoin, protection, iniunction, or wager of law shall bee permitted

Processe Indorse Statute

Clerks

Forf. Moitie

mitted or allowed.

Jury

And be it further enacted, that no Jury shalbe compelled to appeare in any of the Q. Maiesties Courtes at Westminster, for the tryal of any issue in any such suite vpon any penall law, for any offence committed, aboue xxx. Miles from the citie of Westminster, except in case where the Attorney generall for the time being, for some reasonable cause in that behalfe, to bee shewed, shall require the same to bee tried at the Barre, in any of the Courts of the Quenes Maiestie, her heires, or successors, at Westminster aforesaide: which request shal be noted on the backeside of the writ of Distringas thereupon awarded, to the end the Shirife or his bayliffe may and shal signifie the same to the Jurie that are in such case impanelled.

xxx. Miles

Attorney generall

Shirife

Compounde

And bee it further enacted, that no such Informer or Plaintife shal or may compounde or agree with any person or persons, that shall offend or shal be furnished to offend against any penall statute, for such offence committed or pretended to be committed, but after answere made in Court vnto the information or suite in that behalfe exhibited or prosecuted, nor after answere, but by the order or consent of the Court, in which the same information or suite shal bee depending, vpon the paines & penalties hereafter in this present act set downe and declared. And that if any such Informer or plaintif as aforesaid, shall willingly delay his suite, or shal discontinue or be nonsuite in the same, or shall haue the tryall or matter passe against him therein by verdict or iudgement of Lawe: that then in euery such case, the same Informer or playntife shall yeelde, satisfie and paye vnto the partie defendannt, his costes, charges and damages, to be assigned by the court: in which the same suit shalbe attempted, For the recouery and execution whereof, euery such defendant shall immediatlie vpon the same costes, charges and damages assigned, haue his Capias ad satisfaciendum, Fieri facias or Elegit, to bee awarded vnto him out of the same court, in which the same shalbee so assigned as is aforesaid, as in other causes of execution.

Content of the Court

Delay Discontinue Nonsuite

Costes Damages

Defendant

Capias ad satisfac. Fieri facias Elegit.

And also bee it enacted, that if any person or persons (except the Clerkes of the Court, only for making out of processe otherwise then is aboue appointed) shal offend in suing out of processe, making of

Clerkes of the Court

compositions or other misdemeanor, contrarie to the true intent & meaning of this statute, or shall by colour or pretence of proces, or without proces, vpon colour or pretence of any matter of office, against any penall law, make any composition, or take any money, reward or promise of reward, for himselfe, or to the vse of any other, without order or consent of some of her Maiesties Courtes at Westminster: That then hee or they so offending, being thereof lawfully conuicted, shall stande on the Pillorie in some Market towne, next adioyning where the offence shall bee committed, in the open Market time, and there remaine by the space of two howers, & shall from and after such conuiction, for euer be disabled to pursue, or be plaintife or informer in any suite or information, vpon any statute popular or penal, and shall also for euery such offence forfait and lose x. pounds of lawfull English money: The one halfe thereof to the Quenes Maiestie, her heires & successors, and the other halfe to the partie grieued thereby, to bee recouered in anie Court of Record, by action of debt or information, in which no essoine, protection, iniunction or wager of law shall bee permitted or allowed. And the Iustices of Oier and terminer, Iustices of Assise in their Circuits, and Iustices of peace in their Quarter sessions, shal haue ful power and authoritie to heare and determine all offences to be committed or done contrary to the true intent and meaning of this present act.

Buying of proces

Compounding

Reward

Conuict Pillorie

Disabled

Fork. Poitie

Iust of oier & terminer Iust. of ass. Iust of P. Quarter Sessions Oier & ter.

Prouided alwaies, & neuertheless bee it enacted, that it shal and may be lawful, to & for any person or persons, grieued by meanes of any maner of Maintenance, Champertie, buying of titles, or imbracerie, to pursue vpon any the statutes prouided and set forth against Maintenance, Champerty, buying of titles, or imbracery, as hee or they might haue done before the making of this acte, any thing in this act contained to the contrary in any wise notwithstanding.

Maintenance Champerty Buying of titles Imbracery

Prouided also, that this act shal not extende to any suite already depending, nor shall restraine any certaine person, bodie politik or corporate, to whom, or to whose vse any forfaiture, penalty or suite is or shal be specially limitted or granted by vertue of any statut, & not generally to any person y^t will sue, but that euery such certaine person, body politike or corporate

Bodies politick

which

which might sue or informe (as if this act were not made) may in such case sue, informe, & pursue, as he or they might have done, if this act were neuer had nor made.

And prouided also, that neither this act nor any thing therin contained, shal in any wise extende to any such officer of Record, as haue in respect of their Offices heretofore lawfully vsed to exhibite information, or sue vpon penall lawes, nor to any Officers informing or pursuyng for matters onely concerning his or their offices: but that they & euery of them may informe & pursue in that behalfe, as they might haue done before the making of this acte: any thing in this act cõtained to the contrary in any wise notwithstanding. This acte to take force and effect from the feast of Easter next comming, & from thence forth to endure vnto the end of the first Session of the next Parliament. An. 18. Eliz. cap. 5.

Officers of Record

* This Statute is made perpetuall by An. 27. Eliz. cap. 10.

2 ¶ Wherras diuers her Maiesties louing subiects, dwelling in the remote parts of this realm, are many times maliciously troubled vpon informations, & suits, exhibited in the courts of Kings B. Common plees and Eschequer, vpon penal statutes, & are drawen vp vpon proces out of the Countries where they dwell, and driuen to attend and put in baile, to their great trouble and vndoings: For reformation whereof, be it enacted, that if any person or persons shalbe sued or informed against, vpon any penal latve in any the said Courts of the kings Bench, Common plees, or Eschequer, where such person or persons are bayleable by law, or where by the leaue or fauoure of the Court, such person or persõs may appeare by Atturney: That in all and euery such case, the person or persons so to bee impleaded or sued, shal and may at the day and time contained in the first proces serued for his apparance, appeare by atturney of the same court, where the proces is returnable, to answere & defend the same, & not be vrged to personall apparance, or to put in bayle for the answering of such suit: any former law, custome or vsage to the cõtrary notwithstanding. An. 28. Eliz. cap. 5.

3 ¶ Be it enacted &c. that the said branch of the saide acte (viz. 28 Eliz. cap. 5.) shall extend and shal be interpreted, expounded & vnderstood to extend only to the natural subiects borne or to be borne within the dominions of the Q. Maiestie, her heires and successors, & to persons made frée denizens and to no others, any thing therein contained to the contrary in any wise notwithstanding. An. 31. Eliz. ca. 10.

¶ Inrolments.

That all inrolments of deedes, & other muniments in the rolles of the chauncerie, of either Bench, and the Eschequer of our Soueraigne Lord the king, before this time inrolled, and afterward by traitors to the king & his Realme, in the Insurrectiõ late made within ỳ same realm, seditiously moued, borne and rent, or otherwise imbeselled, shalbee in due forme exemplified vnder the great seale, without the fee of the seale therof to be payed. And that the same exemplificatiõ so had, shall be of the same effect and strength in al things, as the same deeds and muniments, should haue bin if they were to be had whole & vnhurt. An. 6. R. 2. ca. 4.

Chancerie Eschequer

Exemplified

Exemplification

2 ¶ Be it enacted &c. that from the last day of July, which shal be in the yeere of our Lord God 1536. Nomanors, landes, tenements or other hereditaments, shall passe, alter or change from one to another, whereby any estate of inheritance or freehold shalbe made, or take effect in any person or persons, or any vse thereof to be made by reason only of any bargaine & sale thereof: except the same bargaine & sale bee made by writing indented, sealed and inrolled, in one of the Kinges Courtes of Record at Westminster, or els within the same Countie or Counties, where the same Mannors, landes or tenementes so bargained and solde, lye or bee, before the Custos Rotulorum, & two Justices of the Peace, and the Clerke of the Peace of the same Countie or Counties, or two of them at the least, whereof the Clerke of the Peace to bee one: And the same Inrolment to bee had and made within sixe Moneths next after the date of the same writings indented: the same Custos Rotulorum, or Justices of the Peace, and Clerke, taking for the Inrolment of euery such writing indented before them, where the said land comprised in the same writing extende not the yerely valu of xl. s. ti. s. that is to sate, xii. d. to ỳ Justices, and xii. d. to the Clerke. And for the Inrolment of euery such writing indented before them, wherein the lande comprised

Inheritãce Freehold

Sale

Courts of records

Custos Rot. Iust. of P. Clerk of P.

6. Moneths

Fee

compzised exceede the summe of vi. s. in yerely value v. s. that is to saie, ii s. vi. d. to the Justices, and ii. s vi. d. to the clerke for the inrolment of the same.

Clerke of the Peace

Ingrosse

And that the Clerke of the peace for the time being within euery such Countie shal sufficiently inrol & ingrosse in parchment the same deed or writings indented, as is aforesaid, & the rolles thereof at the ende of euery yere shal deliuer vnto ỳ said Custos Rotulorum of the same Countie for the time being, there to remaine in ỳ custodie of the saide Custos Rotulorum for the time being, amongst other records of euery of the same Counties where any such inrolments shalbe so made, to the intent that euery party that hath to do therwith, may resort & se the effect & tenor of euery such writing so inrolled.

Prouided alwaies that this act, nor any thing therein contayned, extende to any manors, lãds, tenemẽts, or hereditamẽts, lying or being within any citie, borough, or towne corporate within this Realme, wherein the Maiors, recorders, Chãberlaines, batilifes or other officer or officers haue authoritie, or haue lawfully vsed to inrol any euidences, dedes, or other writings within their precincts or limits, any thing in this act contained to the cõtrary not withstanding. An. 27. H. 8. ca. 16.

Maior Recorder Chamberlaine Batilles

3 ¶ Where in the Parliament holden in the 32. yeere of K. Henry the 8. (s. cap. 28. which is in Leafes 2.) It was enacted by authoritie of the said Parliament amongst other, that no fine, feoffement, or other act or acts hereafter to be made, suffered, or done, by the husband onely of manors, landes, tenements, or hereditaments, being the inheritance or the freehold of his wife, during the couerture betweene them, shall in any wise be or make any discontinuance thereof, or be preiudiciall or hurtfull to the same wife, or to her heires, or to such as shall haue right, title, or interest to the same by the death of such wife or wiues: but the same wife and her heires, and such other to whome such right shall appertaine after her decease, shall and may then lawfully enter into all such landes, tenements, and hereditamentes, according to their rights and titles therein: any such fine, feoffement, or other act to the contrary not withstanding. Withence the making of which acte diuers doubts, questions and ambiguities haue risen: that is to saie, whether the recoueries and deedes inrolled, which bee in nature of fines, and whereupon the women couert haue bin vsed to be examined, taken, had, or knowledged, aswel within the Citie of London as in many other Cities, Boroughs and Townes within the realme of England should binde all such women couert, that should happen to be examined vpon the same recoueries & dedes inrolled: In auoyding therefore of all such ambiguities and doubts. Be it &c. that all recoueries, dedes inrolled, & releases heretofore knowledged or taken or at any time hereafter to bee taken, & knowledged, before the Maiors, Aldermen, Recorders, Chamberlains, or other head officer or officers, aswell of the citie of London, as of any other citie, borough, or towne corporate within the realme of Englande, hauing power & authoritie to take & receiue the same, according to the laudable vsage & customes of the said Cities, boroughs, & townes, & euery of them, shal bee, stande and remaine of like force strength & effect, to al intents & purposes, as they or any of the were before ỳ making of the said act, in the said 32. yeere of the said king: any thing in the same act to the contrary in any wise notwithstanding. An. 34. H. 8. ca. 22.

Women couert

London

Recoueries Releases

Maiors Aldermen Recorder London

¶ Intrusion.

WHen any (that holdeth of the king in chiefe) dyeth, & his heire entreth into the lande that his auncestors helde of the king that day he dyed, before that he hath done homage to the king, & receiued seisin of the K. he shal gaine no freehold therby, & if he dye seised during the time, his wife shal not be endowed of the same land. As it came late in vre by Maude daughter to the Earle of Herford, wife of Gaũsel the Marshal, which after the death of William Marshal of Englãd his brother, take his seisin of the Castle & manner of Pembrogoile, & died in the same Castle, before hee had entred by the king, and before he had done homage to him. Whereupon it was agreed, that his wife should not be endowed, because that her husband had not entred by the king, but rather by intrusion: Howbeit this statute doeth not meane of Borage and other final tenures. Prærog. Reg. An. 17. E. 2. cap. 13.

Chiefe

¶ Ipswich.

FOr that it is very conuenient and necessary for the Towne of Ipswich, in the

Suffolke Pauements

the Countie of Suffolke, that the Pauements of the ſtrẽtes there bee repaired & neiue made, accoꝛding to the neceſſitie thereof, the inhabitants of the ſaid towne humbly pꝛay, that it may bee enacted by our ſouereaigne Lady the Quẽne, ẏ loꝛds ſpiritual and tempoꝛall, and commons of this Parliament aſſembled, and by the authoꝛity of the ſame. That al and ſinguler perſons, their heires & ſucceſſoꝛs now being, oꝛ which hereafter ſhalbe immediat owners, lãdloꝛds oꝛ terretenants of any houſe, landes, oꝛ tenemẽts within the ſaid towne, oꝛ ẏ ſuburbes of the ſame, of any eſtate oꝛ eſtates, in fæ ſimple, fée taile, foꝛ life, oꝛ yeeres, ſhall from time to time, and at al times from & after the laſt day of this pꝛeſent Seſſion of Parliamẽt, at the aſſigniement oꝛ appointment of the baſlifes of the ſaid towne foꝛ the time being, aſwell paue, oꝛ cauſe to bee paued with good pauing ſtones, along from & againſt his oꝛ their houſes, landes & tenements, adioyning to the ſtréte, ſo much of the ſaid ſtréte in length, as his oꝛ their ſaid houſes, landes oꝛ tenements ſo adioyning extendeth vnto, & in bꝛeadth during all the ſaid length to the chanel, oꝛ to ſuch place as the chanel there ſhall bee by the ſaid baſlifes foꝛ the time being appointed to, vpon paine to loſe oꝛ foꝛfait foꝛ euery yard ſquare not ſufficiẽtly paued in foꝛme afoꝛeſaid, vñin two Moneths after warning thereof giuen by the Bailifes foꝛ the time being (the ſame being pꝛeſented befoꝛe the Bailifes of the ſaide towne foꝛ the time being, by the xii. headboꝛoughs of the ſame towne) xii.d. of lawful moneie of England. And that the ſaide owners, landloꝛds, oꝛ terretenãts, and al & euery perſon & perſons, hauing, oꝛ which hereafter ſhal haue, any houſe, houſes, lands, oꝛ tenements in fée ſimple, fee taile, oꝛ foꝛ terme of life, oꝛ yeeres, adioyning to any of the ſtréetes within the ſaid Towne oꝛ ſuburbes, their heires and ſucceſſoꝛs, ſhal from the ſaid laſt day of this pꝛeſent ſeſſion, ſufficiently from time to time maintaine & repaire, as often as it ſhalbe nẽdfull, the pauement of the ſaide ſtréete and ſtréetes ſo adioyning, with like ſtone, againſt all and euery their landes & tenements, in ſuch and like maner, as aboue is declared, vpon paine of foꝛfaiture foꝛ euery yard ſquare of the ſame, not ſufficiently repaired and amended, and pꝛeſented in maner and foꝛme afoꝛeſaid, viii.d. of like money. And where any nẽde ſhall bee of pauement of any the ſaide ſtréetes adioyning to any Churches oꝛ Churchyardes, within the ſaide Towne oꝛ ſuburbes of the ſame: Be it &c. that the ſame ſtreete ſhall be paued and repayred with ſtone from time to time, at the charges of the Pariſhioners of euery ſuch church and Churchyarde, the charges whereof to be indifferentlie rated by the twelue headboꝛoughs afoꝛeſaid, oꝛ the moſt part of them, and the ſame to bee leuyed in ſuch manner, as the foꝛfaitures by this Acte are to be leuyed. And that all the ſaid foꝛfaitures, aboue mentioned, ſhall bee to the vſes of the Bailifes, Burgeſſes, and comminalties of the ſaid Towne of Ipſwich, and their ſucceſſoꝛs, to and foꝛ the amendment of the Hauen there, at and by the diſcretion of the ſaide Bayliffes, and of the Poꝛtmen of the ſaide Towne, oꝛ of the moꝛe part of them. And be it further enacted by the authoꝛitie afoꝛeſaide, that the Bailifes foꝛ the time being, and their ſucceſſoꝛs, ſhall haue power and authoꝛity, once euery quarter of the yere, after the laſt day of this pꝛeſent Seſſion, within the ſaide towne, to inquire by the othes of the ſaid xii. headboꝛoughs foꝛ the time being, of euery ſuch default of paſing, oꝛ of not repairing oꝛ amending of the ſaid pauementes & foꝛ euery default ſo befoꝛe them pꝛeſented by the ſaide xii. headboꝛoughs, ſhall haue alſo power and authoꝛitie to leuie oꝛ cauſe to bee leuyed by diſtreſſe, oꝛ lawfull meanes, within oꝛ vpon the ſaide houſes, landes oꝛ tenements, the ſaid ſeuerall foꝛfaitures and ſummes of money aſſeſſed, & that the ſaid bailifs ſhall & may make ſuch like anoẅrie, cognilance, oꝛ iuſtification foꝛ ẏ ſame, as may bee made foꝛ arrerages of rent charge by the cõmon lawes of this realm, and ſhall haue like iudgement of and foꝛ coſts, damages, and returne.

Fyne.

Owners Terretenants

Streetes

Repayre Pauements

Fyne.

Churches Church yardes

Pariſhioners

Aſſes

Hauen

Inquire

Default

Headboꝛoughs Diſtreſſe

Bailifes

Arrerages Rẽt charge

Prouided alwaies that if the leſſées foꝛ yeres, oꝛ at wil of the ſaid houſe, lands oꝛ tenemẽts, oꝛ of the houſes, lands oꝛ tenements, within the ſaid towne of Ipſwich oꝛ ſuburbs of the ſame, do ſufficiẽtly paue oꝛ repaire the ſtréets befoꝛe the manſiõs oꝛ dwelling places, in foꝛme afoꝛeſaide: ẏ then they & euery of them ſhall & may deſalke, abate, and retaine in his and their owne hands, aſmuch of their rents due to their leſſoꝛs, oꝛ others to whome ẏ immediate reuerſion of their ſaid houſes, lands, oꝛ tenements do belong, as they can duly pꝛoue to haue bin expended by them vpon the

Leſſees

Deſalk rent

the ſame paying, & ſo much deſalked ſhal bee to all intents accompted as payed to their leſſors, in ſuch ſorme, as by their leaſes is appointed to bee paied. And the leſſors or they to whom ſuch rent ſhalbee due, to haue no action or title of reentree, for or by reaſon of the nonpayment of ſo much of the ſame rent, as ſhal be deſalked, except the ſaid leſſees haue otherwiſe couenãted to make the ſaid paymẽt at their owen coſts and charges, or beare harmeleſſe their leſſors, of all charges, payments, or dueties iſſuing out of, or to be ſuppoſed vpon ſuch their houſes, lands or tenementes. And where alſo there are within the ſaid towne of Ipſwich, and the ſuburbes of ỳ ſame, diuers pariſh churches, either nothing or very poorely endowed, and inſufficient to maintaine conuenient Miniſters: Be it therefore enacted by the Quéene our Soueraigne Ladie, and the Lordes ſpirituall and temporall &c. that the bayliffes of the towne of Ipſwich, with the Portmen there, or the more part of them for the time being, calling to them the Churchwardens, & foure other of euery of the ſaid ſeuerall pariſhes ſhall haue full power and authoritie, to taxe and aſſeſſe vpon euery houſe, ground and tenement, frée or copie, ſituate & being within the ſaid ſeuerall pariſhes, ſuch reaſonable ſumme or ſummes of monete to be yerely paied, aſwel for and towards the finding and maintaining of a conuenient ſtipendarie Miniſter, within euery of the ſaide pariſhes, as to & for the reparations of the ſaid ſeuerall Churches and Chauncels, as they ſhall thinke méete. And alſo ſhall lymit and appoint the time and times when the ſeuerall pariſhioners ſhall pay the ſame, & ſhal enter the ſame, with the ſeuerall names and ſummes paiable by euery perſon, into a paper booke, which ſhal remaine with the ſaid bailifes for the time being. And alſo ſhall appoint the ſaide Churchwardens to collect & receiue the ſame from yere to yere, to whom a copie of the ſaid booke ſhal be deliuered by the ſaid bailifs, and euery ſuch churchwarden ſo appointed, to do the beſt of his endeuour to collect and gather the ſaide ſeuerall ſummes, and ſhal haue ful power and authoritie by vertue of this acte, to diſtraine the goodes or cattels of any of the ſaide ſeuerall pariſhioners making default, to and for the payment of the ſaide rates, at the time and times lymited for the ſame, vpon the charge of their collection. And the diſtreſſe ſo taken, ſhall & may anſwer or iuſtifie, in ſuch maner & forme, as is vſed for rent charge being vnpaied, at the common law. And be it alſo further enacted by ỳ authoritie aforeſaid, that euery ſuch Churchwardẽ, his executors, and adminiſtrators, ſhall be accomptable, of and for his collection and receipt, before the Churchwardens of the ſaide ſeuerall pariſhes, which ſhall ſuccéede them, and before the inhabitãts, or the more part of them of the ſame pariſh, if they will be preſent there, when & whereſoeuer he or they ſhall be thereunto required. And ſhall preſently vpon the determinatiõ of his or their accompt, pay all ſuch ſummes of money, as it ſhal appeare ỳ hee or they ſhalbee charged with, to the handes of the Churchwardens, as then ſhal ſuccéede. An. 13. Eliz. cap. 21.

Parish Churches

Miniſters

Bailifes

Church-wardens

Taxe

Miniſter

Repairing of churches

Collect

Paper book

Diſtraine

Accompt

¶ Ireland.

IN the booke of Magna charta is an ordinance for Ireland, concerning diuers matters: intituled, Ordinatio pro ſtatu terræ Hiberniæ.

2 ¶ Anno 17. E. 3. A Statute containing fiue Articles was made concerning Ireland.

3 ¶ All Marchants, aſwell aliens as denizens, may come into Ireland with their marchandizes, & from thence frely to returne with their marchandizes & vitailes, without fine or raunſome to be taken of them: Sauing al waies to the king his ancient cuſtomes & other duties. An. 34 E. 3. cap. 17.

Marchants Aliens Denizens

Cuſtome

4 ¶ People of England, aſwel Religious as others, which haue their heritage & poſſeſſions in Ireland, may bring their corne, beaſtes, & other vitailes to the ſaide land of Ireland, & from thence to recarry their goods and marchandizes into England frely without impeachment, paying their cuſtomes & their duties to the king. An. 34. E. 3. cap. 18.

Corne Cattell

5 ¶ An. 1. H. 5. cap. 1. It was enacted, that al Iriſh perſons ſhould void the realme within a time, except certain thereexpreſſed. And that they that had beneflces or office in Ireland, ſhould dwel vpon them for defence of Ireland.

6 ¶ Whereas it was ordayned in the time of the kings noble progenitors, by a ſtatute made of the land of Ireland, that none of the Iriſh nation ſhould be choſen by election to be an Archbiſhop, Biſhop, Abbot,

Abbot, or Prior, nor in none other maner receiued nor accepted to any dignity or benefice within the same lande, and now late many such Irish people by force of certaine letters of licence to them made by the kings Lieutenãts there, to accept and receiue such dignities and benefices be promoted & aduanced to Archbishops and Bishops within the saide land, which also make their collatiõs to Irish clerks of the dignities and benefices there, against the forme and effect of the sayde Statute. And whereas they bee saide Péeres of the Parliament in the sayde land, they bring with them to the Parliaments and Counsels holden there, Irish seruants, whereby the priuities of the Englishmen within the same lande haue bin and bee daily discouered to the Irish people, Rebels to the King, to the great perill and mischiefe of the kings lawfull liege people in the same land: Our Soueraigne Lorde the king that nowe is, desiring for the same to prouide remedie for the suertie of his faithful subiects, by the assent & request aforesaide, and at the request of the said commons, will & granteth, that the said Statute shall stand in his whole force, and well and duely bee kept, and fully executed vpon his grieuous indignation. And moreouer he hath ordained and established, by the assent & request aforesaid, that if any such Archbishops, Bishops, Abbots, or Priors of the Irish nation, rebels to the king, haue in times past made, or from henceforth shal make any collations or presentments to the benefices of holy Church in the saide land of Ireland, against the forme of the same Statute, or bring with them anie Irish rebels amongst the Englishmen to the Parliaments, Counsels, or other assemblies, within the same land, to knowe the priuities & estates of the said Englishmen, and the same to discouer to the saide Rebels: That then afterward from time to time all their temporalities shalbe seised into the kings hãds, there to remaine till they haue made fines to the K. in this partie. And also that all the Lieutenants of the king & of his heires in the said land of Ireland, be vtterly defended & restrained from henceforth to haue any manner power, to giue or to grant any such benefices or pardons in that case to Irish persons not English. And that all such licences not executed, made & graunted by the kings Lieutenant in the same lãd, before this time, and also to be granted by them hereafter, shal bee voide & of no force nor value. An. 4. H. 5. cap. 6.

Benefices
Licence
Archbishops
Bishops
Peeres
Collations
Seisi temporalities
Fines Lieutenants
Licence

Voide

7 ¶ Anno 1. H. 6. cap. 3. An acte was made to auoyd Irish men out of Englãd, except certaine persons, and they to finde suertie of good abearing. And that from the saide feast of S. John forward, no persons borne in Irelande, shall enter the Realme of England, or dwel in the saide Vniuersities of Oxford or Cambridge, or elsewhere, within the realme of England, vnlesse he bring to the said Chauncelor of England, such letters testimonials, vpon paine to be punished as a Rebel to our soueraigne Lord the king.

Oxford
Cambridge
Testimonall

8 ¶ That the Chauncelors of the Vniuersities of Oxford & Cambridge, for the time being, euery of them within his iurisdiction, shal take the suerties to be taken of schollers within the same vniuersities, & certifie the same into the kings Chauncery. And that the Iustices of Peace within the Counties, and Maiors and Baylifes within Cityes and Boroughes infranchised, haue power to take before them, such maner suertie of good abearing, and to doe execution against them which shall abide, or do against the said ordinance from henceforth. Anno 2. H. 6. cap. 8.

Chauncelor of the Vniuersitie
Oxford
Cambridge
Suerties
Chauncerie
Iust of P.
Maiors
Bailifs

¶ Iron.

IRon made in England, & Iron brought into England and there solde, shall not be brought out of the realm of England, vpon pain of forfaiture of the doule to the king. And ỳ Iustices assigned to inquire of labourers, and the other Iustices whom the King will thereto assigne, shall haue power to inquire of them that sel the iron at to deare a price, and to punish them after the quantity of the trespas. An. 28. Ed. 3. cap. 5.

English
Forf.
Labourers

¶ Iewes.

STatuto Ed. 1. de Iudaismo, is ordayned, that no Vsurie shall returne from hẽceforth, and diuers matters be there against Vsurie taken by Iewes, & concerning debts to Iewes, and stollen goods in Iewes hands, & where they should dwel, and what signe they should beare, & what they should paye to the king, & what they might, or might not buy and sel, and purchase, & diuers other matters concerning Iewes, & they were taken into the kings protection.

Vsurie

¶ Iudge.

¶Iudgement.

Chancery K. Bench Commmon bench Eschequer Iustices

ITem because diuers mischiefes haue happened of that, that in diuers places, aswel in the Chãceryas of the kings B. the common Bench, & in the Eschequer, the Iustices assigned and other Iustices to heare & determine deputed, the Iudgements haue bin delayed, sometime by difficultie, and sometime by diuers opinions of the Iudges, and sometime for some other cause: It is assented, established & accorded, that from hencefoorth at euerie Parliament shal bee chosen a Prelate, ii. Earles, & two Barons, which shall haue Commission & power of the king, to heare by petition deliuered vnto them, the complaints of those ỹ will complaine them of such delayes or grieuances made, & they shal haue power to doe come before them at Westminster, or elsewhere where the places or any of them shall be, the tenour of Recoords and processes of such iudgementes so delayed, and to cause the same Iustices to come before them, which shal be then present, to heare their cause & reasons of such delayes, which cause & reason so heard by good aduise of them selfe, the Chancelor, Treasorer, the Iustices of the one Bench and of the other, & other of the Kings Counsell, as many and such as shall seeme conuenient, shall procede to take a good accord, & make a good iudgment. And according to the same accord so taken, the tenour of the saide Record, together with the Iudgement, which shall bee accorded, shall bee remaunded before the Iustices before whom the plee did depend. And that they shal giue iudgement, according to the same Record. And in case it seemeth to them that the difficultie be so great, that it may not wel bee determined, without assent of the Parliament, that the said tenor or tenors shall be by the said Prelates, Earles & Barons in the nert Parliament, and there shalbe a finall accord taken, what iudgement ought to be giuen in this case. And according to this accorde it shalbe commanded to the Iudges, before whome the plee did depende, that they shall proceede to giue iudgement without delay. An. 14. Edw. 3. cap. 5. Stat. 1.

Chancelor Treasorer Iustices

Record

Attaint Error

2 ¶And after Iudgement giuen in the Courts of our soueraigne lord the king, that the parties and their heires shall bee therof in peace till the Iudgement be vndone by Attaint, or by Error, if there bee error, as hath bene vsed by the lawes in the time of the kings progenitors, An. 4. H. 4. cap. 23.

¶Iurisdiction.

IF any cause or matter (the knowledge whereof belongeth to a Court spirituall) and be definitiuely determined before a spirituall Iudge, so that it passe into a iudgement, nor was not in suspence by reason of any appeale, and afterward vpon the same thing a case is moued before a temporall Iudge, and betweene the same parties, and it be proued by witnes or instruments: The exception shall not bee admitted in a temporall Court. The aunswere. When any one case is debated before Iudges spiritual and temporal, as aboue appeareth vpon the case of laying violẽt handes on a Clerke. It is thought, that notwithstanding the spirituall iudgment, the kings Courts shall discusse the same matter, as the party shall thinke most expedient to himselfe. Articuli Cleri cap. 6. An. 9. E. 2.

Court spirituall Spiritual Iudge Appeale

Exception

2 ¶Whereas the saide Prelates haue shewed & prayed remedie vpon that, that the said secular Iustices doe vsurpe & accroch to them cognisance of voydance of benefices of right, which recognisance & the discussing thereof appertaineth to the Iudges of holy Church, and not the laye Iudge: The king wil & granteth, that the said Iustices shal from hencefoorth receiue such challenges made or to be made by any Prelate of holy Church in this behalfe, & moreouer thereof shal do right & reason An. 25. E. 3. pro Clero ca. 8.

Secular Iustices

Challenge

¶Iuris vtrum.

IN like manner as a writ is to bee granted whether a tenement be the frankalmoigne of a church, or the lay fee, so hereafter there shalbe made such a writ, whether it bee the frankalmoigne of such a church, or of another church, in case wher the frankalmoigne of one church is translated into ỹ possession of another church, West. 2. Ma. Ch. fol. 66.

Layfee

Frankalmoigne

¶Iurors.

COncerning charters of exemption and liberties, that the purchasors shall not be impanelled in Assises, Iuries and Inquests: It is prouided, that if their othes be so requisit, that without them Iustice cannot

Exemption

Assises Inquests

cannot bee inquiſhed (as in great aſſiſes, perambulations, and in deeds or writings of couenantes where they bee named for witneſſes or in attaints, & for other cauſes like) they ſhalbe compelled to ſweare: Duing to them at another time their foreſaid liberties and exemption. Marleb. cap. 14. An. 52. H. 3.

Attaints

Olde men

Sicke men

2 ¶ From henceforth in any Aſſiſe no more ſhal bee ſummoned then xij. lif. And old men about lxx. yeeres, being continually ſicke, or being diſeaſed at the time of the ſummons, or not dwelling in that countrey, ſhal not be put in Iuries or petty aſſiſes, nor alſo ſhall be put in Aſſiſes and Iuries, though ſome ought to be taken in their owne ſhire, that may diſpend leſſe then xx. s. yeerly. And if ſuch aſſiſes & Iuries bee taken out of the ſhire, none ſhall paſſe in them, but that may diſpend xl. s. yeerly at the leaſt, except ſuch as be witneſſes in deeds, or other writings, whoſe preſence is neceſſary, ſo that they be able to trauaile. Neither ſhal this ſtatute extend to great aſſiſes, in which ſhe hourly many times knights to paſſe, not reſident in the countrey, for y^e ſcarcitie of knights, ſo that they haue lande in the ſhire. And if the ſhirif or his vnderbailifs, or bailifs of liberties offend in any point of this ſtatute, and therupon be tolde, damages ſhalbe awarded to the parties grieued, & ſhal neuertheles be amerced to the king. And Iuſtices aſſigned to take aſſiſes, when they come into the ſhire, ſhall haue power to heare the playntes of all complainants, as to the Articles cõtained in this ſtatute, & to miniſter iuſtice in forme aforeſaid. Weſt. 2. ca. 37. An. 13. E. 1.

xl. s. Land

Grauud aſſ. Knights

Shirifs Bailife

Damages Amerced

Shirifes Bailifes

3 ¶ No Shirife, vndershirife, or other bailifes, nor bailifs of liberties, ſhal from hēceforth put in any recogniſſance aboue ſaide, that ſhall paſſe out of their proper Counties or bayliwikes, any, except they haue lands & tenements to the perely value of an C. s. at the leaſt. And the king intendeth not by this ſtatute to reſtraine the laſt ſtatute of Weſt. wherein mention is made of Recogniſors to be put in iuries & aſſiſes, but of ſuch only as ought to paſſe in aſſiſes, iuries, and recogniſances triable out of their proper Counties, ſo y^t within the countie before Iuſtices of our Soueraigne L. the King, aſſigned to the taking of any ſuch Inqueſts, Iuries, or other recogniſances, none ſhalbe impanelled, except hee haue lands & tenements to the perely value of xl. s. And likewiſe ſaying that before Iuſtices errant, that hold common plees in their circuit; & alſo in Cities, Borroughs, and other Market townes where recogniſance, aſſiſes, and Iuries doe paſſe vpon any matter touching the ſaide cities, borroughs, and other townes, a writ ſhalbe made, like as it hath bin accuſtomed in times paſt. An. 1. E. 1.

Recogn.

E. s. Land

Inquiſt

xl. s. Land

Iuſtices errant

4 ¶ No Shirife nor bailife ſhall impanell in Inqueſt & Iuries ouer many perſons, nor otherwiſe then is ordained by the eſtatute, and that they ſhal put in the Iurie ſuch as bee next neighbours, moſt ſufficient, & leaſt ſuſpicious. And he that otherwiſe doth, and is attainted thereupon, ſhal paye vnto the plaintif his damages double, and ſhalbe grieuouſly amerced vnto the king. Articuli ſuper chart. cap. 9. An. 28. E. 1.

Shirife Bailike

Attaint xl. damages

5 ¶ If any Iuror in Aſſiſes, iuries, or inqueſts, take of the one party or of the other, and be therof duely attainted, that hereafter he ſhal not be put in any aſſiſes iuries, or inqueſts, and neuertheleſſe he ſhalbee commaunded to priſon, & further raunſomed at the kings will. And the Iuſtices before whome ſuch aſſiſes, iuries, & inqueſts ſhall paſſe, ſhall haue power to inquire and determine, according to this ſtatute. An. 5. E. 3. ca. 10.

Barciall Attaint

Impriſon Fine

Oier & ter. *

6 ¶ No indictor ſhalbe put in inqueſts vpon the deliuerãce of the indictees of felonie or treſpas, if he be challenged for the ſame cauſe by him which is ſo indicted An 25. E. 3. ca. 3. Stat. 5.

Iuvictor

7 ¶ Panels ſhall bee made of the nert people which ſhal not be ſuſpected nor procured. And that the ſhirifs, Coroners, and other miniſters which do againſt y^e ſame, ſhalbee puniſhed before that the Iuſtices take the ſaide Inqueſt, according to the quantitie of their treſpas, aſwell againſt the K. as againſt the party, for the quãtitie of the dammage which he hath ſuffered in ſuch maner. An. 34. E. 3. ca. 4.

Panels

Shirifes Coroners

8 ¶ In every plee, whereof the inqueſt or aſſiſe doth paſſe, if any of y^e parties will ſue againſt any of the Iurors that they haue taken of his aduerſarie or of him, for to ſay their verdict, he ſhalbe heard, & ſhal haue his plaint by bil preſētly, before the Iuſtices afore whom they did ſweare, & that the Iuror be put to anſwer without any delay, & if they plead to the countrey, the inqueſt ſhalbee taken forthwith. And if any man other then the party will ſue for the king againſt the Iuror, it ſhalbee heard & determined as afore is ſaide. And

Take reward

if the

Attaint

if the Iurors bee attainted at the suite of other then the partie, & maketh fine, the party that sueth shall haue halfe the fine. And that the parties to the plee shall serue uer their dammages by taxing of the inquest. And that the Iurors so attainted bane imprisonmēt of one yere, which imprisonmēt the king granteth, that it shal not be pardoned for no fine. And if ỳ party will sue by writ before other Justices, hee shal haue the suit in forme aforesaid. An. 34. E. 3. cap. 8. See the like Statute in Decies tantum 1.

Mottie

Murder

Reall Personall

9 ¶ No person shal be admitted to passe in any Inquest vpontriall of the death of a man, nor in any inquest betwixt partie & party, in plee real, nor in any plee personal, whereof the debt and damages declared, amount to xl. Markes, if the same person haue no lands or tenements of the yeerely value of xl. shillings, above all charges of the same, so that it be challenged by the partie, that any such person is impaneled in ỳ same cause, haue not lands or tenements of the yerely value of xl. s. above the charges, as aforesaid. An. 2. H. 5. cap. 3.

K. of Lond

10 ¶ Forasmuch as our said soueraigne Lord the king, at the grieuous complaint to him made by his said commons, in the same parliament, hath conceiued, that diuers persons of great pouerty, without conscience & of euil gouernance, now of late dwelling in a place suspect, called the Stewes in the borough of Southwarke, in the County of Surrey, aswel by receit of common women, theues, maquellers & aduowtrers, as by murderers & priuie robbers, as wel by them selfe as by many other there herberged, without pitie, loyalty, & good conscience there done, haue suddenly come to great riches, by ỳ which they haue purchased great liuings of lands & tenements to great yerely values, & because of their sufficientie of freehold so purchased, they haue bin returned by the shrifs of the said county, & other bailifes in inquests, aswell for felonie & trespasse betweene the king & the partie, and partie and partie, as in Assises and other plee of land before the kings Justices in his Courtes, and before the Stewards & Marshal of his house, whereby diuers disinheritances & wrongfull condemnacions of many lawful lieges of our soueraigne Lord the king haue bin had, & many murderers and notorious theues haue bin saued, great murders and robberies tolerated and not punished. And how the same persons suspect inhabite them in common hosteries and tauernes in the high way of the same Borough, there retaining theues, common women, & other misdoers, in like manner as they did in the said suspect place of the Stewes: Our soueraigne Lord the king considering ỳ premisses, & that such people without euidence be defamed, & may not of reason be inclining to beare witnes of truth, there where truth should be inquired, hath ordained & established, that if any such person bee retained by any shrif, bailife, or other minister of our said soueraigne Lord the k. in the said Countie of Surry, & by any Officer before the Steward & Marshal of our soueraigne Lord the kinges house, aswel for the King as for the partie, at all times from henceforth he shalbe challenged, & the challenge in that party allowed for the cause before said. And also for to auoyd murders, robberies, & aduowtries, that might by likelyhood happen: It is ordained, that no such person, which also hath dwelled at the said Stewes, be suffered to hold any common hostery nor tauerne, in other place within the same borough of Southwark, but only at the said Stewes. And that the Justices of peace in ỳ same County, shal haue power to inquire of all them that holde hosteries & Tauernes, & them to punish by fine and ranisome, and by imprisonment of their bodies, after the discretion of the said Justices. An. 11. H. 6. cap. 1.

Stewes Southwarke

Tauernes

Surrey

Challenge

Hostelers

Iust. of P. Inquire

Imprison

11 ¶ Euery Iuror from the feast of the blessed Trinitie next coming, that shalbe impanelled and returned within the said Countie of Middlesex, in any of the saide Courts, in any of the said actions, at euery fourth day of ỳ returns thereof, shalbe demanded and called. And that al persons impanelled in any of those courts, ỳ doth appeare at the saide day, their apparance shalbe recorded & there entred by ỳ court, & they shall not bee amerced nor lose auie issues the same daye in that suite. And it is ordained by ỳ same authoritie, that euery default, essoine, & euery other delay of any person plaintife or defendant in any such personal suite by the law heretofore vsed, by this ordinance shall not be preiudiced nor taken along in any maner, but to bee auoyded, adiourned, and allowed, in as ample & large forme, as they were before the making of this statute: this ordinace notwithstanding. An. 8. E. 4. cap. 3.

Apparance

Default Essoine

12 ¶ No

Bailife

12 ¶ No Bailife for none other officer from hence forth, shall returne in anie panel anie such person in anie such shire, within this realme, to be taken or put, in or vpon anie such inquirie in anie of the said turnes, but such as bee of good name & fame, and hauing landes, or tenements of freehold within the same counties, to ỳ perely value of xx.s. at the least, or else lands & tenements holden by the custome of the manor, commonly called Copihold, within the said counties, to the perely value of xxvj.s.viij.d. above all charges at ỳ least. And if any Bailife or other Officer within the said counties, do hereafter returne or impanel any person contrary to this statute, he shall lose for euerie person so impanelled & returned, not being of the sufficiencie aforesaid, at euerie time that he offendeth xl.s. & the saide shirife other xl.s. The one halfe thereof to the K. our soueraigne Lord, & the other halfe to the party that will sue in this behalfe. And euery man that will sue for the same, shall haue their seuerall actions of debt for the same at the common law, aswel against ỳ shirife as the said bailife, & that such & like proces be had & vsed in euery of the same actions, as is had & vsed in other actions at the common law. And that no protection nor essoine bee allowed in the same. And ỳ euery such indictment before anie such shirife in his Turne otherwise taken, be void and of none effect. This act to take effect at the first day of the saide Parliament and not before. An.1.R.3.ca.4. This acte was altered in parte for the Shires of South, Surrey, and Sussex. An.21.H.7.cap. 26. and An.11.H.7.cap.16. But both these statutes bee expired, as appeareth next following.

Turnes

xx.s. land

Copyhold

Returne Fayl.

Shirife Forfe

Proces

Indictment

Void

13 ¶ An.11.H.7.cap.26. was an acte made to indure to the nexte Parliament, that shirifes in their turnes, in the shires of South. Surrey and Sussex might returne Iurors of x.s.freehold, or xiij.s.iiij. d.copyhold, and for lacke of such, other of no land. And after Anno 19.H.7.cap.16. This acte was continued to indure to the next Parliament.

Shirifes turnes

x.s.Land

14 ¶ The shirifes of London for the time being, haue full authority & power, to returne in panels or arraies of all actions & suits now depending, or that shall depend in any of the said courts or Eschequer, persons being citizens hauing goods to the value of C. Marks, or aboue, to trie the issues ioined, or to bee ioined in euerie such action or suit. And the persons so returned, hauing goods to ỳ value of an C. Markes, or aboue, shalbe swoorne & doe in al such Iuries in like wise in euery thing as other persons shal doe, hauing lands & tenements of the yerely value of xl.s. over al charges. And ouer that be it ec that the shirifes of the said citie for ỳ time being, shal returne vpon the first distresse in euery such action or suit vpon euery of the Iurors impanelled to trie ỳ issues ther of xx.d. And vpon the secõd distresse, vpon euery of the same Iurors xl.d. And vpon euery distresse after that vpon euery of the same Iurors the double, til ful Iury in euery such action & suit shall appeare & bee swoorne to trie the issues ioined in ỳ same. And that the shirifes that shal make anie returne vpon such distresse, contrary to ỳ forme aforesaid, shal forfait for euery such default x.li. The one halfe therof to bee to the king, and the other halfe therof to the partie that wil sue therfore. And that the defendant in any such action be not admitted to wage his law, nor protection therein for him allowed. An.4. H.8.cap.3.

Shirife of London

Returne panels

Eschequer

C.Markes in goods

First distres xx.d.

Second iii.s. iiii.d.

Forf. Poyne

15 ¶ The said act be expounded, interpreted and taken, that the shirifes for the time being be bound to returne at euerie first distresse of Nisi prius, to be had at the said S. Martins in euery such action or suit, vpon euery of the Iurors impanelled to trie issues thereof xx.d. & vpon the secõd distres of Nisi prius, vpõ euery of the same Iurors xl.d. And vpõ euery distres of Nisi prius after ỳ euery of the same Iurors ỳ double, til a ful Iury in euerie such action & suit shal appeare & be swoorne to trie the issue ioined in the same. And ỳ no shirif of the said city or any other, any thing forfait by force or colour of ỳ said statute, for any returne to bee made, except onelie vpon returnes to be made contrary to ỳ forme, declaration, interpretation, & expositiõ of this statute, ỳ is to say, vpõ writs of distresses before Iustices or Iustice of Nisi prius within the said citie, & that vpon all other writs & proceses that be & shalbe awarded out of the said courtes or Escheq. it shalbe lawfull to the shirifes for ỳ time being to make their returnes according to the order of the lawe, as the shirifes of London were wont to doe before the making of the said statute, without any losse or forfaiture. An.5.H.8.cap.5.

Shirifes

Nisi prius

iii.s.iiii.d.

Returnes

16 ¶ Euery person and persons being the kings natural subiect borne, which either by name of a citizen, or of a free man,

Citizens

or any other name, doth inioy and vse the liberties and priuiledges of any Citie, borough or towne corporate, where he dwelleth & maketh his abode, being worth in moueable goods and substance to the cleer value of xl. li. be frō henceforth admitted in triall of murders & felonies in euerie sessions and gaole deliuerie, to bee kept & holden in & for the liberties of such cities, boroughs & townes corporate, albeit they haue no freehold: any act, statute, vse, custome or ordinance to the contrary hereof notwithstanding. Prouided alway, that this act do not extend in any maner of wise to any knight or Esquire dwelling, abiding, resorting in or to any such city or borough corporate: any thing in the same act mentioned or declared, to the contrary hereof notwithstanding. An. 23. H. 8. cap. 13.

Triall of murder Felonie

No Freehold

Knight Esquier

17 ¶ In euerie case where such persons as should passe vpon the trial of anie issue ioined in anie of the kings courts of records, commonly holden at Westminster, ought by lawe to dispend fortie shillings by the yere, of freehold for terme of life, that the writs of Venire facias, which from and after the first day of Aprill next comming shall bee awarded and directed for the impanelling of such persōs as shal trie the same issue, shall be in this forme.

xl. s. freehold Venire facias

Regina &c. Præcipimus &c. quod venire facias coram &c. duodecim liberos & legales homines de vicineto de B. quorum quilibet habeat quadraginta solid. terræ, tenementorum vel reddituum per annum ad minus, per quos rei veritas melius sciri poterit. Et qui nec &c. and so forth the residue of the said writ after that ancient forme. And in euery case where it is not requisite, that the persons that shall passe vpon the triall of any issue ioyned in any of the K. courts aforesaid, shall dispend fortie shillings by the yere of free hold, that the writs of Venire facias, that shal be awarded after the said first day of Aprill, shalbe made after the forme aforesaid, omitting this clause, quorum quilibet habeat quadraginta solid. terræ, tenem. vel reddituum per annum ad minus. And that vpon euerie such writ and writs of Venire facias that shall haue the said clause, Quorum quilibet &c. the shirife or other minister or ministers, to whom the making of the panel shall appertaine, shall not returne in any such panell any person, vnlesse he may dispend xl. s. by the yeere at the least of estate of freehold out of ancient demesne within the Countie, where the issue is to be tried: And also shall returne in euerie such panell vpon the same Venire facias, fiue sufficient hundredors at the least, if there be so many hundredors within the said hundred where the venue lieth, vpon paine to forfait for euery person being returned in any such panel, that cannot dispend xl. s by the yere, as is aforesaid, xx. s. And for euery hundredor, that shalbe omitted in such returne of the number aforesaide, xx. s. And in euery writ of Venire facias wherein the said clause, Quorum quilibet &c. shalbe omitted, the shirife or other minister or ministers to whom the making of the panel shall appertain, shall not returne in any such panel any person, vnles he may dispend some lands, or tenements of estate of freehold, out of ancient demesne, within the countie where the issue is to be tried: And also shall returne in euery such panell vpon the same Venire facias, fiue sufficient hundredors at the least, if there bee so many hundredors within the said hundred where the venue lieth, vpon like paine as is aforesaid.

Shirife

Ancient demaine

Foyl.

vi. Hundredors

And furthermore be it &c. that vpō euerie first writ of Habeas corpora or Distringas with a Nisi prius, deliuered of Record to the Shirife or other minister or ministers, to whom the making of the returne shall appertaine, the said Shirife & other minister or ministers shal from and after the saide first date of Aprill, returne in issues vpō euery person impanelled and returned vpon any such writ, at the least v. s. And at the second writte of Habeas corpora or Distringas, with a Nisi prius, vpō euery person impanelled & returned vpon any such writte ten shillings at the least. And at the third writ of Habeas corpora or Distringas with a Nisi prius that shalbe further awarded vpon euery person impanelled & returned vpon any such writ xiij. s. iiij. d. And vpō euery writ that shall be further awarded to trie any such issues, to double the issues last before specified, vntill a full Jurie be sworne or the proceese otherwise ceased or determined, vpon pain to forfait for euery returne to be made contrarie to the forme aforesaide fiue pounds. And for a more speedie triall of issues to bee tryed by the verdict of ymen hereafter to be had: Bee it further &c. that in euery such writte of Habeas corpora or Distringas with a Nisi prius, where a full Jurie shall not appeare before the Justices of Assise or Nisi prius, or else after apparance of a full Jury,

Issues

v. s.

x. s.

xiij. s. iiij. d.

Foyl.

by

by challenge of any of the parties, the iurie is like to remaine vntaken for default of Iurors, that the same Iustices vpon request made by the partie plaintife or demandant, shal haue authoritie by vertue of this act, to command the shirife or other minister or ministers to whome the making of the said returne shal appertain, to name and appoint as often as nede shall require, so manie of such other able persons of the said county then present at the said assises or Nisi prius, as shal make vp a ful Iury, which persons so to be named & impanelled by such shirife or other minister or ministers, shall be added to the former panell and their names annexed to the same. And that euerie of the parties shall and may haue his or their challenge to the Iurors so named, added and annexed to ỳ said former panell by the said shirife or other minister or ministers in such wise as if they had bin impanelled vpon the Venire facias, awarded to trie the saide issue. And that the said Iustices shall and maie proceede to the triall of euerie such issue with those persons that were before impanelled & returned, and with those newly added & annexed to the said former panel, by vertue of this act, in such wise as they might or ought to haue done, if all ỳ said Iurors had bin returned, vpon the writ of Venire facias, awarded to try the said issue. And that all and euery such trial had after the first day of April, shall be as good & effectual in the law, to all intents, constructions and purposes, as if such trial had bin had & tried by twelue of the iurors impanelled & returned vpō the writ of Venire facias awarded to trie such issue. And in case such persons as the said shirife, minister or ministers shal name and appoint as is aforesaide, or any of them, after they shalbe called, be present & doe not appeare, or after his or their apparance, do wilfully withdraw him or themselues from the presence of the court: that then such Iustices shal & may set such fine vpon euerie such Iuror defaultie or wilfully withdrawing himselfe as is aforesaid, as they shal thinke good by their discretions: the said fine to be levied in such maner and forme, as issues forfaited and lost by Iurors for default of their apparance at the common law, haue bin accustomed to be levied.

Tales

Challenge

And be it further et. that where any iurie that shall be returned by the shirife or other minister or ministers, shalbe made ful by the commandement of the said Iustices by vertue of this present acte, ỳ yet nevertheles such persons as were returned in ỳ said panell by the shirife or other minister or ministers to try any such issue ỳ shal not appeare, but make default, shal lose the issues vpon thē returned, in such wise as though the same Jury had remained for default of Iurors.

Default
Issues

Prouided alway, and be it enacted that vpon a reasonable excuse for the default of apparāce of any Iuror or Iurors, sufficiently proued before the Iustices of Ass. or Nisi prius at the day of their apparance by the othes of two lawful & honest witnesses, ỳ the same Iustices shall haue authoritie by their discretions to discharge euery such Iuror of euery such forfaiture of issues vpon him returned. And ỳ the shirif & shirifes or other minister or ministers, having commandement by the said Iustices to omit the returning of such issues as is aforesaide, vpon such Iuror or Iurors, shalbe therein discharged of the penalties aforesaid, for the non returning of the saide issues, & that yet notwithstanding the said returne to be good & effectual in the lawe: any law, vlage or custome to the cōtrarie notwithstanding.

Excuse
Witnesses
Discharge
Shirife

Prouided also, that if the said Iustices, afore whō any such Iurie should appeare in the county where such issue is to be tried by vertue of a writ of Nisi prius do not come at the day and place appointed, but that the Assise or Nisi prius for that time shalbe discontinued for not comming of the said Iustices, or for any other occasion, other then by default and lacke of Iurors: that then euerie one of the same Iurors shall bee discharged for forfaiting of any issues vpon him returned in the same writ. And the shirife or other minister or ministers shalbe likewise discharged of the penalties of this statute, for the non returning of such issues as are before limited in this act: any article or sentence herein obtained to the contrarie notwithstanding. And be it et. that if vpon any such writ of Habeas corpora or Distringas, with a Nisi prius, issues be returned vpon hundredors, Iuror or Iurors by the shirife or other minister or ministers, to whom the execution of the same writ or writs shal appertaine, whereas the same hundredors & Iurors shal not be lawfully summoned, warned or distrained in that behalf: that then euerie such shirife or other minister or ministers aforesaid, shall

Iustices

Discharge of forf.

Shirife

Issues

Shirife

Fol.

lose for euery such offence committed, double so much as ỳ said issues returned vpon such hundredors or Jurors not lawfully summoned, warned or distrained, shall amount vnto, the moitie of al which forfaitures contained in this present act, other then the issues to be returned vpon the iurors as is aforesaid, shall be to the king, & the other halfe to him that wil sue for the same by action of debt &c. in which &c. Saving to all maner of persons & bodies politique and corporate, their heirs & successors (having lawful right, title, and interest to haue such issues, to bee before anie such Justices of assise or Nisi prius at anie time or times herafter lost or forfaited) al such right, title & interest as they or any of them should or might haue had to such issues to be lost & forfaited as though this act had neuer bin had or made.

Not summoned
Moitie

Bodies politike

Prouided also, ỳ this act nor any thing therein contained, shal not extend to any citie or towne corporate, or to anie shirife, minister or ministers in the same, for the return of any inquest or panel to be made and returned of persons inhabiting in the said cities or townes corporate, but that they and euery of them, shall and may returne such persons in euery such inquest or panel, as before this time they might and haue bin accustomed to doe, and as if this act had neuer bin had or made, so that the same shirife, minister or ministers return vpon such persons as shalbe impanelled, like issues as are mentioned in this acte: anie thing in the same to the contrary not withstanding. This acte to indure to the end of the next Parliament: An. 35. H. 8. cap. 6. This Acte is continued 57. H. 8. cap. 22. & after 2. Edw. 6. cap. 32. is made perpetual.

Citie

Returns

18 ¶ Be it enacted &c. that from & after the first day of June next comming, Justices of Assises and Nisi prius before who any trial shal bee made by vertue of any writ of Habeas corpora or Distringas with a Nisi prius, where a ful Iurie shall not appeare, or after apparance of a full Jury, by challenge the Jury is like to remain vntaken for default of Jurors, shall haue authority by vertue of this act, vpon request made for the K. and Q. her heirs or successors, by any authorized thereunto or assigned by the Justices of the court before whom the said inquest shalbe taken, or vpon request made by the party ỳ followeth aswel for the K. and Quene, her heirs & successors, as for himself vpon any penal statute, or his, or their Atturney, to command the shirife or other minister or ministers to whom the making of the said returne shal appertaine, to name and appoint as often as need shal require so many of such able persons of the said countie then prest sent at the said assises, or Nisi prius, and to adde & annexe the names to the former panel, as shal make a full Jury of twelue men for ỳ trial of euery such issue: And that al & euerie clause, sentence, article & prouiso comprised in the said former act (as the acte of 35. H. 8.) shalbe taken, interpreted and expounded to giue the like and the same aduantage and commoditie to the king and Q. Maiesties, her heires and successors, and al end such person and persons, as shall pursue any action, bill, plaint, or information for the king and Q. Maiesties, her heirs and successors onely, or for them & the partie, as ỳ party plaintife in any other action, should or might haue by vertue of the said act, in fourme & condition, to al intents and purposes, as if such actions or suites for the king had bin specially and particularly mentioned & declared in the said act. An. 4. & 5. P. & M. cap. 7.

Penal statute
Shirife
Tales

Iust. of ass.

Habeas corpora Distringas
Ful Iurie
Challenge

19 ¶ Be it enacted, that in euery of ỳ shires of Wales, ỳ is to say, Pembroke, Karmarthen, Cardigan, Bryeknock, Radnor, Glamorgan, Mountgomerie, Denbigh, Flint, Merioneth, Angiesey, Carnarnan, and in the Countie Palantine of Chester, and in the said Countie palantine of Durham, and in the said Countie Palantine of Lancaster, where a ful Jurie shall not appeare before the Justices of the great Session in any of ỳ said shires or Counties palantines, or their deputies there, or els after apparance of a full Jury, by challenge of any of the parties, the Jurie is like to remaine vntaken for the default of Jurors: that then the same Justices in euery of the same shires & Counties palatines for the time being, or their deputie or deputies, vpon request made by the partie plaintife or demandant, shall haue ful authority by vertue of this act, to command the shirife or other minister or ministers to whom the making of the said returne shal appertaine to name and appoint as often as neede shall require, so many of such other able persons of the said counties the present at the said great session, as shall make vp a full Jurie, which persons so to bee named & impanelled by such shirife or other minister or ministers, shall

C. palatine

Challenge

Tales

shalbe added to the former panel and their names annexed to the same. And ẏ euery of the parties shal ꝛ may haue his or their challenge to the Iurors so named, added ꝛ annexed to the said former panel by the said shirife or other minister or ministers, in such wise as if they had ben impanelled vpon that Venire facias, awarded to trie the said issue. And that the said Justices, and euery of them, ꝛ their deputie or deputies, shal ꝛ may proceede to the triall of euery such issue with those persons that were before impanelled and returned, ꝛ with those newly added and annexed to the said former panell, by vertue of this Acte, in such wise as they might or ought to haue done, if all the saide Iurors had bin returned vpon the writ of Venire facias awarded to trie the said issue. And ẏ al and euery such trial had, shalbe as good and effectuall in the law, to all intents, constructiõs and purposes, as if such trial had bin had ꝛ tried by twelue of the iurors impanelled ꝛ returned vpõ the writ of Venire facias, awarded to trie such issue. And in case such persons as the said shirife, minister or ministers shal name ꝛ appoint as is aforesaid, or any of them, after they shalbe called, be present and doe not appeare, or after his or their appearance do wilfully withdraw him or themselues from the presence of the court, that then such Justices or their deputies, shall and may set such fine vpon euery such Iuror making default or wilfully withdrawing himselfe as is aforesaid, as they shall think good by their discretion, the said fine to be leuied in such maner and forme, as issues forfaited ꝛ lost by iurors for default of their apparance, as is prouided by the law and custome of the said countries of Wales, ꝛ counties palantines aforesaid, where such issues are forfaited.

Justices

Venire facias

Appeare

Depart without licence

Fine

And be it further enacted by ẏ authoritie aforesaid, that where any Jury ẏ shall be returned by the shirife or their minister or ministers, shalbe made ful by the commandement of the said Justices or other deputies by vertue of this present act, that yet neuertheles such persons as were returned in the said panel, by the shirife, or other minister or ministers, to trie any such issue, that shal not appeare, but make default, shal lose the issues vpon them returned, in such wise as though the same Jury had remained for default of Iurors.

Prouided alwaies, and be it further enacted, that vpon a reasonable excuse for the default of apparance of any Iuror or Iurors, sufficiẽtly proued before the Justices of the great sessions, or their deputies, in the countries and counties palantines aforesaide, at the day of their apparance, by the othes of two lawful and honest witnesses, that the same Justices shall haue authoritie by their discretions to discharge euerie such Iuror, of euerie such forfaiture of issues vpon him returned. And that the said shirife or shirifes, or other minister or ministers, hauing cõmandement by the said Justices, to omit the returning of such issues, as is aforesaid, vpon such Iuror or Iurors, shall be therein discharged of the penalties aforesaid, for ẏ nonreturning of the said issues, and that yet notwithstanding, the said returne to be good ꝛ effectuall in the law: anie lawe, vsage, or ordinance or custome to the contrary notwithstanding.

Witnesses

Discharge

Prouided also, and bee it enacted by the authoritie aforesaid, that if the said Justices or their deputies, afore whome anie such Iurie should appeare in the shires or cõũties palantines where such issues are to bee tried, doe not come at the day and place appointed: that then euerie one of the same Iurors shall bee discharged for forfaitting of anie issues vpon him returned in the same writ. And the shirife or other minister or ministers, shall bee likewise discharged of the penalties of this statute, for ẏ nonreturning of such issues, as are before limited in this act: any artícle or sentence herein contained to ẏ contrarie notwithstãding. And also be it further enacted &c. that if vpõ any such writ of Habeas corpora or Distringas, issues be returned vpon any hundredors, Iuror or Iurors by the shirife, or other ministers, to whom ẏ execution of the same writ or writs shal appertain, wheras the same hundredors ꝛ Iurors shal not be lawfully summoned, warned or distrained in that behalfe: that then euery such shirife or other minister or ministers aforesaide, shal lose for euery such offence so committed, double so much as ẏ said issues returned vpon such hundredors or Iurors not lawfully summoned, warned or distrained shal amount vnto: The moitie of all which forfaitures contained in this present acte (other then the issues to be returned vpon ẏ Iurors, as is aforesaid) shalbe to the Quene our soueraigne Ladie, her heires ꝛ successors, and the other halfe to him that wil sue for the same, by action of

Justices not come

Habeas corpora

Not warned

Shirife

Moitie

debt, bil, plaint or information, in the Q. her graces great Courte within the saide county where such forfaiture shal happen to be, before the said Justices, his or their deputie or deputies, in which no wager of law, essoine or protection shalbe allowed ne admitted: Saving to all maner of persons and bodies politike & corporate, their heires & successors (having lawfull right, title and interest to have such issues to be before any such Justices or their deputies, at any time or times hereafter lost & forfaited) all such right, title & interest, as they or any of them should or ought to have had to such issues to be lost and forfaited, as though this act had neuer bin had or made. Prouided also that this act, nor any thing therein contained, shall not extend to any citie or towne corporate, or to anie shirife, minister or ministers in the same, for the returne of anie inquest or panel, to bee made and returned, of persons inhabiting in the saide cities or townes corporate, but that they & euery of them, shall & may returne such persons in euery such inquest or panel, as before this time they might & haue bin accustomed to doe, & as if this acte had neuer bin had or made, so that the same shirife, minister or ministers, returne vpon such persons as shalbe impanelled, such like & reasonable issues as they ought to return: any thing in the same contained to ỳ contrarie notwithstanding. An. 5. El. cap. 25.

Bodies politike

Citie

See Trial 4. & 12. what strangers shall & may be Iurors.

20 ¶ For the auoiding of great and chargeable delaies oftẽ times happening vnto tenants & defendants: Be it enacted ỳ in al cases whereas the party plaintife or demandant, by any statute heretofore made, may haue vpõ his or their request made vnto the Justices of Nisi prius within this realme of England, or to the Iust. of Oier, or of Assises, of the twelue shires of Wales, & the counties Palantines of Lancaster, Chester & Durham, a Tales de circumstantibus, that in al & euerie such case & cases the partie & parties, tenants, actors & aduowants & defendãts, (if the plaintifs or demandants shal vpon the calling of the principal panel or Jury forbeare or refuse to pray the same) shall & maie vpon his or their request or desire haue vpon the same Record, & by the same Justices, the tales or talesles vnto them granted in like maner, fourme & degrée to all respects & purposes, as the plaintife or demaundant in anie suche or action maie haue the same by any statute or ordinãce heretofore made or set forth, & the rather for the speedie trial of the issue & issues ioyned or hereafter to be ioyned in any plee, suit or action: Any law, custome or vsage heretofore vsed to the contrary thereof in any wise not withstanding.

Wales
C. palatine
Tales de circumstantibus

Tales

Prouided also, and be it further enacted by authoritie aforesaid, that in all popular actions, informations, bils or suites commenced or had, or hereafter to be cõmenced or had in any the Quenes Maiesties Courts of Record, vpon any penall lawes or statutes, wherein any person doth or shall sue, or prosecute or informe as wel for the Quenes Maiestie, her heires and successors, as for himselfe, whereupon issue is or shal be ioined to be tried by the country, that therein the partie defendant or defendants shall bee admitted to pray and haue a Tales de circũstantibus, as in other cases aforesaid. An. 14. Eliz. cap. 9.

Ac. popular

Tales

21 ¶ Bee it ordained and enacted &c. ỳ in all cases where any Jurors to bee returned for triall of any issue or issues ioyned in any of the Q. Maiesties courts of the K. Bench, common Pleas or the Exchequer, or before Justices of assise by the lawes of this realme now in force, ought to haue state of freeholde in landes, tenements or hereditaments, of ỳ clere yerely value of xl s. ỳ in euerie such case, the Jurors that shalbe returned, from & after the ende of this present session of Parliament, shall euery of them haue estate of freehold, in lands, tenements or hereditaments, to the clere yerely value of iiij. li. at the least. And that the writs of Venire facias, which from & after the end of this present Session of Parliament, shal be awarded and directed for the impanelling of Iuries, in the cases aforesaid, shall be in this fourme.

Foyl.

Shirife Bailife

iiij. li. lands

Foy'.

Regina &c. Præcipimus &c. quod venire facias coram &c. duodecim liberos & legales homines de vicineto de B. quorum quilibet habeat quatuor libras terræ, tenementorum vel reddituum per annum ad minus, per quos rei veritas melius sciri poterit. Et qui nec &c. and so forth the residue of the saide writte after the auncient forme. And that vpon euerie such writ and writs of Venire facias, the shirife or other Ministers, vnto whom the making of the panell shall appertaine, shall not returne in any such panell anie person,

Shirife Clerke Bailife

Shirife

Reward

person, vnlesse he may dispend 4. pounds by the yeare at the least, of freehold out of auncient demesne, within the Countie where the issue is to be tried, vpon paine to forfaite for euery person being returned in any such panel, that cannot dispend foure pounds freeholde, as is aforesaide, twentie shillings. Forf.

And further be it enacted by the authoritie aforesaid, that vpon euery first writ of Habeas corpora or Distringas with a Nisi prius deliuered of Record to the shirife or other minister or ministers, to whom the making of ỹ returne shal appertaine, shal from & after the xx. day of May next insuing, returne in issues vpon euery person impanelled and returned vpon anie such writ, at the least v.s. And at the second writte of Habeas corpora or Distringas with a Nisi prius, vpon euery person impanelled and returned vpon any such writ xx.s. at the least, and at the third writ of Habeas corpora or Distringas, with a Nisi prius that shalbe further awarded vpon euery person impanelled & returned vpon any such writ xxx.s. And vpon euery writ that shalbe further awarded to trie anie such issues, to double the issues last afore specified, vntil a full Jurie be sworn or the proceese otherwise ceased or determined, vpon paine to forfait for euery returne of issues contrarie to the fourme aforesaide, fiue pounds. Habeas cor. Shirife Issues Forf.

And bee it further enacted, that if anie shirife, vndershirife, bailife, or other minister, from & after the ende of this present session of parliamẽt, doe returne any person or persons to be summoned to appeare in any Jury, wherin he shal for default of his apparance lose and forfait anie issues, where in truth such person shall not bee lawfully summoned: that then the same shirife, vndershirife, bailife or other minister, by whose default such person shall be returned, summoned as aforsaid, shal forfait, lose and pay vnto the said person and persons so returned, double the value of the issues by such Juror or Jurors lost or forfaited for his default of apparance. Shirife Bailife Forf.

And bee it further enacted by the authority aforesaid, that if any shirife, vndershirife, shirifes deputie, shirife or vndershirifes Clerke, or any Bailifes of franchise, shal at any time after the end of this present session of parliamẽt, receiue, take or haue by himselfe, or by any other, anie summe of money, reward, or any other profit directly, or indirectly, or do take any promise, make any agreement, or assent to haue any sum of money, reward or other profit directly or indirectly, of any person or persons, for the sparing, not warning or not returning of any person to be sworne as a Juror, for the trial of any issue ioined or to be ioined in any of the M. Maiesties Courts aforesaid, or before anie Justices: that then euerie shirife vndershirife, shirifes deputie, shirife or vndershirife his clerke or bailife of libertie or franchise so offending', to forfait for euerie such offence the summe of x. poũds: the one moitie thereof to our Soueraigne Ladie the Quẽnes Maiestie, and the other moitie thereof to such person and persons, as will sue for the same in any court of Record by action of debt, bill, plainte, or information, wherein no essoine, protection or wager of law shalbe allowed to the defendant. And further be it ordained and enacted by the authoritie aforesaide, that from and after the end of this present Session of parliament, at or vpon the trial of anie issue ioined in anie personal action, no further challenge for the hundred shalbe admitted, if two sufficient hundredors doe appeare at and vpon the trial of such issue. Shirife Clerke Bailife Reward Forf. Challenge Hundredors

Prouided neuertheles, that all other challenges principall, or for other cause, shalbe admitted, allowed, & tried in such order and forme, as if this acte had neuer bin had or made. Challenge

Prouided also that this act shall not extend to any Juries or issues to bee returned in anie citie or towne corporate, or other towne or place priuiledged to holde plea, or in ỹ twelue shires of Wales, but that they shall and maie be returned, as heretofore they lawfully might haue bin: this act or anie thing therein contained to the contrarie in anie wise notwithstanding. An. 27. Eliz. cap. 6. Cities Townes corporate Wales

¶ Iustice and Right, and Iustices.

THat it shal not be commanded by the great seale nor the little seale to disturbe or delay cõmon right. And though such commandements do come the Justices shall not therfore cease to doe right in anie point. An. 2. Edw. 3. cap. 8. Commandements

2 ¶ Ye shal sweare, that wel & lawfullie ye shall serue our soueraigne Lord the king, & his people, in the office of Justice, & that lawfully ye shal counsaile the king in his businesse, & that ye shall not counsaile Ord

faile nor assent to any thing which maie turne him to damage or disherison by any maner way or colour, & that ye shall not know the damage or disherison of him, whereof ye shal not do him to be warned by your selfe or by other, and that ye shall doe euen law and execution of right to al his subiects rich & poore, without having regard to any person. And that ye take not by your selfe or by other priuily nor apertly, gift or reward of gold or siluer, nor of any other thing which may turne to your profit, vnles it be meate or drink, & of small value, of any man that shall haue any plee or processe hanging before you, as long as the same proces shal so be hanging, nor after the same cause. And y ye take noté, as long as ye shall bee Iustice, nor roabes of any man great nor smal, but of the K. himselfe. And y ye giue none aduise nor counsell to no man great nor smal, in no case where the K. is party. And in case that any, of what estate or condiciō they be, come before you in your sessions, with force and armes, or otherwise against the peace, or against the forme of the statute thereof made, to disturbe execution of the Common law, or to manace the people, that they may not pursue the law, that ye doe their bodies to be arrested, & put in prison. And in case they be such, that ye may not arrest them, that ye certifie the K. of their names, & of their misprisiō hastily, so that he may therof ordaine a conuenable remedie. And that ye by your selfe, nor by other priuily nor apertly, maintain any plee or quarrel hanging in the K. Court or elsewhere in the countrie. And that ye deme to no man cōmon right, by the K. Letters, nor none other mans, nor for none other cause: & in case any letters come to you contrary to the law, y ye doe nothing by such letters, but certifie the King thereof, and go forth to do the law, notwithstanding the same letters. And that ye shall doe and procure the profit of the King, and of his Crowne with al things where ye may reasonablie do the same. And in case ye be from hēcefoorth found in default in any of the points aforesaid, ye shall be at the kings will, of bodie lands and goods, thereof to bee done as shall please him, as God you helpe and all Saints. Anno 18. Edwardi 3. Statute 3.

3 ¶ We greatly moued of cōscience in this matter, and for this cause desiring as much for the pleasure of God & quietnesse of our subiects, as to saue our conscience, & for to saue and kepe our said othe: By the assent of the great men, & other wise men of our counsaile, we haue cōmanded all our Iustices, y they shall from hencefoorth do euen law and execution of right to all our subiects rich and poore, without having regard to any person, and without letting to doe right for any letters or cōmandement, which may come to them from vs, or from anie other, or by anie other cause. And if that any letters, writs or commandemēts come to the Iustices, or to other deputed to doe law & right, according to the vsage of the realme, in disturbance of the Lawe, or of the execution of the same, or of right to the parties: The Iustices & other aforesaid shall proceede and hold their Courtes & processes, where the plees & matters bee depending before them, as if no such letters, writs or commandements were commen to them. And they shall certifie vs and our counsail of such commaundements which be contrarie to the Law, as afore is saide. And to the intent that our Iustices should do euen right to al people in the maner aforesaid, without more fauor shewing to one more then to another: We haue done our said Iustices to be sworne, that they shal not from hencefoorth, as long as they shall bee in office of Iustice, take fee nor roabe of any man but of our self. And they shal take no gift nor reward by them self nor by others, priuily nor apertly of anie man that hath to do before them by anie way, except meate and drinke, and that of smal value. And that they shall gine no counsell to great men nor small, in case where we be partie, or which doe or may touch vs in anie point, vpon paine to be at our will, bodie, landes, & goods, to doe thereof as shall please vs in case they doe contrarie. And for this cause we haue increased the fees of the same our Iustices, in such maner, that it ought reasonablie to suffice them. Anno 20. Edw. 3. capit. 1. Letters

4 ¶ In the right of the Barons of the Eschequer, we haue expresly charged the in our presence, that they shal doe right & reason to all our subiects great and smal: And that they shal deliuer the people reasonably and without delay, of the busines which they haue to doe before thē without vndue tarying, as hath been done in times past. An. 20. Edw. 3. cap. 2. Barons of the Eschet.

5 ¶ Item we haue ordained, that all they

they which shall bee Justices assigned by Commission to heare and determine, and such as shal be associate to them, And also Justices of Assises to be taken in the coũtrey, & of gaole deliuerie, and such as shall be assigned & associate to them, shal make first such an oth in certaine points, according as to them shall bee inioyned by our Counsaile, or our Chauncerie, before that anie Commission bee to them deliuered. Anno 20. E. 3. cap. 3.

Oth

¶ Iustices in Eire.

Amerce townethips

Shirifes Inquire

Inquest

xii. yeers old

I Usticers in Eire from henceforth shall not Amerce townethips in their circuits, because all being xij. yéares olde came not afore the Shirifes and Coroners, to make inquirie of robberies, burnings of houses, or other things pertayning to ỳ Crowne, so that there come sufficient out of those townes, by whom such inquests may be made ful, except inquests for the death of man, whereat all beyng xij. yéres of age ought to appeare, vnles they haue reasonable cause of absence. Marleb. cap. 24. An. 52. H. 3.

Amerce False iudgment

Shirifes Extortioners

2 ¶ Forasmuch as the common fine & amerciamẽt of the whole Coũtie in Eire of the Justicers, for false iudgements, or for other trespalles, is vniustly assessed by shirifes & extortioners in the shires, so that the same is many times increased, & the parcels otherwise assessed thẽ they ought to be, to the damage of the people, which be many times paid to the shirifs & extorcioners, which do not acquite the paiers: It is prouided, & the king will, that from henceforth such sums shall be assessed before the Justicers in Eire afore their departure, by the Oth of knights & other honest men, vpon all such as ought to paie.

Knights

Estreates

Eschequer

And the Justices shal cause the parcels to be put in their estreats, which shalbe deliuered vp into the Eschequer, and not the whole summe. West. 1. cap. 18. An. 3. E. 1.

Writs

Licence

3 ¶ Whereas in the circuit of Justicers it was proclaimed, ỳ al such as would deliuer writs, should deliuer thẽ within a certaine time, after which no writ should be receiued, many trusting vpõ the same, & tarrying vntill the said time, & no writ serued vpon thẽ, departed by licence of the saide Justicers: after whose departure, their aduersaries perceiuing their absẽce deliuered their writs in ware, which many times by fauor, and sometimes for rewards be receiued of the shirifes, and they that thought to haue departed, quite losse their lands. For the remedy of such fraud, from henceforth the king hath ordayned that the Justicers in their circuites, shall appoint a time of xv. daies or a moneth, or a time more or lesse (after as the Countie shall happen to be more or lesse,) within which time it shall be openly proclaimed, that all such as will deliuer their writs, shal deliuer thẽ before the same time. And when the time commeth, the shirife shall certifie the Chapiters before ỳ Justicers in Eire, how many writs he hath, & what, & that no writ be receiued, after the same time, and if it be receiued, the proces issuing thereupon shall be of none effect, but onely that a writ abated any time during the circuit shall be amended. Also writtes of Dower, of men that died within the summons of circuit, Assises of Darreine presentment, Quare impedit of Churches vacant within the foresaid summons shal be receiued at any time before the departure of the Justicers. Also writs of Nouel disseisin shall be receyued in the circuit of Justicers. West. 2. cap. 10. Anno 13. E. 1.

Fraude

xv. dayes

Proclamation

Shirife Certificate

Writ abated

Amens

Dower

Darreine pres.

Quare imp.

Nouel. diſ.

4 ¶ At the beginning of the Justices circuit about the Oth: Thou shalt know, that in the first cõming of the Justices in their circuit, the writ shall be read in the opẽ court, by the which their authoritie is grãted vnto them. Moreouer it shal be cõmaunded, that nothing shal be done in the towne, or in the Countie, vnlesse it be before the Justices, or in the citie, by reason of their cõming. And that no Faires nether Markets be kept, but that the Coũtie be holden onely to doe profers, but no plẽ shall be pleaded therein, but a writ of Right, and appeale of the death of a man. Moreouer it shal be commaunded that no Hostery be hired, but be graũted freely to them that come. The Oth of the Shirifes and other Officers. This oth shalbe made by the shirifes & vnder shirifs: This heare you Justices, that I shall lawfully do the office which is belõging to my Countie, & to mee as a Shirife, and that I will not leaue for rich nor for poore, neither for loue nor for gaine, but ỳ I will lawfully do it: so God mee helpe and his Saintes. This Oth shall be made by the minsters of the shirifs when they shal elect two knights: This heare you Justices, that I shall lawfully chose iij. knights & two other honest men of the hundred of N. which are not appealors, nor appealæs, nor maintai-

Oth

Writ

Faires

Countie

Writ of Right Appeale

Hostelrie Shirife

Oth

Knights

nors

nors of plées which touch the Corone, & which bee know and will do that, which shalbe cõmanded them on the K. behalfe, & will not leaue that which to my knowledge I ought lawfully to doe: so God mée helpe and his Saints. This othe shalbe made by the knights chosen by the foresaid ministers: This heare you Iustices, that we shal lawfully chose, aswel of our selues as of other honest men of our Hundred, which shall best know, and will, and may say the trueth of that which shalbe demanded them on the kings behalfe, and which are not appealors nor appealées, nor maintainors of plées which touch the Corone, and will not leaue for any thing which I ought lawfully to do: so God me helpe & his Saints. This oth shalbe made by the xij. knights when they are chosen by two: This heare you Iustices, that I shall lawfully say, and lawfully doe that which shalbe demãded of me on the kings behalfe, & shall kéepe secrete your coũsels, & shall not for any thing leaue to do that which to my knowledge I ought to do: so God me helpe & his Saints. This oth shal be made by al bailifes otherwise thẽ first: This heare you Iustices, that I shal lawfully do that which belongeth to mine office, and shall kéepe secrete your counsels, neither shall I grieue any man for enuie, nor helpe him for fauor: so God me helpe & his Saints. Then all the Articles of euery hundred shalbe deliuered to the xij. Iurors of the Countie, and then time shall be appointed them to giue their verdicts, vpon paine of the kings mercie. And if they giue not their verdicts they shall bée amerced as to the Iustices shall séeme best. Articles and othes of the kings Ministers in the Iustices circuite.

Oth

Oth

Bailifes

Articles

Verdict

Amerce

5 ¶ See in the new printed booke, commonly called Magna Charta, late printed by Richard Tottell, Anno Domini 1556. fol. 150. in a chapter intituled, Capitulum itineris, what things bee inquirable before Iustices in Eire, and diuers matters concerning the Eires.

¶ Iustices of Assises.

FRom henceforth there shal be assigned eight circumspect and discréet Iustices to take Assises, Iuries, and certificates throughout the whole realme: that is to say, two in the Counties of Yorke, Northumberland, Westmerland, Cũberland, Lancaster, Nottingham & Derby. And two in the coũties of Lincolne, Leicester, Warwicke, Stafford, Salop, Northampton, Rutland, Gloucester, Hertford, and Wigorne. And ij. in the counties of Cornwal, Deuon, Somerset, Dorset, Wilt. Southhampton, Oxon. Bar. Sussex & Surrey. And ij. in the coũties of Kent, Essex, Suffolke, Norfolke, Cambridge, Huntingdon. & Buck. And the Assises, iuries, and inquests of the countie of Middlesex, shall be takẽ before the Iustices of the Bench. Which said viij. Iustices assigned to take the assises and certificates as aforesaide, shall specially attend, and dayly throughout the whole yeare: that is to say, in the places where they thinke best & most to the ease of the people. And the terme of ỳ statute last made at West. of taking of assises, in no wise shalbe obserued. Nor no writs of Assises, Iuries, or recognisances shal be grãted to be takẽ before any other Iustices, then before the foresaid Iustices assigned, except it be of ỳ speciall grace of the king. Statute of the Iustices of Assise.

Middlesex

Assise Certificate

Loyd

Inquest

2 ¶ The Iustices assigned to take Assises, shall haue Commissions sufficient of such thinges to inquire. And that they shal inquire in their Sessions of Shiriles, Eschetors, bailifs of franchises, and their vnderministers, and all other. And also of Maintainors, common Imbracetors, and Iurors in the countrey, as of the gifts, rewards, and other profites, which the said ministers do take of the people to do their office, and that, that pertaineth to their office, and for arraying of panels, putting in the same suspect Iurors, & of euil fame. And of that, that the Maintainors, Imbracetors, and Iurors in the countrey, doe take giftes, rewardes, and wages of the parties, whereby great griefe commeth daily to the people, in subuersiõ of the law and disturbance of common right. And to punish all them which thereof shalbe foũd guiltie, according as lawe and reason requireth, aswell at our suit, as at the parties. Anno 20. E. 3. cap. 6.

Commissions

Inquirie Shiriles Eschetors. Bailifes Maintainors Imbracetors Iurors

3 ¶ The Iustices assigned and to bée assigned to take Assises, and deliuer the gaoles, shall frõ henceforth hold their sessions in the principall & chiefe townes of the Counties, where the shire Courts of the same counties be holden, and hereafter shal be holden. An. 6. R. 2. cap. 5.

Gaole deliuerie

Chiefe townes

4 ¶ Item it is ordained and assented, that no man of law shalbe frõ henceforth Iustice of Assises, or of the common deliuerance of Gaoles in his owne countrey.

Lawyers

His owne countrey

And

Chief Iust. of the common bench

And that the chiefe Iustice of the commō bench be assigned amongst other to take such Assises & deliuer Gaoles. But as to the chiefe Iustice of the Kings bench it shal be as for the most part of an C. yéeres last past was wont to be done. Anno 8. R.2.cap.2. See here following 11.

Chief Iust. of the kings bench

Chancelor

5 ¶ The Chauncelor of England for the time being, shall haue power to order and redresse by the aduise of the Iustices, from time to time when need shal be, notwithstanding the statute aforesaid, that is to say, of An.6.R.2.cap.5. (before 3.An.1. R.2.cap.22.)

Lord

6 ¶ No Lord nor other of the coūtrey litle nor great, shall sit vpon the bench w̄ the Iustices to take assises in their sessions, in the coūties of England, vpō great forfaiture to the king, & hath charged his said Iustices, that they shal not suffer the contrary to be done. An.20.R.2.cap.3.

Cōmission

7 ¶ The Iustices assigned and to bée assigned to take Assises by commission of our soueraigne Lord the king, in the coūties of the realme, from henceforth shal do to be deliuered fully in the kings Treasurie, all the Recordes of assises of Nouel disseisin, of Mortdaunceſter, and of certifications, with al the appurtenances and appendants before them determined, euery second yéere, that the plée thereof be determined and iudgemēt giuen without more delay. And that the Recordes & proceſſe of plées reall and personall, and of assises of Nouel disseisin, or Mortdaunceſter, and of certifications, and of other whereof iudgement is giuen and inrolled, with things touching the same, shal in no wise be amended nor impaired by new entring of the Clerkes, or by the Record or thing certified in witnesse or commandement of any Iustice in any thing, after that such iudgement or such plées be giuē and inrolled. Anno 11.H.4.cap.3.

Treasorer Recordes Nouel disseisin Mortdaunceſt. Certificats

Plees real Personal

8 ¶ Anno 13.H.4.cap.2. It was enacted to endure at the kings pleasure, that the Statute of An.8 R.2.cap.2. should be kept, & that no chiefe Iustice of the kings bench should be Iustice of Assise but in the countie of Lancaster.

Chief Iust. of the kings bench Lancaster

Gaoles Cūberland

9 ¶ The Session of the Iustices to take assises, and to deliuer gaoles in the Countie of Cumberland, bee holden in time of peace and truce in the saide Citie of Carlile, and in none other place within the same countie, as it hath bēne vsed and accustomed of olde time. Anno 14.H. 6.cap.3.

Carlile

10 ¶ An.11.H.7.cap.3. an Acte was made, authorizing Iustices of Assises and Iustices of peace, to heare and determine all offences done against many statutes. But it is repealed by 1.H.8.cap.6.

Iust. of P.

11 ¶ That no Iustice nor other man learned in the lawes of this Realme, shal at any time, from or after the feast of Easter next cōming, vse nor exercise the office of Iustice of Assise within any coūtie where the said Iustice was borne, or doth inhabite, vpon paine to forfaite for euery offence done contrary to the forme of this present act C.li. The one moitie whereof to be to the king, & the other moity thereof to be to the partie that will sue for the same, in any of the kings Courts, by bill &c. in which &c.

Lawier

His owne countrey

Forf.

Moitie

Prouided alway and be it &c. that this act, or any thing therein cōtained, shal not extēd, be cōstrued or interpreted to touch or concerne any person or persons ỹ now are, or hereafter shal be Clerke or clerks of Assises, & shalbe associate to any Iustices of assise, of, or in any countie, Citie, or Towne within this realme of England, wherein ỹ same person or persons, clerke or Clerkes so associate doe dwell or were borne: but that al & euery clerke or clerks of assises, which now doe exercise or occupie, or hereafter shal exercise or occupie any office of clerkship of assises, shal & may exercise & occupie the same in any coūtie, citie or towne, wherein the same clerke or clerkes of assises do dwell or were borne: any thing in this act contained to the contrary notwithstāding. Prouided also that these termes: Iustices of assises, or other persons learned in the lawes of this realme, shal not extēd, or in any wise be interpreted to any Maiors, shiriſes, recorders, stewards, bailifes, suters, or other officers, being borne or dwelling within any city, borough or towne within this Realme of Englād, but that they may be Iustices of assise, of fresh force, or of other assises of ỹ same citie, borough or towne where he or they doe or shall dwell, or were borne, as they or any of thē before this time haue or might haue bin to all intents & purposes: any thing in this act contained to the contrary notwithstāding. Prouided alway ỹ this act, nor any thing therein contained, shalbe preiudiciall to any Iustice or Iustices of the one bench or the other, for taking, hearing, or determining assises in the said Courtes in the one Bench or the other, nor to anie Iustice that shall take

Clerke of assises

Maior Shiriſes Recorders Stewards Bailifes

Fresh force

Iust. of both benches

any

any assise by or vpon adiornement for difficultie of the same. Prouided alway and be it &c. that any Clerke of assise, during the only time of ẏ Session, of, or for anie assise or assises, or of, or for any Nisi prius, shall not be of counsell with any person or persons, within any circuite whereof hee shal be Clerke of assise, otherwise then to that office only appertaineth, vpon paine to forfaite for euery time offending contrarie to this statute x.li. The one moitie thereof to be to the king, & the other moitie to the partie grieued &c. in which suit &c. Prouided also & be it &c. that this act, or any thing therein contained extende not vnto Iustice, Iustices, clerke or clerks of assises within the Durhie and coũtie Palantine of Lancaster, nor to any of them that now be, or hereafter shall be, but that the same Iustice or Iustices, Clerke and clerks, & euery of them shal and may execute their offices & euery of them in such maner & forme, as they or any of thẽ haue vsed to do, before ẏ making of this present act: this act or any thing therein cõtained to the contrarie thereof notwithstãding. An. 33. H. 8. cap. 24. See before 4.

Clerke of assise

Nisi prius

Counsell

Forf.

Moitie

Iust. Clerkes Countie Palantine

12 ¶ See Nisi prius 1. of making of Iustices of Assises and their authority with association.

¶ Iustices of both Benches.

IT is prouided also, & cõmaunded by the king, that the Iusticers of the Kings Bench at Westminster, from henceforth shall decise all plées determinable at one day, before any matter be attainted, or plee cõmenced the day following: Sauing ẏ their essoines shall be entred, iudged & allowed. Yet by reason hereof let none presume to absent himselfe, but let him come at the daie to him limitted. West. cap. 45. Anno 3. E. 1.

Essoines

2 ¶ No Iustices of the kings Bench, nor of the cõmon Bench, nor none of the Barons of the Eschequer, as long as they shalbe in ẏ office of Iustice or Barõs shal take from henceforth, robe, fée, pension, gift, nor reward of any but of ẏ king, except reward of meat & drinke, which shall be at no great value. And that from hẽceforth they shal giue no coũsel to any great or smal in things of affaires, wherein the king is partie, or which in any wise touch the king, & that they be not of any mans coũsaile in any caũse, plée, or quarrel, hãging the plée before them, or in other of the kings Courtes or places, vpon paine of losse of their office, & making to the king fine & ransome. An. 8. R. 2. cap. 3. But this Statute is repealed in Anno 9. R. 2. cap. 1.

Barons of the Esch.

Reward

Meat and drinke

Counsell

3 ¶ Anno 20. R. 2. cap. 6. It was enacted, that Belknap, Yole and Burgh, that had bene Iustices, & were by An. 11. R. 2. banisht into Ireland, should returne and be enabled as the kings subiects.

4 ¶ The Iustices, Seriants, and the Atturney of the king shal be paid in hand their wages by the Treasorer of Englãd for the time being, at Easter & Michaelmas by euen portions, without any other suit. An. 10. H. 6. Statutum per se. This is not in the printed booke of Statutes.

Losse of office

Fine

Seriant & atturney

Wages Treasorer

¶ Iustices of Gaole deliuerie.

BEcause that the Iustices of Gaole deliuerie, and of Oier & terminer, haue bẽne procured by great men, against the forme of the statute made in the 27. yére of the raigne of king Edward, graundfather to our soueraigne Lord the king that now is, Wherein is cõtained, that Iustices assigned to take assises, if they be lay men, shall make deliuerance, And if the one be a Clerke, and the other a lay man, that the lay Iudge with an other of the countrey associate to him, shal deliuer the gaoles: Wherefore it is enacted that such Iustices shall not be made against the forme of the said statute. And that the Assises, Attaints, and certificatiõs be taken before the Iustices cõmonly assigned, which be good men and lawfull, hauing knowledge of the law, and none other after the forme of an other statute made in the time of the said king Edward the first. And that the Oiers and Terminers shall not bée graunted, but before Iustices of the one Bench or the other, or the Iustices errants, & that for great hurt or horrible trespasses, and of the kings especiall grace, after the forme of the statute thereof ordayned, in the time of the said graũdfather, and none otherwise. Anno 2. E. 3. cap. 2.

Oier & ter.

Lay men

Attaints Certifie.

Iustices errants

2 ¶ Good and wise persons, other then of ẏ places, if they may be foũd sufficient, be assigned in all the shires of England to take assises, Iuries, & certificatiõs, and to deliuer the gaole. And that the said Iustices take the assises, Iuries, & certificatiõs, and do deliuer the gaoles at the least thrée times a yere, & more often if need be. Also there bée assigned good and lawfull men

iii. Times yerely

Iust. of P.

men in euery countie to kæpe the Peace. And that in the said assignements mention be made ỳ such as shall be indicted, or taken by the said Mardēs, shal not be let to mainprise by the shirifes, nor by none other ministers, if they be not mainpernable by the law. Nor ỳ such indicted persons shall be deliuered but at the common law. And the Iustices assigned to deliuer the gaoles, shal haue power to deliuer the same gaoles of those that shall be indicted before the Mardēs of the place. And that the said Wardens shall send their indictments before the said Iustices, & they shal haue power to inquire bỹ shirifes, Gaolers, and other, in whose warde such indicted persons shal be, if they make deliuerance, or let to mainprise any so indicted, which be not mainpernable, and to punish the said Shirifes, Gaolers, and other doing against this act. An. 4. E. 3. cap. 2.

Wardens Mainprise Shirifes

Indicted

Indictments

Inquire

Punish

3 ¶ Because that Thēeues notoriously defamed and other taken with the manner, by their long abiding in prison, be at length deliuered by charters of pardon, & fauorable Enquestes procured, to ỳ great hinderance of the people. Be it ordeined, That in euery commission of the peace through the realme, where nēd shall be, two men of the Lawe of the same Countie where such Commission shal be made, shal be assigned to go & procēde to the deliuerances of such thēeues & Felons, and that as often as they shal thinke it expedient. Anno 17. R. 2. cap. 10.

Comission of the peace

2. Lawyers

¶ Iustices of Peace.

FOr the better kæping & maintenance of the Peace: The King will that in euery Countie, good men and lawfull, which be no maintainers of euil, nor barrettors in the Countrey, shal be assigned to kæpe the Peace. Anno 1. E. 3. cap. 16. Stat. 2.

No Barrettors

2 ¶ Two or three of the best of reputatiō in the coūties shalbe assigned kæpers of the peace by the kings Cōmission. And at what time nede shalbe, the same with other, wise & learned in the law, shalbe assigned by the kings cōmissions, to heare & determine felonies and trespasses done against the peace in the same coūties, And to dōe punishment reasonable according to law and reason, and the maner of the nede. An. 18. E. 3. cap. 2. Stat. 2.

Best of reputation

Cōmission

Dier & ter.

3 ¶ In euery Coūtie of England shal bee assigned for the safe kæping of the peace one Lorde, & with him three or iiij. of the most worthie men in the Countie, with some learned in the lawe, and they shall haue power to restraine euill doers, riotors, and all other barrettors, and to pursue, arrest, take and chastise them according to their trespasse and offence, and doe them to be imprisoned and duely punished according to the law and customes of the Realme, and according to that, that to them shall séeme best by their discretions and good aduisement. And also to informe themselues & to inquire of all those that haue bene pillors and robbers in the parties beyond the Sea, and be now come againe, and goe wandering, and will not labour as they were wont in times past, and to take and arrest all those, that they may finde by indictment, or by suspection, & to put them in prison, and to take of all them that be not of good fame (wheresoeuer they shalbe found) sufficient suertie and mainprise for their good abearing towards the king and his people, & punish the other duely, to the intent that the people bee not by such riotors troubled nor indammaged, nor the peace bleamished, nor Marchants nor other passing by the high waies of the Realme disturbed, nor put in feare by perill which might happen to thē by such euil doers. And also to heare and determine at the kings suit, al maner of felonies and trespasses done in the same Countie, according to the lawes and customes aforesaid. And that writs of Dier & determiner be granted according to the statute thereof made: but that the Iustices which shalbe thereto assigned be named by the court, & not by the partie. And the king willeth, that all general inquirie before this time granted within any seignories, because of the mischieues & oppressions which haue bene done to the people by such inquiries, shall vtterly cease & be repealed. And that fines which bee to bee made before Iustices for trespas done by any person, be reasonable and iust, hauing regard to the quantitie of the trespas, and the causes for which they be made. Anno 34. E. 3. cap. 1.

Lord iij. most valiant Lawyers

Riotors

Barretors

Imprison Punish

Inquirie

Robbers beyond sea Vagabonds

Arrest

Imprison

Suertie of good abearing

Dier & ter. Felonies

Fines

4 ¶ In the Cōmissions of Iustices of the peace, & of labourers, expresse mention be made, that ỳ same Iustices make their Sessions iiij. times by the yére: that is to say, one Session within the vtas of the Epiphanie, the seconde within the seconde wéeke of Lent, the third betwixt ỳ feast of Pentecost & of S. John Baptist, the iiij. within

Commissions

Sessions iiij. times yeerely

within the viij. daies of Saint Michael. An.36.E.3.cap.12.

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☞ Cõmission vi. Iustices

5 ¶ In euery commission of the Iustices of Peace, there shall be assigned but vj. Iustices with the Iustices & Allies, & that the said vj. Iustices shall hold their Sessions in euery quarter of the yere at the least, and by iij. daies if nede be, vpon paine to be punished after the aduise of ỳ kings Counsell, at the suit of euery man that will complaine. And they shal inquire diligently among other things touching their offices, if the said Maiors, Bailifes, Stewardes, Constables, and Gaolers, haue duely done execution of the said ordinances of seruants and labourers, beggers and vagabonds, and shall punish thẽ that be punishable, by the said paine of an C.s. and they that be found in default, and which be not punishable by ỳ same paine, shall be punished by their discretion. And euery of the saide Iustices shall take for their wages iiij.s. the day, for the time of their said Sessions, and their Clerke ii.s. of the fines and amerciamẽts, riling and cõming of the same sessions, by the handes of the Shirifes. And that the Lords of frãchises shall be cõtributorie to the said wages, after the rate of their part of fines & amerciaments aforesaide. And that no Steward of any Lord be assigned in anie of the said Commissions. And that no association shalbe made to the Iustices of the peace, after their first cõmission. And it is not the intent of this statute, that the Iustices of the one Bench or of the other, nor the Seriẽts of the law, in case that they shalbe named in the saide Commissions, shalbe bound by force of this Statute, to hold the said Sessions foure times in the yere, as ỳ other Cõmissioners, the which be continually dwelling in the countrey, but that they shall doo it, when they may best attend it. An. 12 R.2.cap.10.Stat. Cãtabr. See here 6.7. and 10. some alteration in sundry points.

Inquirie

Maiors Bailifes Stewards Constables Gaolers

Vagabonds Punish

Wages iiij.s. the day Clerke of the P. ij.s.

Shirife Lords of franchyse

Steward

★

☞ Lord Steward

6 ¶ As it is contained in the Statute late made at Cambridge, (s. Anno 12.R.2. cap.10. before 5.) That no Steward of any Lord, shalbe assigned in the Cõmission of the Iustices of peace: Neuertheles for certaine causes shewed in this parliamẽt, it is accorded & assented, that Iustices of Peace shal be made of new in al the cõunties of England, of the most sufficient Knights, Esquires, and Gentlemẽ of the law of the said Counties, notwithstãding the said statute. And that the said Iustices be sworne to kepe and put in execution al the statutes and ordinãces touching their offices. An. 13.R.2.cap.7. Stat.1.

Sufficient

Vij

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☞ viij. Iust.

Estreates

Shirife Wages Indenture Allowance Accompe Eschequer Duke Earle Baron

Barons of the Eschey.

Seales

Weights & Measures

★

☞ Iust. of P.

Reliant

Sessions iiij. times in the yere

7 ¶ That in euery countie be assigned viij. Iustices of Peace, as is contained in the statute of Cambridge (before 5.) ouer the Lordes assigned in this Parliament, And that the estreates of the saide Iustices be doubled, and the one part deliuered by the said Iustices to the Shirife, to leuy the money thereof riling, & thereof to pay the Iustices their wages, by the hande of the said Shirife by indenture betwixt thẽ thereof to be made. And that the Shirifes haue allowance in their accompt in the Eschequer by the same indenture. And that no Duke, Earle, Baron, nor Baronet, albeit they be assigned Iustices of ỳ peace, & hold their sessions with the other eight Iustices, shall take any wages for the said office. And that the Iustices put their names to the said estreats, together with the number of the daies of their sessions, to the intent that the Shirifes may know to whom to pay wages, & to whom not: And the Barons of the Eschequer, to whom to alloin, and to whom not. And that the seales be made for the seruants, & deliuered into the képing of some good man of the countrey, after the purport of the said statute of Cambridge, which statute with the modification of the same, made at the last Parliament (before 6.) & the statute of Waights & Measures, and all other good statutes & ordinances made heretofore and not repealed, shalbe holden and kept, and put in due execution. An. 14.R.2.cap.11.

8 ¶ Be it enacted &c. That ỳ Iustices of the peace in euery Shire named of the Quorum, be reliant within the same shire, except Lords named in the Cõmission of ỳ peace. And also except the Iustices of the one bench & of the other, the chiefe barõ of the Eschequer, Seriẽants at the law, and the kings Attorney, for the time that the same Iustices, chiefe Baron, Seriẽant at the lawe, & the kings Attorney, be attendant & occupied in the kings courts, or otherwise occupied in some other place in the kings seruice, & make their Sessions iiij. times by the yere: That is to say, In the first weeke after ỳ feast of S. Michael, & the first weeke after the Epiphanie, & in the first weeke after the clause of Easter, & in the first weeke after the translation of S. Thomas the Martyr (which is 7. Iulii.) And more often if nede be. And

that

England

that the same Iustices hold their Sessiõs throughout the whole realme of Englãd in the same weekes euery yeare from henceforth. An. 2. H. 5. cap. 4. Stat. 1.

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Most sufficient persons

Chancelor

9 ¶ Iustices of the Peace frõ henceforth to be made within the Counties of England, shalbe made of the most sufficient persons dwelling in the same coũties, by the aduise of the Chancelor, and of the kings counsell, without taking other persons dwelling in forreine counties to occupy such office, except the Lords and the Iustices of Assises now named & to be named by the K. & his Counsell. And except also the kings chief Stewards of the lãds and seigniories of the Duchie of Lancaster, in the North & South partes for the time being. An. 2. H. 5. cap. 1. Stat. 2.

Just. of Ass.

Chiefe Stewards Lancaster

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10 ¶ For the ease of the cõmons in the Countie of Middlesex, who be bound to attend in the Terme times vpon the high Courts at Westminster, and straight after euery Terme, be also driuen to attend vpon the Iustices of Peace at their Sessions which the said Iustices are inforced to kæpe, to auoid the paine cõtained in the Statute of 12. R. 2. cap. 10. (before 5.) Be it &c. that the Iustices of peace, which now be, and all other from henceforth for the time being in the said countie of Middlesex, shalbe clærely discharged of ỳ said paine by authoritie of the same Parliament, from henceforth (the court of the kings bench being in the countie of Middlesex.) Prouided alwaies that the saide Iustices of peace of ỳ said countie of Middlesex for the time being, kæpe, obserue, & execute the Court of the Sessions of the peace two times in the yære at the least, and more often if nede be, for any Riot or forcible entrie made within the same coũtie of Middlesex, and that vpon the paine and forfaiture of such summes as be for that ordayned by anie lawe made before this time, to the intent that the said commons and inhabitants of the said County of Middlesex be not constrained nor compelled to appeare before the Iustices of peace of the same countie for the time being, but at such times as shal seeme by the discretions of the same Iustices of peace necessarie and needfull. An. 14. H. 6. cap. 4.

Middlesex

ij. in the yere

Riot

Forcible entrie

Fork.

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11 ¶ Whereas contrarie to diuerse former Statutes, nowe of late many of small substance (by whom the people wil not be ruled, and who for their nede doe commit much extortion and oppression) be appointed to be Iustices of peace: Be it &c. that no Iustice of Peace within the realme of England, in any Countie, shalbe assigned or deputed, if he haue not lãds or tenemẽts to the value of xx. li. by yære. And if any bee ordayned hereafter to bee Iustices of Peace in anie Countie, which hath not lands or tenements to the value aforesaid, that he thereof shal giue knowledge to the Chauncelor of England for the time being, which shall put an other sufficient in his place. And if he giue not ỳ said knowledge (as before) within a Moneth after that he hath notice of such Cõmission, or if he sit, or make any warrant or precept by force of such commission, he shall incurre the paine of xx. li. and nevertheless be put out of the Commission, as before. And the King shall haue the one halfe of the said paine, and he that will sue for the king the other halfe. And he that will sue for the king and for himselfe, shal haue an action to demaũd the same paine, by writ of debt at the common law.

xx. li. Land

Giue knowledge to the Chancelor

Sit

Fork.

Moitie

Action of debt

Prouided also, that this ordinance doe not extend nor be preiudiciall to Cities, Townes or Boroughes, which be Counties incorporate of themselues, nor to Cities, Townes or Boroughs which haue Iustices of Peace of people dwelling in the same, by Commission or graunt of the king, or of his progenitors.

Cities Townes

Prouided also, that if there be not men sufficient, hauing landes and tenements to the value aforesaid, learned in the law, and of good gouernance within any such Countie: That the Chauncelor of England for the time being, shall haue power to put other discrete persons learned in the law, in such Commissiõs, though they haue not landes or tenements to the value aforesaid, by his discretion. Anno 18. H. 6. cap. 11.

Lawyers.

Chancelor

*

12 ¶ Euery Iustice of peace within this realme, that shall take any Recognysance for the keeping of Peace, ỳ the same Iustice doe certifie, send or bring the same Recognisance to the next Sessions of the peace, where he is, or hath bene Iustice, ỳ the partie so bound may be called, & if the partie make default, the same default thẽ there to be recorded. And the same Recognisance with the Record of the default, be sent and certified into the Chauncerie, or afore the king in his Bench, or into the kings Eschequer. An. 3. H. 7. cap. 1.

☞ Recognisance

Certifie

Default

Eschequer

*

13 ¶ Whereas Commissiõs haue bin vsed to be granted to diuers, aswell for the keeping of the peace, as of gaole deliverie within

within cities & townes corporate, not being coũties in themselues, and after other cõmissions haue bin granted to other, for the kæping of the peace & of gaole deliuery within the same shires: Which cõmissions so bearing a late date, haue bene in law a Supersedeas to the foresaid commissions, and so the said townes haue bene to their great charges dryuẽ (as oftẽ times) to returne to their owne cõmissions. Be it &c. That all and singuler commission & commissions, granted or to be granted to any such citie or towne corporate, not being as is aforesaid a coũtie in it selfe, for ỳ kæping of their peace, and deliuery of the prisoners remaining in the gaoles of any such citie or towne corporate, not being a countie in it selfe, shal stand, remaine, and be good & auailable & effectuall in the law to al intents, constructions and purposes: The graunting of any like commission of peace, or gaole deliuerie, to any cõmissioner or commissioners for the cõseruation of the peace, or deliuery of ỳ prisoners remaining in the gaole of any shire, lathe, rape, riding or wapentake within this realme of Englãd, bearing date after the said commission or commissions graũted, as is aforesaid, to any such citie or towne corporate, not being as is aforesaid, a coũtie in it selfe, to the contrarie notwithstãding. An. 2. and 3. P. and M. cap. 18.

¶ Keeper of the great Seale of England.

BE it enacted and declared &c. That the common Law of this Realme is, and alwaies was, and ought to be taken, that the kæper of the great seale of England for the time being, hath alwaies had, vsed, & executed, and of right ought to haue, vse and execute, & from hencefoorth may haue, perceiue, take, vse and execute, as of right belonging to the office of the kæper of the great seale of Englãd for the time being, the same and like place, authoritie, preheminence, iurisdiction, execution of lawes, and all other customes, commodities, and aduantages, as the Lord Chauncelor of England for ỳ time being, lawfully vsed, had, & ought to haue, vse and execute, as of right belonging to the office of the L. Chauncelor of England for the time being, to all intents, constructions and purposes, & as if the same kæper of the great seale for the time, were Lord Chauncelor of England. An. 5. Eliz. cap. 18.

L. Chancelor

¶ King.

IT appeareth in the Abridgemẽt of Statutes, that An. 2. E. 3. Stat. 2. cap. 7. The King & al the great men of the realme, in ful Parliament enterprised to maintaine the peace, to kæpe & saue the Kings Iustices there where they come & to helpe that the iudgement and executions shal not be delaied, but executed, nor that misdoers shalbe by them couered. But I cannot find this Statute in the booke at large.

Maintenance of the peace

¶ Knights.

OUR Soueraigne Lord the king hath graunted, that al such as ought to be knights, & be not, and haue bin distrained to take vpõ them the order of knighthood, before ỳ feast of the Natiuity of our Lord, shall haue respite to take vpon them the forsaid armes of knighthood, vntill the vtas of S. Hillarie without disturbance. And after that they shal be distrained, except they make some other meanes. Also he hath granted, that if any will cõplaine in the Chãcery, because he was distrained &c. and hath not xx. li. yærely in fæ, or for terme of life, & will prone that by the coũtrey: then it shalbe written vnto the discrete & sage knights of the shire to take ỳ said inquisitiõ, & if it fortune to be tried so by the same inquest, he shal haue remedie, & the distres shall cease. And if any be impleaded for all his lande, or for part of the same, so ỳ the residue be not sufficiẽt to the value of xx. li. & can prone the same, then the distresse shal cease, vntill the same plee be determined. Also if any of them be boũden in certaine debts awarded in the Exchequer, to a certaine summe to be receiued yerely out of his lãds, so that the residue thereof do not amount to the yeerely value of xx. li. besides the same summe, the distres shall cease, vntill the forsaid debt be clærely paid. And none shal be distrained to take vpõ him the order of a knight, before ỳ he come vnto ỳ age of xxj. yæres. Also none by reason of any land ỳ he holdeth in manors, which be now of the auncient demeine of the Crowne (as a Sokeman, & which land must giue tallage whẽ the kings demeines are tallaged) shal be distrained to take vpon him the Order of a knight. Also of them that holde their lands in Socage of other manors, then of the manors of the king being no forreine seruice, the Rols of the Chaũcerie shalbe searched for the time of the kings predecessors.

Chancery

xx. li. Fee

Distres cease

Exchequer

xxj. yeeres

Auncient demeine

Socage

Search

ceſſors: And it ſhalbe done as it hath bin vſed to be done. In like maner ſhalbe don of Clerkes being without orders holding lay fee, which ſhould bee knights if they were lay. Alſo none ſhalbe diſtrained for his dur gege landes, although they doe amount to the value of xx. li. yeerely or more. Alſo they that ought to be knights & be not, as they which haue holden their lands in their handes but a ſmall time, & likewiſe ſuch as haue great age, or defect in their members, or do alleage any other incurable diſeaſe, or charge of their children, or of ſuits, or doe pretend other neceſſary excuſes, they ſhal reſort vnto Robert Tiptoft and Anthony de Berk, and ſhall make fine before them, to whom it is appointed, that according to their diſcretios they ſhal admit reaſonable fines of all ſuch perſons. Anno 1. E.2. Statut. de Militibus.

Clerks without orders Lay fee

Diſtrain

¶ Labourers & Seruants.

NOte that all theſe Statutes following vntil number 38. concerning Laborers and Seruants be repealed by Anno 5. Eliz. cap. 4 here 38 as you may ſee in the beginning thereof.

1 ¶ Euery man or woman of our Realme of England, of what condition he be, free or bond, able in body, & within the age of xl. yeeres, not liuing in Marchandiſe, nor exerciſing any craft nor hauing of his own wherof he may liue, nor proper land, about whoſe tillage he may himſelfe occupy, & not ſeruing any other, if he in conuenient ſeruice (his eſtate conſidered) be required to ſerue, ſhalbe bounde to ſerue him which ſo ſhal him require, & take only the wages, liuery, meede or ſalarie, which were accuſtomed to be giuen in the places where he oweth to ſerue the xx. yere of our reigne of England or v. or vi. other common yeeres next before.

When Women

Fourteene yeeres old

Required to ſerue

Wages

Prouided alwayes, that the Lordes be preferred before other in their bondmen or their land tenants, ſo in their ſeruice to be retained. So that neuertheleſſe the ſaid Lordes ſhall retaine no more then be neceſſary for them. And if any ſuch man or woman, being ſo required to ſerue, wil not the ſame do, that proued by two true men before the ſhirife or bailifes of our ſoueraigne Lord the king, or the Conſtables of the towne where the ſame ſhal happen to be done, he ſhall anon be taken by them or any of them and committed to the next gaole, there to remaine vnder ſtrait keeping, till he finde ſurety to ſerue in the forme aforeſaid. An. 23. E. 3. de ſerui. cap. 1.

Lords Bondmen

Refuſe Shirife Bailife Conſtable

Impriſ.

Suretie

2 ¶ If any reaper, mower, or other workeman or ſeruant, of what eſtate or conditiō that he be, retained in any mans ſeruice, doe depart from the ſaide ſeruice without reaſonable cauſe or licence; before the terme agreed, he ſhal haue paine of impriſonment: And that none vnder the ſame paine preſume to receiue or to retaine any ſuch in his ſeruice. Anno 23. E. 3. cap. 2.

Depart without licence

Impriſ. Receiue to ſeruice

3 ¶ That no man pay or promiſe to pay to any ſeruant any more wages, liueries, meede or ſalary, then was wont, as afore is ſaide: Nor that in any other maner ſhal demaund or receiue the ſame, vpō paine of doubling of that, that ſo ſhall be paid, promiſed, required or receiued to him which therof ſhal feele himſelf grieued purſuing for the ſame. And if none ſuch will purſue, then the ſame to be applied to any of the people that will purſue. And ſuch purſuit ſhalbe in the Court of the Lord of the place where ſuch caſe ſhal happen. Anno. 23. Ed. 3. cap. 2. Statut. de ſeruientibus.

Wages

Paine

L. court

4 ¶ If the Lords of the townes or Maners preſume in any point to come againſt this preſent ordinance, either by them or by their ſeruaunts, then purſuit ſhalbe made againſt them in the counties, wapentakes, tithings or ſuch other our Courts, for the treble paine paied or promiſed by them or their ſeruants in the forme aforeſaid. And if any before this preſent ordinance hath couenanted with any ſo to ſerue for more wages, he ſhall not be bound by reaſon of the ſame couenant, to pay more then at another time was wont to be paid to ſuch perſon, Nor vpō the ſaid paine ſhal preſume any more to pay. Anno 23. Ed. 3. ca. 4.

Lords

tli. damages

Couenant

5 ¶ That ſadlers, ſkinners, white tawers, cordwainers, tailers, ſmithes, carpēters, maſons, tilers, ſhipwrights, carters and al other artificers & workemen ſhal not take for their labor & workmanſhip aboue the ſame that was wont to be payed to ſuch perſons the ſaide xx. yeere, & other common yeres next before, as afore is ſaid, in the place where they ſhall happen to worke. And if any man take more, he ſhalbe committed to the next gaole, in maner as is aforeſaid. An. 23. E. 3. ca. 5.

Artificers

Workmanſhip

6 ¶ An. 23. E. 3. de ſerui. ca. 7. It was enacted, that al the forfaitures giuen by

this Statute de seruientibus against labo-
rers, should be leuied of euery of them,
and should be imployed to the payment
of the tenth and fiftenth then graunted,
and after to the kings vse, to be leuyed
by certaine appointed in the statut. Ne-
uertheleſſe he that would, might sue for
these forfaitures to haue them to his
owne vse.

Seruants Liueries Wages

7 ¶ First, that carters, ploughmen,
driuers of the plough, shepheards, swine-
heards, oxen and all other seruants, shall
take liueries and wages accustomed, the
said xx. yeere or foure yeres before, so that
in the countrey where wheat was wont
to be giuen, they shal take for the bushel
x.d. or wheate, at the will of the giuer till
it be otherwise ordeyned. And that they
be allowed to serue by an whole yeere, or
by other vsuall termes, and not by the
day. And that none paie in the time of
sarcling or heymaking but one peny the
day. And a mower of medowes for the
acre v.d. or by the day iv.d. And reapers
of corne in the first weeke of August ii.d.
and the seconde iii.d. and so till the ende of
August, and lesse in the Countrey where
lesse was wont to be giuen, without
meate or drinke or other curtesie to bee
demaunded, giuen or taken. And that all
workmen bring openly in their handes
to the Marchant Townes, their instru-
ments, and there shalbe hired in a com-
mon place and not priuie. An. 25. Ed. 3. de
seruientibus cap. 1.

i.d. the day

Harueſt men

Open place

Threshers

8 ¶ That none take for the threshing
of a quarter of wheat or rye, ouer ii.d. ob.
and the quarter of barley, beanes, peaſe,
and oates, one peny halfepeny, if so much
were wont to be giuen: and in the Coun-
trey, where it is vsed to reape by certaine
sheaues, & to thresh by certaine bushels,
they shall take no more nor in other ma-
ner then was wont the said xx. yeere and
before. And that the same seruants bee
sworne two times in ỳ yere before lords,
Stewards, Bailifes & Constables of e-
uery Towne to holde and doe these ordi-
nances. And that none of them goe out of
the Towne, where he dwelleth in the
Winter, to serue the Summer, if he may
haue seruice in the same Towne, taking
as before is said.

Orde Stewards. Bailifes Constables

Sauing that the people of the Coun-
ties of Stafford, Lancaster & Darby, and
people of Crauen, and of the Marches of
Wales and Scotland, and other places,
may come in time of August, & labour in

Males Marches

other Counties, and safely returne, as
they were wont to doe before this time.
And that thaſe which refuse to make such
othe, or to performe that, that they bee
sworn to, or haue taken vpon them, shall
be put in the stockes by the said Lordes,
Stewards, Bailifes & Constables of the
Townes, by three dayes or more, or sent
to the next gaole, there to remaine, till
they will institute themself. And that stockes
be made in euery Towne by such occasion
betwixt this and the feaſt of Pentecost.
Anno 25. E. 3. de seruien. cap. 2.

Refuſe

Stocks

Impriſ. Stocks

9 ¶ That carpenters, masons, and ti-
lers, and other workemen of houses, shal
not take by the day for their worke, but
in manner as they were wont, that is to
say: A maister Carpenter iii.d. & other ii.d.
A maister free Mason iiii.d. and other ma-
sons iii.d. and their seruant i.d ob. My-
lers iii.d. and their boyes one peny ob. &
other couerers of Ferne and Straw iii.
pence, and their boyes one peny ob. Anno
25. E. 3. cap. 4.

Artificers

Wages

10 ¶ Plaisterers and other workers
of mud walles, and their knaues by the
same maner, without meat or drinke (s.
from Easter to Saint Michael) and from
that time lesse, according to the rate and
discretion of the Justices, which shall bee
thereto assigned. An. 25. E. 3. cap. 3.

Laboyers

Wages

11 ¶ They that make carriage by land
or by water, shall take no more for such
cariage to be made, then they were wont
the said xx. yere, & foure yeres before. An.
25. E. 3. de serui. cap. 3.

Carriers Watermen

12 ¶ Goldsmithes, Sadlers, Horse-
smiths, Spurriers, Tanners, Curriers,
Tawers of leather, Taylors & all other
workemen artificers & labourers, and all
other seruants here not specified, shall be
sworne before the Justices, to do and vse
their crafts & offices in the maner as they
were wont to do the saide xx. yere, and in
the time before, without refusing ỳ same
because of this ordinance. And if any of
the said seruants, labourers, workemen or
artificers after such othe made, come a-
gainst this ordinance, he shalbe punished
by fine and raunsome, and imprisonment
after the discretion of the Justices. Anno
25. Ed. 3. cap. 4.

Artificers

Orde Iuſtice

Impriſ.

13 ¶ The said Stewardes, bailifes, and
constables of the said Townes, be sworne
before the same Justices, to enquire dili-
gently by all ỳ good wayes they may, of
al them that come against this ordinace,
and to certifie the same Justices of their

Stewards Constables Orde Inquire

Iuſtices

names

names at all times, when they shal come into the Countrey to make their sessour, sothat the same Justices in certification of the same Stewards, Bailifes & Constables of the names of the rebels, shall do them to be attached by their body, to be before the said Justices, to answere of such contempts, so that they make fine & raunsome to the king, in case they be attainted. And moreouer to be commanded to prison, there to remaine til they haue found suretie, to serue & take, & do their worke, & to sell things vendible in ỳ maner aforesaide. And in case that any of them come against his othe, & be thereof attainted, he shall haue imprisonment of xl. daies. And if he be another time conuict, he shal haue imprisonment of a quarter of a yeere, so that at euery time that he offendeth & is conuict, he shall haue double paine. And that the same Justices, at euery time they come into the Countrey, shal enquire of the said Stewardes, Bailifes, & Constables, if they haue made a good & lawful certificat, or any conceale for gift, procuremẽt or affinitie, & punish them by fine & ransome, if they be founde guiltie. And that the same Justices haue power to enquire & make due punishmẽt of the said ministers, labourers, workemen, & other seruants. And also of hostelers, herbergers, & of thole that sel vitaille, or other things here not specified, aswell at the suit of the partie, as by prosentimẽt, and to heare and determine, and put the things in execution by the exigend, after the first Capias if nede be, and to depute other vnder them as many & such as they shall see best for the képing of the same ordinance. And that they which will sue against such seruants, workemen, laborers, and artificers for excesse taking of them, & they be thereof attainted at their suit, they shall haue againe such excesse. And in case that none will sue, to haue againe such excesse, then it shal be leuied of the said seruants, labourers, workmen & artificers, & deliuered to the Collectors of the quinzime, in alleuation of ỳ Townes where such excesses were taken. An. 25. Ed. 3. cap. 6.

Arrest
Fine Attaine
Imprison Surety
Inquire
Innkeepers Victailers
Viers ter. Exigent
Excesse taking
Quinzime

14 ¶ No Shirifes, Constables, Bailifes and gaolers, the Clerkes of the Justices, or of the Shirifes, nor other ministers whatsoeuer they be, take any thing for the cause of their office of the same seruants, for fees, suit of prison, nor in other maner, and if they haue any thing taken in such manner, they shall deliuer the same to the Collectors of Disme and Quinzismes, in aide of the commons, for the time that the Disme and Quinzisme doeth runne, aswell for the time past, as for the time to come. And that the said Justices enquire in their sessions, if the saide ministers haue any thing receiued of the same seruants, and that that they shall finde by such inquest that the saide ministers haue receiued, ỳ same Justices shall leuy of euery of the said ministers, & deliuer to the said Collectors, together with the excesse and fines, & raunsomes made, and also the amerciamentes of all them which shalbe amerced before the said Justices, in alleuation of the saide Townes, as afore is saide. And in case the excesse found in one towne, doth excéd the quãtitie of the quinzisme of the said town, the remnant of such excesse shall be leuyed & payed by the saide Collectors, to the next poore townes, in aide of their quinzime, by aduise of the saide Justices. And that the fines and raunsomes, excesses & amerciaments of the said seruants, labourers & artificers, for the time to come, running of the said quinzime, be deliuered to ỳ said Collectors, in the forme aforesaid, by indentures to be made betwixt them & the Justices, so that the Collectors may be charged by their accompt by the saide Indentures, in case that the said fines, raunsomes, amerciamẽts and excesses, be not paid in ayde of the saide quinzime: And ceasing the said Quinzime, it shalbe leuied to the kings vse, and aunswered by the Shirifes of the Counties. An. 25. E. 3 cap. 7. Stat. 2.

Disme Quinzismes
Justices
Inquestes
Fines Amerciaments
Collectors
Indentures
Accompt

15 ¶ Item that the said Justices make their Sessions in all ỳ Counties of Englãd at the least iiii. times in a yere, that is to say, at the feast of the Annunciatiõ of our Lady, Saint Margaret, S. Michael, and S. Nicholas, & also at all times that shall nede, according to the discretion of the said Justices. And that those ỳ speake in the presence of the saide Justices, or other thinges doe in their absence or presence, in incouraging or maintenance of the saide seruants, labourers or artificers, against this ordinance, shalbe grieuously punished, by ỳ discretion of the same Justices. And if any of the said seruãts, labourers or artificers, do flie from one Countie to another, because of this ordinance: that the Shirifes of the Counties where such fugitiue persõs shal be found, shal do

Justices Sessions
Encourage
Punish
Flie
Shirifes

them to be taken at the commaundemẽt of the Iustices of ỹ Counties frõ whence they shal flie, and bring them to the chief gaole of the same Countie, there to abide til the next Sessiõs of the same Iustices. And that the Shirife returne the same commaundemẽts, before the same Iustices at their next Sessions. And that this ordinance be holden & kept, aswell in the Citie of London, as in other Cities and Boroughs, and in other places throughout the land, aswell within Franchises as without. Anno 25. Edw. 3. cap. 8. Statut. 2.

Impriſon

London Cities

16 ¶ The Lords of Franchises which haue issues, fines and amerciaments of labourers by point of Charter, or in other maner, shall from henceforth haue the said fines, issues & amerciaments, that to them pertaineth, as long as the Iusticiarie of labourers doth endure: So alwaies that the said Lords make contribution to the payment of the fees of such Iustices of labourers, according to the rate of the profits that they do take. Anno 31. E. 3. cap. 6. Stat. 1.

Lords of franchises

Fines

Fees Iustices

17 ¶ The Statute of labourers shal aswel be holden in the Citie & Suburbes of London, and in the v. Ports, and all maner other franchises, as elsewhere in England. Anno 31 E. 3. cap. 7. Stat. 1.

London v. Ports

18 ¶ The Statute of labourers of olde time made, shal stand in al points, except the pecuniar paine, which frõ henceforth is accorded, that the labourers shall not be punished by fine & raunsome. And it is assented, that the said statute shal be inforced in punishment of labourers in ỹ forme following, that is to say. That the Lords of Townes may take & imprison them by xb. dayes, if they will not fulfille them selfe, & then to send them to the nert gaol, there to abide till they will fulfille them by the forme of the statute. And that the Shirife, gaoler, nor other Minister, shall not let them to no mainprise nor baile, & if he do, he shal pay to the king x.li. & to the party C.s. Nor that the Shirife, Gaoler, nor other Minister, shall take no fee nor proterage of prison, nor at his entring nor at his comming out, vpon the same paine. And that aswel Carpenters & Masons be comprised in this ordinance, as al other labourers, seruants & artificers. And that the Carpenters & Masons take from henceforth wages by the day and not by the weeke, nor in other maner. And that the chiefe Maisters of Carpenters & Masons, take iiii.d. by the day, and the other iii.d or ii.d. according as they be worth. And that al alliances and couines of Masons & Carpenters, and congregations, chapiters, ordinances, and othes betwixt them made, or to be made, shal frõ henceforth be void and wholy annulled, so that euery Maison & Carpenter, of what condition that he be, shalbe compelled by his Maister to whom he serueth, to doe euery worke that to him pertaineth to do, or of free stone or rough stone, & also euery carpenter in his degree. But it shalbe lawful to euery Lord or other, to make bargaine & couenant of their work in grosse, with such labourers and artificers when pleaſe them, so that they performe such workes well and lawfully, according to the bargaine or couenãt with them therof made. Anno 34. E. 3. ca. 9.

Repealed

Lords of Townes

Shirife Gaoler

Gaoler

Carpenters Masons.

Wages

Holde

19 ¶ Of labourers & artificers that absent them out of their seruices in another Towne, or another Countie, the party shal haue the suit before the Iustices, and that the Shirife take him at the first day, as is conteined in the Statute, if he be found, and doe of him execution, as afore is said, & if he returne that he is not found, he shal haue an Exigent at the first day, and the same pursue til he be outlawed, & after the outlawrie, a writ of the same Iustices shal be sent to euery Shirife of England, that the party will sue, to take him, and to send him to the Shirife of the County where he is outlawed, and when hee shalbe there brought, hee shall haue there imprisonment til he will fulfille him selfe, and haue made gree to the party, & neuertheleſſe for ỹ falſity he shalbe burnt on the forehead with an yron, made and formed to this letter F. in token of falsity, if the partie grieued the same will sue. But this paine of burning shall be put in respite till Saint Michael nert ensuing, and then not executed, vnleſſe it be by the aduice of the Iustices, and the yron shall abide in the custodie of the Shirife. And that the Shirife and some Bailife of the franchise be attending to the plaintife to put this ordinance in execution, vpon the paine aforesaid. And that no labourer, seruant, nor artificer, shall take no maner of wages the festinall dayes. Anno 34 Ed. 3. cap. 10.

Flie

Shirifes

Exigent

Outlawrie

Impriſ.

Brent in the fore hed.

Festinall dayes

20 ¶ If any labourer, seruant or artificer absent himselfe in any City or borough, & the party plaintife come to the Maior & Bailifes, & require delinery of his seruãt, they

Flie Maiors Bailifes

Refuse

they shal make him deliuerie without delay, and if they refuse to doe the same, the partie shall haue his suit against the Maiors and Bailifes before the Justices of labourers. And if they be thereof attainted, they shall pay to the King tenne pounds, and to the partie C. s.

Fyne.

Anno 34. Edw. 3. cap. 11.

21 ¶ The statute and ordinãce made of labourers and artificers, bee holden and kepte and duely executed, and thereupon commission shalbe made to the Justices of peace in euerie Countie, to heare and determine the points of the said statute, and to award damages at the suite of the partie, according to the quantitie of his trespasse. An. 42. Ed. 3. cap. 6.

Commissions Iust. of P. Diuers & ter.

22 ¶ Of labourers it is ordeined and established, ỳ the ordinãce thereof made in the time of the said Graundfather, which beginneth: Because a great parte of the people &c. be affirmed and holdẽ for a statute. And that aswell this statute as al other statutes and ordinances made of artificers, seruants and labourers before this time, be firmely kepte and put in due execution. Anno 2. R. 2. cap 8.

Confirme

Statutes Artificers Vitailers

23 ¶ All the statutes of artificers, labourers, seruaunts and vitailers, made aswell in the time of our Soueraigne Lord the king that now is, as in the time of his noble Graundfather (whom God assoile) not repealed, shalbe firmely holden and kept and duely executed. And that the said artificers, labourers, seruants, and vitailers, be duely iustified by the Justices of Peace, aswell at the suite of the King, as of the partie, according as the saide Statutes require. And that the Maiors, Bailifes, and Stewards of Lordes, and Constables of Townes, do duly their offices, touching such artificers, seruants, labourers and vitailers. And that a paire of Stockes bee in euery Towne, to iustifie the same seruants & labourers, as is ordeined in the saide statutes. And moreouer it is ordeyned and assented, that no seruant nor labourer, be he man or woman, shal depart at the end of his terme out of ỳ Hundred, Rape or Wapentake, where hee is dwelling, to serue or dwel elswhere, or by colour to goe from thence in pilgrimage, vnlesse he bring a letter patent, conteining the cause of his going, and the time of his terme, if he ought to returne, vnder the Kings seale, which for this intent shal be assigned and deliuered to the keeping of some good man of the hundred, rape, wapentake, citie or borough, after the discretion of the Justices of peace to be kept, & lawfully to make such letters whẽ it needeth, & not in any other manner, by his owne oth. And that about the same seale shall be written the name of the County, and ouerthwart the said seale, the name of the hundred, rape or wapentake, citie or borough. And also if anie seruaunt or labourer be found in anie citie or borough, or elsewhere comming from anie place, wandring without such letter, be shal bee forthwith taken by the said Maiors, Bailifes, Stewards or Constables, and put in the stockes, and kept till he hath found suertie to return to his seruice, or to serue or labour in the towne from whence hee came, till he haue such letter to depart for a reasonable cause. And it is to bee remembred, that a seruant or labourer may freely depart out of his seruice, at the ende of his terme, and to serue in another place, so that he bee in a certaintie with whom, & shal haue such a letter, as afore. But the meaning of this ordinãce is not, that any seruants, which shal ride or goe in the busines of their Lords or Maisters, shall bee comprised within the same ordinance, for the time of the same busines. And if anie beare such letter, which may be found forged or false, hee shall haue imprisonment of xl. daies for the falsitie, & further till he hath found suerty to returne or serue to labour, as is afore said. And that none receiue seruant or labourer, going out of their hundred, rape or wapentake, citie or borough, without letter testimonial, nor with letter testimonial, aboue one night, except it be for cause of sicknes, or other cause reasonable, or which will and may serue and labour there by the same testimonial, vpon a paine to be limited by the Justices of P. And that aswel artificers and people of Mysterie, as seruants & apprentices, which be of no great auoier, & of which craft or mysterie a man hath no great nede in Haruest time, shal be compelled to serue in Haruest, to cut, gather, & bring in corne. And that these statutes bee duely executed by Maiors, Bailifes, Stewards & Constables of townes, vpon paine limited and iudged by the saide Justices of P. in their Sessions. And that no mã take aboue a peny for the making, sealing and deliuering of such letter. An. 12. R. 2. cap. 2.

Maiors Bailifes Stewards Constables

Stockes

Depart

Certificat

Iust. of P.

Seale

Warraunt

Stocks Suerties

Forge Imprisonment

Suertie

Receine

Letter Testimonial Sickneſſe

Iust. of P.

Apprentices

Husbandrie Maiors Bailifes

Iust. of P.

24 ¶ The bailife for husbandrie shall take by yeere viij. s. iiij. d. and his clothing

Wages

once by yere at the most. The Master hind v.s the Carter v s. The Shepheard v.s. the Oxeheard vi.s.viii d. the Cowheard vi.s.viii.d the Swineheard v.s. A woman laborer vi.s.a Deyrie womã vi. s.a driuer of the plough vii.s.at the most. And euery other labourer & seruant according to their degrée, & lesse in ỳ countrey where lesse was wont to be giuen, without clothing, curtesie, or other reward by couenant. And that no seruant of Artificer nor Victailer within Citie, Borough or other Towne, shall take more then the seruants or laborers aboue named after their estate, without vesture, curtesie, or other reward by couenant as afore is said, & if any giue or take by couenant more then is aboue specified, at the first time that they shall bee thereof attainted, aswell the giuers as the takers shall pay the value of the excesse so giuen or taken, and at the seconde time of their attainder, the double valu of such excesse, and at the third time, the treble valure of such excesse: and if the taker so attainted, haue nothing whereof to pay the said excesse, hee shall haue fourtie daies imprisonment. Anno 12. Richard 2. capit. 4.

Woman

Artificer Victailer Citie

Imprisonment.

25 ¶ That the ordinances aforesaide of seruants & labourers, beggers and vagabondes, shall holde place, and be executed aswell in Cities and Borroughes, as in other Counties and places within the Realme, aswell within the franchises as without, and that the Shirifes, Maiors, Bailifes, & keepers of the gailes shall be holden and charged to receiue the said seruants, laborers, beggers, vagabonds, and to keepe them in prison in the forme aforesaid, without letting to mainprise, or to baile, and without fee or any other thing taking of them, by themselfe, or by any other, as long as they be so imprisoned, or at their entrie, or at their going foorth: vpon paine to pay an C. s. to our Soueraigne Lorde the King. Anno 12. R. 2. cap. 9.

Confirme

Shirifes Maiors Bailifes Gaolers

Mainprise

Imprison Fayl.

26 ¶ That the Iustices of peace in euery Countie, in two of their Sessions to be holden betwixt the feast of Easter and Saint Michael, shall make proclamation by their discretiõ, after the dearth of vitailes, how much euery mason, carpenter, tyler, & other craftesmẽ, workmẽ & laborers by ỳ day, aswel in haruest as in other times of ỳ yere, after their degree, shal take the day with meat and drink, or without meat & drinke, betweene the two Sessions before said, notwithstãding the statute thereof heretofore made, and that euery man obey to such Proclamations from time to time, as a thing done by statute. An 13. R. 2. cap. 8.

Iust. of P.

Proclamations Wages

27 ¶ That no laborer bee reteined to worke by the weeke, nor that no laborers, carpenters, masons, tilers, plaisterers, daubers, couerers of houses, nor none other laborers, shall take any hire for the Holy dayes, nor for the euens of Feasles, where they doe not labour but till the houre of none, but onely for the halfe day, vpon the paine that such Laborer, Carpẽter, Mason, Tiler, Plaisterer, Dauber, couerer of houses, or any other laborer that taketh contrary to this statute, shall paye to the King for euery time ỳ he so doth contrary xx.s. an. 4. H. 4. c. 14.

Halfe dales

Fayl.

28 ¶ See in Apprentices 2. and 17.

Artificers Othe

Stockes Imprisl.

Howe laborers and artificers shall bee sworne to serue for the wages appointed by statute, and that they shalbe set in the Stockes, and imprisoned if they refuse.

29 ¶ The statute of labourers, made at Canterbury, and all other good Statutes of laborers made and not repealed, be firmly holden and kept, and put in due execution. And more ouer that ỳ Iustices of peace haue power to sende their writs for such fugitiue laborers, to euery shirife of the Realme of England, and to make such proces as the statute of An. 34. Ed. 3. cap. 10. requireth, to bring them before them, to aunswere to our Soueraigne Lorde the king, and to the parties of the contempts and trespasses made or done against the ordinances & statutes aforesaid, in like manner as the Iustices haue power to sende to euery Shirife for the theeues before them indicted. And also that all the statutes and Ordinances of Laborers, Seruants and Artificers, before this time made, and not repealed, be exemplified vnder the greate Seale, and sent to euery shirif of the realme of England, there of to make proclamatiõ in ful county, & after this proclamatiõ so made, that euery shirife shall cause the said exemplification to him directed to be deliuered to the Iustices of P. in his Countie, named in the Quorum, or to one of them, to remaine with such Iustices which bee or shall bee, for the better putting of the foresaid statutes and ordinãces in due execution. And in shires where diuers commissiõs of the peace be made, there shalbe so many exemplifications of ỳ statutes & ordi-

Confirme Iust. of P.

Statutes

Exemplified

Shirife Proclamation

ordinances aforesaid made, as by cõmissions of the peace in the same shires, and sent to the Shirifes to make proclamation, & to deliuer the same, as is aforesaide. And that the Justices of the peace in euery Shire named of the Quorum, be resiant within the same Shire, except Lords named in the commission of the Peace, & also except the Justices of the one Bench and of the other, the chiefe Baron of the Eschequer, Serieants at the Lawe, & the Kings Atturney, for the time that the same Justices, chief Baron, Serieants at the law, and the Kings Atturney be attending & occupyed in ỳ kings Courtes, or otherwise in some other place occupied in the kings seruice, make their Sessions foure times by the yere, that is to say, in the first weeke after the feast of S. Michael, and the first weeke after the Epiphany, & in the 1. weeke after the clause of Easter, & in the 1. weeke after ỳ transl. of S. Tho. ỳ Martyr, & more often if need be. And that the same Justices hold their sessions throughout the Realme of Englãd in the same weeks euery yere frõ hencefoorth. And also that the Justices of peace from hencefoorth haue power to examine aswell all maner of Labourers, Seruants and their masters, as Artificers by their Othes, of all things by them done contrary to the said ordinances and statuts, and vpon that to punish them vpon their confession, after the effect of the statutes and ordinances aforesaid, as though they were conuict by inquest And that the shirife in euery shire of the Realme of England, shall do well and duely his office in this behalfe, vpon paine to lose & to forfait to our Soueraigne Lord the king xx. li. Anno 2. H. 5. cap. 4.

Resiants Lordes

Justices of both bench Seriant at Law K. Atturny

Session

Just. of P. Examine

Shirife

Forf.

30 ¶ An. 4. H. 5. ca. 4. It was enacted to endure for two yeeres, that the paines in the statute of An. 12. R. 2. ca. 4. (which is before 24.) concerning wages to seruants, should be only vpon the taker.

Maior of London Maiors Bailifs Cities Proclama.

31 ¶ That the Justices of peace in euery County for the time being, and the Maior of the Citie of London for ỳ time being, & the Maiors & Bailifes in euery City, Borough or Town, shall haue such power & authoritie to make Proclamation in their full sessions once by the yere, & so in euery Borough & Market towne within their iurisdictiõ, how much euery seruant of husbandry shal take for his seruice by the yeere, then by them to be holden, betwixt the feast of Easter & Saint Michael. And in euery Borough & market Towne, howe much euerie Artificer and workeman shal take by the day, and by the weeke with meate and drinke, or without meate & drinke, aswel in August as other times in the yeere.

Wages

Prouided alwaies, that if any be retained by the weeke for husbandrie, or other labour, that he shal take nothing for ỳ festiual daies in such weeke, nor for the halt daies for the euens of such feasts. And that euery proclamation so to be made, be holden as a thing ordeined by statute. And if any seruant, artificer, or workman, do the contrary of such Proclamation so to be made, & be thereof attainted at the kings suit, he shal forfait to the king euery time the value of his wages, and if he haue not wherof to make gre to the king, he shall haue imprisonment of xl. dayes, without being let to baile or mainprise in any maner. And that the Justices of P. Maiors & bailifs aforesaid, then for the time being, shal haue power, authority to heare and determine such offences, aswel at ỳ kings suite by suggestion surmised, as at the suit of the partie in such case grieued, and thereupon to make and award writes of Capias, as oftentimes as to them shall seeme well to bee done, against such seruants, artificers & workemen at euerie persons suit, that seeketh him in such case grieued or molested, returnable before them selfe, or before any other Justices of peace, or Maiors or bailifes for the time being, at a certaine daye in their sessions: at which daye if any such seruant, artificer or workeman, come before the saide Justices of Peace, or before Maiors, or Bailifes, by force of such writtes or in any other maner: That then the same Justices of peace, Maiors, or Bailifs for the time being, shall haue full power and authoritie to examine by their discretions & knowledges, aswel such seruantes, Artificers and workemen, as their Maisters, howe much such seruants, Artificers and workemen do take by the yere, by the day, and by the weeke. And if they finde by such examination, or by plee betwixt the same seruãts, artificers, workmen and their Maisters, the contrary to be done of such Proclamations so to bee made: that the saide seruants, Artificers and workemen and labourers, shall be punished in the forme aforesaide, and they shall yeelde to the partie grieued his double dammages. And if any of them depart

Festiuall dayes Halfe dayes Proclama.

Attaint Forf.

Imprif. Mainprise Just of P. Maior Bailifes Dier & ter.

Capias

Just. of P. Examine

li. damages Depart

or void into another County: that then it
Iust. of P. be lawfull to the said Iustices of Peace,
Maiors and Bailifes, for the time being,
Capias to make and graunt writs of Capias, as
many & such as be requisite, directed to ỹ
Shirifs of the Counties, where such ser-
uants, artificers and workemen be fled,
to take their bodies returnable before
them at what time shall please them: so
Imprison Surety that if they come by such proces, they shal
be put in prisõ, til they find sufficiẽt sure-
tie wel to serue their said Maisters, And
that this statut begin to hold place, as to
the punishment of such seruants reteined
by the yere, or by the halfe yere, after the
feast of Saint Michael next comming,
for the offences in this behalfe done by
them after the saide feast. And that all
Maiors Bailifes Iust. of P. the Maiors and Bailifes which be War-
dens of the Peace, in any Cities, townes
or Boroughs of the Realme for the time
being, shall haue like power, correction
and execution of the saide ordinance so to
bee made, And of all statutes of laborers
within the said Townes, Cities and Bo-
roughs, as the Iustices of peace haue in
their Counties. And moreouer, that the
Iustices of Peace in euery County, and
the Maiors and Bailifes in euery such
Proclamation City, Borough or towne, shal haue pow-
er and authoritie to make proclamation
and execution of, and in the premisses as
afore is said. And this ordinance shall en-
dure till the next Parliament. Anno 6.
Hen. 6. cap. 3. And after An. 8. H. 6. ca. 8.
It was enacted, that this Statute shall
bee put in execution till the King hath o-
therwise declared his wil in plaine Par-
liament.

32 ¶ Euery seruant of Husbandrie,
purposing to depart from his Maister at
Couenant to serue the ende of his terme, at the middest of
his terme, or otherwise make a couenant
before wᵗ another man, to serue him for
the next yeere, if he be in such case as the
lawe will compell him to serue: that the
saide seruants, and he which so shal make
couenant with him at the middest of the
Warning saide terme or before, shall giue warning
to the Maister of the saide seruant, of the
said couenant so newly made, so that the
same Maister may prouide an other ser-
uant against the ende of his terme. And
if any couenant with any such seruant be
Couenant Voide otherwise made, or that such warning in
manner and forme aforesaide not had,
that that same couenant shall bee voide.
And that the same seruant bee compel-
led to serue his first Maister for the next
yere, except that a lawfull cause being of
a latter time require the contrary. And
also that the salaries and wages of ser- Wages
uants, laborers and artificers, shall not
exceede the assessing as followeth, that is
to saye. The wages of a Bailife of Hus-
bandrie by the yeere xviii.s. iiii.d. and clo-
thing price v.s. with meate and drynke.
Of a chiefe hinde, a Carter, or chief shep-
heard xx.s. and clothing price of iiii.s Shepheard
with meate and drinke. A common ser-
uant of husbandrie xv.s. & clothing price
of iiii.s.iiii.d. A woman seruant x.s. and Woman seruant
clothes price iii.s. with meate and drink, Infant
An infant within the age of xiiii. yeeres
vi s. and clothing price iii. s. with meate
and drinke. The same forme shall bee ob-
serued of wages of seruants, being with
Hostelers, Victaslers, and Artificers, in
Citie, Borough, or elsewhere, and that Artificers seruants
such as deserue lesse, shall take lesse, and
also in places where lesse is vsed to bee
giuen, lesse shalbe giuen from hêcefoorth.
And that from the feast of Easter till the
feast of Saint Michaell, the wages of a- Mason Carpenter
ny free Mason or Maister Carpenter,
shall not exceede iiii. d. by the daie, and
without meate & drinke v.d.ob. A maister Artificers for building
Miler or Baker, a Rough Mason and
meane Carpenter, and other artificers,
concerning building by the daie iii. d.
with meate and drinke, & without meate
and drinke iiii.d.ob. And euery other la-
borer by the daye ii. with meate & drinke,
and without meate & drinke iii.d ob. And
that from the feast of Saint Michael, till
the feast of Easter, a Free Mason, and a
Maister Carpenter by the day iii.d. with
meate and drinke, and without meat and
drinke iiii.d.ob. A Miler, meane Carpen-
ter, rough Mason & other artificers afore-
saide, by the day ii. d. ob. with meate and
drinke, & without meate & drinke iiii.d. &
euery artificer & laborer by the day. i. d.
ob. with meate & drink, & without meate
and drink iii.d. and he that lesse deserueth
shal take lesse.

Prouided that the said assessing shal not Harueſt Wages
extend to laborers in ỹ time of Haruest,
in which time ỹ wages of a Mower shall
not exceede iiii.d. by the day with meate &
drinke, and without meate and drink. vi.
d. A reaper or carter iii.d. by the day with
meate and drinke, and without meate &
drinke v.d. A woman laborer & other la-
borers in the time of Haruest ii.d.ob. by
the day with meate & drinke, and with-
out

out meat and drinke iiii.d.ob. and such as be worthy lesse, shall take lesse, & in places where lesse as vsed to bee taken, lesse shalbe taken frō hēceforth. And ỹ no artificer, workman nor laborer, shall take any thing for the holy day, nor for the ferial day, but after the rate of the time of the day, in which he laboreth. And if anie person refuse to serue or labour, according to the premisses, that euery Iustice of P. in their counties, shall haue power at euery time to call them to examination of the same, and such as they shall finde defective to commit to the gaole, there to remaine till they haue founde sufficient suertie to serue and labor, in forme by the lawe required. And if any seruant, artificer, workeman or laborer do contrary to the premisses, or denie his seruice, occupation, or labour, by reason of not giuing of salarie or wages, contrary to these statutes, that hee shall lose to the party that will sue in this behalfe xx.s. And that the said Iustices of peace shal haue power to heare and determine all maner of offences, done contrary to ỹ forme of this statute, aswell at ỹ kings suit as at the parties. And that euery of the K. liege people, may haue the suite against euery person that shal offend in any point against this statut, & the proceese shal be Attachment Capias and Exigent. And ỹ the Iustices of Peace shall assesse no fine vpō any which shalbe cōuicted before them, of any thing done contrary to any statute of Laborers or Artificers, or for this cause to put him in the good grace of our Soueraigne lord the king, vnder iii.s. iiii.d. And also that the Iustices of Peace thorowe the Realme two times euery yeere, shal doe openly to be proclaimed in their sessions, all the Statutes of Laborers, Artificers, Hostelers, Victailers, Seruants & Vagabonds, before this time made and not reuoked with this statute. Also that by colour of the tenure of lesse lands, then the husbandry of the same shall suffice to the continual occupatiō of one man, no man shalbe excused to serue by the yeere, vpon the paine to bee iustified as a vagabonde. Also that Iustices of Peace shall haue power to take all seruants, reteined with any person by colour of husbandrie, & not duly occupied about the same, which seruants ought by the law to bee seruantes of husbandy, to such as shall require their seruice, & to iustifie them in euery poynt, as the same Iustices haue power to iustifie vagabondes. And that this Statute shall begin to bee of force & executorie in the feast of S. Michael, which shalbe in ỹ yere of our Lord 1446, and in no wise before. An. 23. H. 6. cap. 13.

Holy day

Refuse Iust. of P.

Imprison

Suertie

Fast.

Iust. of P.

Proceese Attachment Capias Exigent Fine

Iust. of P.

Proclama.

Vagabond Iust. of P.

Iustifie

33 ¶ An. 11. H. 7. cap. 22. an acte was made for the wages of the laborers & artificers, & what houres they should haue; But it is repealed by 12. H. 7. cap. 3.

34 ¶ Anno 4. H. 8. capit. 5. an act was made to endure to the next parliamēt, repealing penalties and forfeitures against the maister and giuer of wages to seruāts & laborers, contrary to the statute made Anno 12. R. 2. cap. 3. 4. 5. and 6.

Wages

35 ¶ No Bailife of husbandrie shall take for his wages by ỹ yere aboue xx.vi.s. viii.d. for clothing v.s. with meate and drink. No chiefe hind, as a carter, or chief shepheard aboue xx.s. by the yeere, and for his clothing v.s. with meat & drinke: No common seruant of husbandry aboue xvi.s. viii.d. by the yeere, and for his clothing iiii.s. with meate and drinke. No woman seruant aboue x.s. by the yere, and for her clothing iiii.s. with meat and drinke. No childe within the age of xiiii. yeres aboue vi.s. viii.d. by the yeere, and for his clothing iiii.s. with meate and drinke. And that no Artificer ne laborer (hereafter named) take no more ne greater wages then in this Statute is ymitted, vpon the paine selled, aswell to the taker as to the giuer: that is to saie: A free Mason, Master Carpenter, rough Mason, Bricklaier, master tiler, Plummer, Glasier, Caruer ne Joyner, from Easter to Michaelmasse, euery of these Artificers aforesaide vi.d. by the daye without meate & drinke, and with meate and drinke iiii.d. And from Michaelmasse to Easter v.d. without meate and drinke, and with meate and drinke iii.d. And that the wages of a shipwright, from the feast of Candlemasse vnto the feast of Saint Michaell the Archangell, shall not exceed the forme insuing: that is to say, A master Shipcarpenter, taking the charge of the worke, hauing men vnder him, by the day v.d. with meate & drinke, and without meate & drink vii.d. Another shipcarpenter called a hewer by the daye iiii.d. with meat & drinke, and without meat & drink vi.d. An able Clincher by the day iii.d. with meate & drink, and without meate & drinke v.d. An holder by the day ii.d. with meat & drink, and without meat & drinke iiii.d. A master Calker by the day iiii.d. with

Wages

Bailiffs of husbandrie Wages

Hinde Shepheard

Woman seruant

Childe

Artificer

Artificers for building

Shipwrights Wages

with meate & drinke, and without meate & drinke vi.d. Another meane Calker by the day iii.d. with meate and drinke, and without meat & drinke v.d. A Calker labouring by ẏ tide, for as long time as he may labour aboue the water & beneath the water, shall not exceede for his wages for euery tide iiii.d. with meate & drinke. And from ẏ feast of Michaelmas to Candlemas, ẏ wages of a Maister shipwright by the daye iiii.d. with meat & drinke, and without meate & drinke vi d. An Hewer by the daye iii.d. with meate and drinke, & without meate and drinke v.d. An able Clincher by the day ii.d. halfe peny with meate and drinke, and without meate & drinke iiii.d.ob. An Holder by the day one peny halfe peny with meate & drinke, & without meat and drinke iii.d. A Maister Calker by the daye iii.d. with meate and drinke, and without meate & drinke v.d. An other meane Calker by the daye ii. d. halfe penie with meate and drinke, and without meate and drinke iiii.d.ob.

Tide worke

Wages

Be it also enacted &c. that in such shires and countries where it hath bene, and is nowe vsed, to giue lesse wages, that in those shires and counties they shal giue, and the takers of the saide wages bee compelled, according as they haue lesse vsed to take, this acte notwithstanding.

Maison Carpenter

And ẏ maister Maison, & maister Carpẽter, which shal take the charge of the worke, hauing vnder him or them sixe men, shall haue vii.d. without meate & drinke, and v.d. by the daye with meate and drinke. And euery person and artificer specified in this statute, being not reteined in anie seruice for anie worke bee compelled to serue euery other person for such wages, as in this statute before is limitted. And that no Artificer reteined in any seruice to worke with the Kings highnesse, or any other person, depart not from his saide highnes, or from the saide other person, till such time as the worke is finished, if the person so reteining the artificer so wil haue him, and pay him his wages, vpon paine of imprisonment of any person so departing by the space of a moneth, and to make fine of xx.s. Alwaies prouided and forsene, that if the same artificer bee desired to the Kings seruice and worke, that then hee, may lawfully depart, so that he enter and be in the kings seruice and worke.

K. seruice Depart without lycence

Imprison

Fine

And it is further ordeined by the said authoritie, that euery other labourer & artificer (not afore named) shall take frõ Easter to Michaelmas, for euery day that he so laboreth (except the season of Harueſt) iiii.d. without meate and drinke, and ii.d. with meate and drinke. And from Michaelmas til Easter iii.d. without meat & drinke, & peny halfe peny with meate & drinke, and in the same time of Haruest, euery Mower shal take by the day iiii.d, with meat and drinke, and without meat and drinke vi d. A Reaper & Carter euery of them iii d. by the day with meat and drinke, and without meate & drinke v.d. A woman laborer & other laborers euery of them, ii d.ob. by the day with meat and drinke, & without meate & drink iiii.d.ob. And that no artificer nor laborer working but the halfe daye, take no wages but for the halfe daye, & nothing for the holy daye. And if any Bailife of husbandrie, hinde, carter, shepheard, common seruãt, woman seruant, or childe seruant, aboue specified, not reteined in any seruice, or worke, refuse to serue or worke, according to the ordinance aboue specified: then the same person to be cõmitted to Ward, by ẏ Cõstable or other head officer, within the Citie, towne or village, where the partie so refusing is, at the complaint of him that will receiue such seruant, there to remaine till hee haue founde suertie to serue according to the said ordinãce. Furthermore if any artificer or laborer being not reteined in any such seruice or worke, refuse to serue after the rate of this estatute, or to take greater or more wages then therein is limitted for ẏ same artificers & labourers, or if any artificer or labourer take wages for the whole daye, wher he worketh but half the day: ẏ then euery artificer or laborer, offẽding in any of the aforesaid articles, to forfeit for euery default as often as they offend xx.s. & they to be conuicted for euery such default by presentment before the Iustices of P. in their sessions, according to ẏ Common law, or by examination of the Iustice, in the same Sessions, or by examination of two Iustices of Peace, out of the sessions in any place within the Shire wherein they bin Iustices, & where such defaultes shalbe made. And that the saide forfeiture of xx.s. be leuied of their lands, goods, and cattels so offending. And furthermore, where dyuers artificers and laborers, reteined to worke and serue, wast most part of the daye, and doe not deserue their wages, sometime in late cõming to their worke

Wages

Harueſt

Woman seruant

Artificer

Halfe day Holy day

Baikifs of husbandrie

Refuse

Impriſ. Constables

Suertie

Artificer

Refuse

Forf.

Presentment

Iust. of P.

Idleneſſe Loosing of time

woꝛk, eaꝛely departing theꝛefꝛo, long ſit-
ting at their bꝛeakefaſt, at their dinner, & Sleeping
at their nꝛne meat, and long time of ſlee-
ping at after nꝛne, to the loſſe and hurte
of ſuch perſons, as the ſaid artificers & la-
boꝛers bin reteined with in ſeruice. It is
theꝛefoꝛe enacted &c. that euery Artificer
and laboꝛer bee at woꝛke, betwæne the March September Time to woꝛke
midſt of ỹ moneths of March, & the midſt
of the moneth of September, befoꝛe vi. of
the clocke in the moꝛning, & that he haue
but halfe an houre foꝛ his bꝛeakefaſt, & an
houre and a halfe foꝛ his dinner, at ſuch
ſeaſon as hee hath time foꝛ ſlæpe to him
appointed by the ſaid ſtatute, and at ſuch
time as it is herein appointed that he ſhal
not ſlæpe, then hee to haue but an houre
foꝛ his dinner, and halfe an houre foꝛ his
nꝛne meate, and that he depart not from
his woꝛke, betwæne the midſt of the mo-
neth of March & September, till betwæn
ſeuen & eight of the cloke in the euening.
And if they oꝛ any of them offende in ane
of theſe articles: that then their defaults
to be marked by him oꝛ his deputy, ỹ ſhal
pay their wages, and at the wæꝛkes ende
to be abated of ſuch rate of time, as they
haue offended. And that from the midſt of
September, to the midſt of March, euery
artificer and laboꝛer be at their woꝛke in
the ſpꝛinging of the daye, and depart not
til night of the ſame day, and that thꝛ ſaid
artificers and laboꝛers ſlæpe not by day, Sleeping time May Auguſt
but onely from the midſt of the moneth of
May, vnto the midſt of Auguſt.

And it is enacted by the ſame authoꝛi-
tie, that if any Artificer oꝛ labourer retei-
ned in ſeruice with any perſon, foꝛ buil-
ding oꝛ reparation, do aſſault oꝛ make, oꝛ Aſſaulte
cauſe to be made any aſſemblie to aſſault,
harme, oꝛ hurt any perſon aſſigned to con-
troll oꝛ ouerſee them in their woꝛking,
that he oꝛ they ſo offending, haue impꝛy-
ſonment foꝛ a yeere, without letting to Impꝛiſ. Mainpꝛiſe Fine
baile oꝛ mainpꝛiſe, & furthermoꝛe to make
fine at the Kings will. The ſame aſſem-
bly oꝛ aſſault to be tried by examination Triall
beꝛoꝛe the Juſtice of peace, as is afoꝛeſaid. Juſt. of P.
This act to beginne and take effect at the
feaſt of Whitſuntide next comming, and
in the meane time the ſame to be pꝛocla-
med in euery good citie, boꝛough, & town
of this Realme.

Pꝛouided alway, that this act, ne any
thing therein conteined, extend not, ne be
pꝛeiudiciall to any perſon oꝛ perſons, foꝛ
myning oꝛ digging foꝛ any cole, called ſea Mines Sea cole
cole, otherwiſe called Smithes cole, oꝛ
foꝛ making of any glaſſe. Glaſſe

Pꝛouided alway that this acte, oꝛ ante
thing therein conteined extend not, ne in
any wiſe be hurtful oꝛ pꝛeiudicial to any
miners, woꝛkers, oꝛ laboꝛers of Tinne, Tinne Leade Yron Siluer
Lead, Yꝛon, oꝛ Siluer, oꝛ foꝛ any wages
taking about the digging, ſetting, oꝛ
finding of the ſame mettals: this act oꝛ a-
ny thing therein contained notwithſtan-
ding. Anno 6. H. 8. cap. 3. And Anno 7. H.
8. cap. 5.

36 ¶ All and euery of the ſaide Arti- Artificers
ficers s. fꝛee maſons, rough maſons, bꝛick-
layers, carpenters, ioyners, caruers, pla-
ſterers, daubers, tilers, hillers, plum-
mers, glaſiers, labourers, and their ſaide
appꝛentices and ſeruants woꝛking with-
in the ſaide citie (s. of London) oꝛ within
the libertie of the ſame, from henceꝛooꝛth
may take foꝛ their wages, like wages as London Wages
they did take beꝛoꝛe ỹ ſaid ſtatute (s. An.
6. H. 8. ca. 3. before 31.) had oꝛ made: the
ſame foꝛmer act not withſtanding. And if
the ſaide Artificers and their appꝛentices Appꝛẽtices
woꝛke out of the ſaide Citie of London, &
the libertie and franchiſe of the ſame: that
then they and euery of them, take but on-
ly ſuch wages, as is compꝛiſed in the ſaid
foꝛmer ſtatute. And alſo that all ſuch Ar-
tificers and laboꝛers, as ſhal from hence-
fooꝛth woꝛke within the ſame citie and
libertie of the ſame, in the kings woꝛks,
that they noꝛ none of them, take ane
moꝛe wages, but as it is expꝛeſſed in the
ſaid foꝛmer ſtatute. And ỹ the penaltie cõ-
pꝛiſed in the ſaide foꝛmer ſtatute extende
not but only to the taker; & not to the gi-
ner, the ſaid foꝛmer act notwithſtanding.
An. 7. H. 8. cap. 6.

37 ¶ No perſon noꝛ perſõs occuppying
oꝛ vſing, oꝛ that hereafter ſhal occupy oꝛ
vſe any of the arts, miſteries, occupatiõs,
crafts oꝛ ſciẽces of a Clothmaker, fuller, Artificer
ſhæreman, weauer, tailer, oꝛ ſhoomaker,
ſhall after the feaſt of penticoſte, next cõ-
ming, hire oꝛ retеine to woꝛke in any of
their arts, miſteries, occupations, crafts
oꝛ ſciences, any perſon oꝛ perſons vnmar- Vnmaried man Journeman
ried, as a Journeman: that is to ſaie, to
woꝛk oꝛ labour by the day, oꝛ taile woꝛk,
oꝛ by ỹ great, oꝛ foꝛ any time oꝛ terme vn-
der ỹ time oꝛ terme of one whole quarter
of one whole yeere. And that no perſon oꝛ Yere
perſons vnmaried, ſhal be hired oꝛ retei-
ned with any of the perſon oꝛ perſons a-
foꝛeſaid, to woꝛke in any of the arts, my-
ſteries, occupations, crafts oꝛ ſciences a-
foꝛeſaide, foꝛ anie leſſe time then foꝛ the

ſpace

Quarter of a yere

space of one whole quarter of one whole yere, vpon paine of euery person offending contrary to this statute to suffer imprisonmẽt for one whole moneth, without baile or mainprise, & to forfeit for euery such offence xl.s. And be it &c. ẏ euery Journeiman of any of the crafres, occupations, or misteries aforesaid, being required by any person or persons, vsing ẏ misteries, occupations, crafts or sciences aforesaid, or any of them, to serue by the quarter of the yere, halfe yere, or whole yere, vpon such reasonable wages as betweene them shal be agreed, & in case where ẏ parties cannot accord: then for such wages as shalbe adiudged & decreed by one Iustice of P. Maior, Alderman, bailif, portreeue, constable or tithing man of the shire, Citie, towne, borough, village, hundred, wapentake, or tithing wher any iournemã shall be required to serue, as is aforesaide, and thereupon if such Journeiman refuse to serue in maner & forme abouesaid, ẏ then euery such iourneman & euery of them so refusing to serue, as is abouesaid, shal suffer imprisonmẽt by the space of one whole moneth, & shal at euery time so refusing, forfeit xx.s. And be it &c. that all and euery person or persons, that shal haue three apprentices in any of the saide crafts, misteries, or occupations, shall reteine and kẽpe one iourneman, and for euery other apprentice aboue the number of the saide three apprentices, one other iourneman, vpon pain for euery default x.li. The one halfe of the which forfeiture shall bee to the king, and the other halfe to such person or persons as will sue for the same, in any of the kings Courtes of Record, by bill &c. in which &c.

Imprisonment

Fork.

Iourneman

Iust. of P. Maior Alderman Bailifes Constables

Refuse

Imprisonment

Fork.

Three apprentices

One Iourneman

Fork. Poitie

And it is &c. that all & singuler the offences aboue said, which shalbe hereafter committed or done, contrarie to the tenor of this present act, shalbe inquirable & presentable before the Iustices of Oier & determiner, Iustices of Assises, Iustices of Peace, and in al & euery Leet or Letes, before the Steward or Stewards, there, & before any Maior, Bailife, or other heade officer of any citie, borough, or towne corporate. And that the said Iustices, Steward, Maior, Bailife, or other head officer, shall haue full power and authority from time to time, to punish & correct all and euery person or persons offending contrary to the tenor of this present act, according to such presentment or presentments, as before him or them shal be had or made.

Iustices of Oier & ter. Iust. of P. Iust. of ass. Leete

Maior Bailife

Punish

Prouided alwaies and bee it &c. that all seruants of husbandry vnmaried, & which haue not bin maried, and all seruants and labourers, vsing to labour in barges, cõmonly called Westerne barges, which are not, nor haue bin maried, shall after ẏ feast of the Annũciation of our Lady next comming, serue by the whole yere, & not goe by the day wages, vpon paine of such punishmẽt, as is contened in the statuts made against Labourers, & that all such seruants shall after the saide feast, giue their Master & Maisters a quarters warning, against his or their departure out of seruice, vpon the like pain conteined in the said statute. An. 3. E. 6. cap. 22.

Vnmaried men

Bargemen

Warning

38 ¶ Although there remaine now in force a great number of statutes, concerning the reteining, departing, wages and orders of apprẽtices, seruants & labourers, as well in husbandrie, as in diuers other arts, misteries & occupations: yet partlie for the imperfectiõ & contrariety in them, and for the variety & number of them, and chiefly for ẏ the wages rated in many of them are to small, and not answerable to this time, they cannot without great burden to the poore labourer & hired men, bee put in due execution: wherefore calleating the substance of the mẽtell of them, & to limit an vniforme order, concerning the wages & other orders for apprẽtices, seruants and labourers, that idlenesse may be banished, husbandry aduãced, & the hired men haue at all times a conuenient portion of wages. Be it &c. that asmuch of al the statutes heretofore made, and euerie branch of them, as touch or concerne the hiring, keeping, departing, worcking, wages, or order of seruants, workemen, artificers, apprentices or labourers, or anie of them, and the penalties and forfeitures concerning the same, shal be from & after the last daye of September next insuing, repealed & be vtterly void & of none effect. And that all the saide statutes and euerie branch thereof, or any matter conteined in them and not repealed by this statute, shall remaine and bee in ful force & effect: any thing in this statute to the contrarie notwithstanding.

Statutes repealed

And be it &c. that no maner of person or persons, after the foresaid last day of September now next insuing, shal reteine, hire, or take into seruice, or cause to bee reteined, hired, or taken into seruice, by anie meanes or colour, to worke for any lesse time or terme then for one whole yere, in any

Not reteine in seruice

Setquers Crafts Artificers

any of ẏ ſtiſtes, craftes, miſteries, or arts of clothiers, woollen cloth weauers, tuckers, fullers, clothworkers, ſheremē, diers, hoſiers, tailers, ſhoomakers, tāners, pewtrers, bakers, brewers, glouers, cutlers, ſmiths, farriers, curriers, ſadlers, ſpurriers, turners, cappers, hatmakers or feltmakers, bowiers, fletchers, arrowheadmakers, butchers, cokes or millers. And be it further enacted, that euery perſon being vnmaried, and euery other perſon being vnder the age of thirty yeeres, that after the feaſt of Eaſter nert ſhall marrie, & hauing bin brought vp in ante of the ſaid arts, crafts or ſciences, or that hath vſed or exerciſed any of them by the ſpace of iii. yeres or more, and not hauing lands, tenements, rents or hereditamēts, copyhold or freehold, of one eſtate of inheritance, or for terme of any life or liues, of the cleare yeerely value of xl. s. nor being worth of his owne goods the cleere value of x. li. and ſo allowed by two Juſtices of ẏ P. of the coũty where he hath moſt cōmonly inhabited by ẏ ſpace of one whole yere, & vnder their handes & ſeales, or by the Maior or other head officer of the citie, borough, or towne corporate, where ſuch perſon hath moſt commonly dwelled by the ſpace of one whole yeere, and two Aldermen, or two other diſcreet Burgeſſes of the ſame citie, borough, or towne corporate, if there be no Aldermen, vnder their handes & ſeales, nor being reteined with any perſon in huſbandrie, or in any of the foreſaid arts & ſciences, according to this ſtatute, nor lawfully reteined in anyother art or ſcience, nor being lawfully reteined in houſholde, or in any office with any Noble man, Gentleman or others, according to the Lawes of this Realme, nor hauing a conuenient farme, or other holding in tillage, whereupon he may imploy his labor, ſhal during the time that he or they ſhall ſo be vnmarried, or vnder the ſaide age of thirty yeres, vpon requeſt made by any perſon vſing the arte or miſterie wherein the ſaide perſon ſo required hath been exerciſed, as is aforeſaid, bee reteined, & ſhall not refuſe to ſerue, according to the tenor of this ſtatute, vpon the paine and penalty hereafter mentioned.

Lyn the trade three yeeres

Lawde xl.s. land Goods x.li. ii. Juſt. of Peace

Maior

Alderman

Huſbandrie

Requeſt

Refuſe

And bee it further enacted, that no perſon which ſhall reteine any ſeruant, ſhall put away his or her ſaid ſeruant, and that no perſon reteined according to this ſtatute, ſhall depart from his ſaide maiſter, maiſtreſſe or dame, before the end of his or her terme, vpon the pain hereafter mentioned, vnles it bee for ſome reaſonable & ſufficiēt cauſe or matter to be allowed before two Juſtices of Peace, or one of the leaſt, within the ſaid county, or before the Maior or other chiefe officer of the citie, borough, or town corporate, wherein the ſaid maſter, maſtreſſe or dame inhabiteth to whom any of the parties grieued ſhall complaine. Which ſaid Juſtice or Juſtices, Maior or chiefe officer, ſhal haue and take vpon him or them the hearing and ordering of the matter, betwixt the ſaide maſter, maſtreſſe or dame, and ſeruant, according to the equitie of the cauſe. And that no ſuch maiſter, maſtreſſe or dame, ſhall put awaie any ſuch ſeruant at the end of his terme, or that any ſuch ſeruant ſhall depart from his ſaide maiſter, maiſtreſſe or Dame, at the ende of his terme, without one quarters warning giuing before the end of his ſaid terme, either by the ſaid maſter, maſtreſſe or dame, or ſeruant, the one to the other, vpon the paine hereafter inſuing.

Put away

Juſt. of P.

Maior

Warning

And be it &c. that euery perſon, betwixt the age of xii. yeres & the age of lx. yeres, not being lawfully reteined nor apprentice with anie Fiſherman or Mariner haunting the Seas, nor being in ſeruice with any hidder or carrier of any corne, graine or meale for prouiſion for the citie of London, nor with any huſbandman in huſbandrie, nor in any citie, town corporate or market Towne, in any of the artes, or ſciences limitted or appointed by this eſtatute, to haue or take apprentices, nor being reteined by ẏ yere or halfe yere at the leaſt, for the digging, ſeeking, finding, getting, melting, fining, working, trying, or making of any ſiluer, tin, lead, yron, copper, ſtone, ſea cole, ſtone cole, moore cole or charke cole, nor being occupied in or about the making of any glaſſe, nor being a gētlemā borne, not being a ſtudent or ſcholar in any of ẏ Vniuerſities, or in anie Schoole, nor hauing lands, tenements, rents or hereditamēts for terme of life or of one eſtate of inheritance, of the cleare yeerelie value of xl. s. nor being worth in goodes and cattels to the value of tenne pound, nor hauing a father or mother then liuing, or other anneſtor, whoſe heire apparant hee is, then hauing landes, tenements, or hereditaments of the yerely value of v. pounds or aboue, or goods or cattels of ẏ value of

Betweene xii. yeres old & lx. yers

Mariner

Ridder

Huſbandmā Apprentice in citie

Mines

Glaſſe Gentleman Student Scholler

xl.s. land Goods

Father or mother Heire apparant

xl.

xl.li. nor being a necessary or conuenient Officer, or seruant lawfully reteined, as is aforesaid, nor hauing a conuenient farme or holding, whereupon hee may or shall imploy his labour, nor being otherwise lawfully reteined, according to the true meaning of this statute: shall after the foresaide last day of September now next insuing by vertue of this statute, be compelled to be reteined to serue in husbandrie by the yere, with any person that kéepeth husbandrie, and will require any such person so to serue within the same shire where he shall be so required.

Farmer

Reteine to serue in husbandry

And be it &c. that if any person after he hath reteined any seruant, shal put away the same seruant before the ende of his terme, vnlesse it be for some reasonable & sufficient cause to be allowed, as is aforesaide, or if any such Maister, Maistresse or Dame, shal put away any such seruant at the ende of his terme, without one quarters warning giuen before the said ende, as is aboue remembred: that then euerie such Maister, Maistresse or Dame so offending, vnlesse he or they be able to proone by two sufficient witnesses, such reasonable and sufficiēt cause of putting away of their seruant or seruants during their terme, or a quarters warning giuen afore the end of the said terme, as is aforesaide, before the Justices of Oier and terminer, Justices of Assise, Justices of the peace in their quarter Sessions, or before the Maior or other head officer of any city, borough, or towne corporate, and two Aldermen, or two other discret burgesses of the same Citie, Borough or Towne corporate, if there be no Aldermen, or before the Lord Présidt & Councill established in the Marches of Wales, or before the Lord Président and Councill for the time being established in the North parts, shall forfeit the summe of xl.s. And if any seruant reteined according to the forme of this statute depart from his said Maister, Maistresse or Dames seruice, before the end of his terme, vnlesse it be for some reasonable & sufficiēt cause to be allowed, as is aforesaid, or if any seruant at the end of his terme shall depart from his said Maister, Maistresse or dames seruice without one quarters warning giuē before the end of his saide terme in forme aforesaid, and before two lawful witnesses, or if any person or persons compellable & bound to be reteined to serue in husbādry, or in any other the arts, sciences or misteries aboue remembred, by the yeere or otherwise, do vpon request made, refuse to serue for the wages that shalbe limitted, rated & appointed, according to ỳ forme of this Statute, or promise or couenant to serue, & doe not serue according to the tenour of the same, that then euery seruant so departing away, & euery person so refusing to serue for such wages, vpō complaint therof made by the Maister, Maistresse or dame of the said seruant, or by the partie, to, or with whom the said refusall is made, or promise not kept, to two Justices of P. of the Countie, or to the Maior or other head Officer of the Citie, Borough, or town corporate, & Aldermen, or two other discréete burgesses of the same citie, borough or towne corporate, if there bee no Aldermen where the said Maister, Maistresse or dame, or the saide party, to or with whome the said refusal is made, & promise not kept, dwelleth, or to either of ỳ said L. Présidēts, & councils of Wales, and the North: The said Justices, Lorde Présidents, & Councils, and also the said Maiors, and other head officers, & other persons of Cities, boroughes or townes corporate, or any of them, as is aforesaid, shal haue power by force of this statute to beare & examine the matter, & finding the said seruant, or the said partie so refusing faultie in the premisses, vpon such proues & good matter, as to their discretions shall be thought sufficient, to commit him or them to ward, there to remaine without baile or mainprise, vntill the said seruant or partie so offending, shalbe bound to the party to whome the offence shal be made to serue & continue with him for ỳ wages that then shall be limited & appointed, according to the tenor & forme of this estatute, & to be discharged vpon his deliuery, without paying any fée to the gaoler, where hee or they shalbe so imprisoned.

Two Iust. of P.

Refuse

Two witnesses

Warning

Put away

Two witnesses

Depart with out lycence

Foyf.

L. Présidt

Quarter sessions

Justices Iust. of ass. Iust. of P.

Iustices

Examine

Imprisl. Mainprise

No fee to the gaoler

And be it &c. that none of the said reteined persons in husbandrie, or in any the artes or sciences aboue remembred, after the time of his reteiner expired, shall depart forth of one citie, towne or parish to any other, nor out of the lathe, rape, wapentake or hundred, nor out of the cōuty or shire where he last serued, to serue in any other city, town corporat, lathe, rape, wapentake, hūdred, shire or county, vnles he haue a testimoniall, vnder the seale of the city or towne corporat, or of the Constable or Cōstables or other head officers, & of ii. other honest householders of ỳ city, towne or

Depart from one towne to another

Testimonall Constable

or parish where he last serued, declaring his lawfull departure, & the name of the shire & place where hee dwelled last before his departure; according to ỳ forme hereafter expressed in this act, which certificat or testimonial shalbe writtẽ & deliuered vnto the said seruant, & also registred by the parson, vicar or curate of the parish where such maister, maistresse or dame doth or shall dwell, taking for ỳ doing thereof ii d. & not aboue, & the forme therof shal be as followeth. Memorand. ỳ A. B. late seruant of C. D. of E. husbandman or tailer &c. in the said countie, is licenced to depart from his saide master, & is at his libertie to serue elsewhere, according to the statute in that case made and prouided. In witnesse wherof &c. Dated ỳ day, moneth, yere & place &c. of ỳ making therof. And be it &c. that no person or persons that shall depart out of seruice, shalbe retained or accepted into any other seruice, without shewing before his retainer, such testimonial as is aboue remembred, to the chief officer of the towne corporate, and in euery other towne & place, to the Constable, Curat, churchwarden, or other head officer of the same, where he shalbe retained to serue, vpon ỳ paine ỳ euery such seruant so departing without such certificate or testimonial, shalbe imprisoned vntill he procure a testimonial or certificate, the which if he cannot do within the space of xxi. dayes next after ỳ first day of his imprisonment: then ỳ said person to be whipped and vsed as a vagabõd, according to the lawes in such cases prouided. And that euery person retaining any such seruant without shewing such testimonial or certificate, as is aforesaid, shall forfeit for euery such offence x.li. And if any such person shal be taken with ante counterfeit or forged testimonial, thẽ to be whipped as a vagabond. And be it &c. ỳ al artificers & labourers, being hired for wages by ỳ day or week, shal betwixt ỳ midst of the moneths of March & Septẽber, be & continue at their work, at or before fiue of the cloke in the morning, & continue at worke, & not to depart, vntill betwixt vii. and viii. of the cloke at night, (except it be in the time of breakfast, dinner or drinking) the which time at the most shall not exceede aboue ii. houres and a halfe in the day: that is to saie, at euerie drinking one halfe houre, for his dinner one houre, and for his sleepe, when he is allowed to sleepe (the which is from the midst of May, to the midst of August) halfe an houre at the most, and at euery breakefast one halfe houre, and al the said Artificers and labourers, betweene the midst of September and the midst of March, shalbe &c cõtinue at their worke from the spring of the day in the morning, vntil ỳ night of the same day, except it bee in time afore appointed for breakefast and dinner, vpon paine to lose and forfait one peny for euery houres absente, to be deducted & defaulked out of his wages that should so offend. And be it also enacted by the authoritie aforesaide, that euery artificer & labourer, that shalbe lawfully retained, in, or for ỳ building or repairing of any church, house, ship, mill or any other piece of worke take in great, in taske or ingrosse, or that shall hereafter take vpon him to make or finish anie such thing or worke, shall continue and not depart from the same, vnlesse it by for not paying of his wages or hire agreed on, or other wise lawfully take or appointed to serue the Quenes Maiestie, her heires or successors, or for other lawfull cause or without licence of the Maister or owner of ỳ work, or of him that hath the charge therof, before the finishing of the said worke, vpon paine of imprisonment by one moneth, without baile or mainprise, & the forfaiture of the summe of fiue pounds to the party from whom he shall so depart, for the which the saide partie may haue his action of debt against him that shal so depart, in any of the Quenes Maiesties Courts of record, ouer and besides such ordinarie costes & dammages, as may or ought to bee recouered by the common Lawes, for or concerning anie such offence: In which action no protection, wager of lawe, or essoine shall be admitted. And that no other artificer or labourer retained in any seruice to worke with the Quenes Maiestie, or any other person depart not from her said Maiestie, or from the said other person, vntill such times as the worke be finished, if the person so retaining the Artificer or labourer, so long will haue him and paye him his wages or other dueties, vpon paine of imprisonment of euery person so departing, by the space of one moneth.

And be it &c. that the Iustices of Peace of euery Shire, riding, & libertie within the limits of their seueral Commissions, or the more part of them being then resident within the same, and the Shirife of the Countie (if he conueniently may) and euery

Vicar Curate

Forme

Retained

Constable Churchwarden

Depart without licence Imprisl.

xxi. dayes

Whippe Vagabond

Retainer

Forf.

Forged testimoniall Whippe

Artificers Labourers

March September

Time of worke

Sleep

May August

Forf.

Artificer Labourer

Taske

Depart with out licence.

Forf.

Dammages

M. seruice

Worke finished

Imprisl.

Iust. of P.

Shirife

Maior Bailife

euery Maior, Bailif, or other head Officer, within any Citie or towne corporat, wherein is any Iuſtice of P. within the limits of the ſaid City or town corporat, & of the ſaide corporation, ſhall before the tenth day of June next comming, & afterward yeerely at euery generall Seſſions, firſt to be holdē & kept after Eaſter, or at ſome time conuenient within fiue weeks next following euery of the ſaide feaſt of Eaſter, aſſemble themſelues together, & they (ſo aſſēbled) calling vnto them ſuch diſcrete & graue perſons of the ſaid countie, or of the ſaid citie or towne corporat, as they ſhal thinke meete, and conferring together, reſpecting the plentie or ſcarſitie of the time and other circumſtances neceſſary to be conſidered, ſhall haue authoritie by vertue hereof, within the lymits & precincts of their ſeueral commiſſions, to limit, rate, & appoint the wages, aſwel of ſuch and ſo many of the ſaid artificers, handycraftſmen, huſbandmen, or any other laborer, ſeruant or workeman, whoſe wages in times paſt hath bin by any law or ſtatute rated & appointed, as alſo the wages of all other laborers, artificers, workmen, or apprentices of huſbandrie, which haue not bin rated, as they the ſame Iuſtices, Maiors, or head officers within their ſeueral commiſſions or liberties, ſhal thinke meet by their diſcretions to be rated, limited or appointed by the yere, or by the day, weeke, moneth, or otherwiſe with meate & drinke, or without meate & drinke, & what wages euerie workmā & laborer ſhal take by the great for mowing, reping, or threſhing of corne and graine, and for mowing or making of haye, or for ditching, paling, rayling, or hedging by the rod, pearch, lugge, yarde, pole, rope or ſcote, or for any other kind of reaſonable labour or ſeruice, And ſhall yerely before the xii. day of Julie, next after the ſaide aſſeſſement and rates ſo appointed & made, certifie the ſame, ingroſſed in parchment with the conſiderations & cauſes thereof, vnder their handes and ſeales, into the Quēnes moſt honorable Court of Chauncerie: whereupon it ſhal bee lawfull to the Lorde Chauncelor of Englande, or Lorde Keeper of the great Seale for the time being, vpon declaration thereof to the Quēnes Maieſtie, her heires or ſucceſſors, or the Lordes and other of the priuie Counſel, for ỳ time being, attendāt vpon their perſons, to cauſe to bee printed and ſent downe, before the

Generall Seſſions

Appointing of wages

Day

Certifie

Chancerie L. Chanceller

Print

firſt day of September next after ỳ ſaide certificate, into euery countie, to the Shirife & Iuſtices of Peace there, and to the ſaide Maiors, Bailifes, & head Officers, ỳ.or xii. Proclamations, or more, conteining in euery one of them ỳ ſeueral rates appointed by the ſaide Iuſtices, and other head Officers, as is aforeſaide, with commandement by the ſaide Proclamations to al perſons in the name of the Quēnes M. her heires or ſucceſſors, ſtraightlie to obſerue the ſame, and to all Iuſtices, ſhirifes, and other Officers to ſee the ſame duely and ſeuerely obſerued, vpon the danger of the puniſhmēt and forfeitures limitted and appointed by this eſtatute. Vpon receit whereof, the ſaide Shirifes, Iuſtices of Peace, and the Maior and head Officer in euery Citie or Towne corporate, ſhall cauſe the ſame Proclamation to bee entred of Recorde, by the Clerke of the Peace, or by the Clerke of the Citie or Towne corporate, and the ſaid Shirifes, Iuſtices, and other the ſaid Maiors & head officers, ſhall forthwith in open Markets, vpon the market dayes, before Michaelmaſſe then inſuing, cauſe the ſame Proclamation to be proclaimed in euery Citie or Market towne, within the limits of their Commiſſion, and the ſame Proclamation to bee fixed in ſome cōuenient place of the ſaid citie & towne, or in ſuch of ỳ moſt occupied market townes, as to the ſaid Shirifes, Iuſtices of peace, and to the ſaide Maior and head Officers ſhall be thought meete.

Shirife

Maiors Iuſt. of P. Bailifs Proclama.

Obſerue

Shirife Iuſt. of P. Maior

Clerke of peace

Proclaime

And if the ſaide Shirifes, Iuſtices of peace, or the Maior & head Officers ſhall at their ſaide Generall ſeſſions, or at any time after within fiue weeks then following, vpon their aſſemblie and cōference together, thinke it conuenient to reteine & keepe for the yere then to come, the rates & proportion of wages, that they certified the yeere before, or to change or reforme them, or ſome part of them, then they ſhal before ỳ ſaid xii. day of July, yerely certifie into the ſaide court of Chancery their reſolutions and determinations therein, to the intent that Proclamation may accordingly be renued and ſent downe. And if it ſhal happen that there be no nede of any information or alteratiō of the rates of ỳ ſaid wages, but that the former ſhall be thought meet to be continued: then the Proclamation for the yeere paſt, ſhall remaine in force vntil newe proclamations, vpon newe rates concerning the ſaid wages

Shirife Iuſt. of P. Maior Generall ſeſſions

Change

Certifie Chancery

ges, shall bée sent downe according to the forme of this estatute. And be it enacted by authority of this present Parliament, that all the Justices of P. resiant within the coũties, where they are or shal be Justices of peace, Maiors and head officers, do not before the x. day of June next comming, and afterwarde, yéerely appeare & assemble at the said generall Sessions, or within fiue weekes next after the said generall Sessions, and limite, and rate the wages of the said seruants and labourers, or shall not consider whether the former rates made be mete to be continued or to be altered & reformed in maner & forme aforesaid, or be negligẽt, or remisse in the certificat thereof in forme aboue writtẽ: that then euery Iust. of P. of the Coũtie, and euery Maior and head Officer of the Citie or Towne corporate, in whom anie such default or negligence shall be found, being within the saide Countie, Citie or towne corporate, at the time of the saide next assembly, or at ỳ time of the said Sessions, or at the times of the saide rates of wages to be set, within vj. weeks next after euery such Sessions & not visited with any such sicknes, as he could not trauaile thither without perill and danger of his life, or not hauing anie other lawfull and good excuse to be allowed by the Justices then assembled, for the rating and taxing of wages as is aforesaide, or by the more part of them, vpon a corporall Othe and affidauit to be taken and made openly before the said Justices vpon the holie Euãgelistes, by some credible person assessed and taxed in the booke of Subsidie in that Countie, to the cleare value of x.li. at the least, or by such other person as the most part of such Justices shall allow & accept to take such othe: shall for such default or negligence, forfait vnto the Queens Maiestie, her heirs and successors, x.li. of lawfull money of England. And be it further enacted by the authoritie aforesaid, that if any person after the saide Proclamation shalbe so sent downe & published, shall by any secrete wayes or meanes, directly or indirectly, retaine or keepe anie seruaunt, workeman or labourer, or shall giue anie more or greater wages or other commoditie, contrary to the true intent and purport of this estatute, or contrarie to the rates or wages that shall bee assessed or appointed in the said proclamations: that then euery person that shall so offend, and be thereof lawfully conuicted before quie the Justices or other head officers aboue remembred, or either of the said Presidẽts and Counsels: shall suffer imprisonment by the space of ten daies, without baile or mainprise, and shall lose and forfaite fiue pound of lawfull money of England. And that euery person that shall be so retained and take wages cõtrary to this estatute, or any branch therof, or of the said Proclamation, and shall be thereof conuicted before the Justices aforesaid, or any two of them, or before the Maior or other head officers aforesaide: shall suffer imprisonment by the space of xx. daies, without baile or mainprise. And that euery retainer, promise, gift or paiment of wages, or other thing whatsoeuer, contrary to the true meaning of this estatute, and euerie writing & bõd to be made for that purpose, shall be vtterly void and of none effect.

And be it enacted by the authoritie aforesaide, that if any seruant, workeman, or labourer, shall wilfully or maliciously make any assault, or affray vpon his Master, Maistres or Dame, or vpon anie other that shall at the time of such assault or affray, haue the charge or ouersight of any such seruant, workeman or labourer, or of the worke wherein the said seruant, workeman or labourer is appointed or hired to worke, and being thereof conuicted before any of the two Justices, Maior or head officer aforesaid, where the said offence is committed, or before either of the said Lord Presidentes, and Counsell before remembred, by confession of the said seruaunt, workeman or labourer, or by the testimonie, witnesse and othe of two honest men: that then euerie such offendor shal suffer imprisonment by the space of one whole yéere or lesse, by the discretion of two Justices of the Peace, if it bee without a Towne corporate, and if it be within anie Towne corporate, by the discretiõ of the Maior or head Officer of the same Towne corporate, with two others of the discretest persons of the same corporation at the least. And if the offence shall require further punishment, then to receyue such other open punishment, so as it extend not to life nor limme, as the Justices of Peace in open Sessions, or the more parte of them, or the said Maior or head Officer, and fiue or foure at the least, of the discretest persons of the same Corporation, before whom the offence shall bée examined, shall thinke conuenient for the qualitie of the saide offence so

done and committed.

Prouided alwaies, and be it enacted by the authority aforesaid, that in the time of hay or corne harueſt, the Iuſtices of peace and euery of them, and alſo the Conſtable or other head officer of euery townſhip vpō requeſt, & for the auoiding of the loſſe of any corne, graine or hay, ſhall and may cauſe all ſuch artificers and perſons, as be mete to labour, by the diſcretions of the ſaid Iuſtices or Conſtables or other head officers, or by any of them, to ſerue by the day for ỳ mowing, reaping, ſhearing, getting or inning of corne, graine & hay, according to the ſkil, and qualitie of the perſon, and that none of the ſaid perſons, ſhal refuſe ſo to do: vpon paine to ſuffer impriſonment in the ſtockes by the ſpace of two daies and one night. And the Conſtable of the Towne or other head Officer of the ſame, where the ſaide refuſall ſhall bee made, vpon complaint to him made, ſhall haue authority by vertue hereof, to ſet the ſaid offendor in the ſtockes, for the time aforeſaid, and ſhall puniſh him accordingly: vpon paine to loſe and forfaite for not doing thereof, the ſumme of fortie ſhillings.

Harueſt
Iuſt. of P.
Conſtable
Artificers
Refuſe
Stockes
Conſtable
Fine.

Prouided alſo, that all perſons of the Counties where they haue accuſtomed to goe into other Shires for harueſt worke, & hauing at that time no harueſt worke ſufficient in the ſame towne nor County, where he or they dwelt in the winter thē laſt paſt, bringing with him or them a teſtimoniall vnder the hand and ſeale of one Iuſtice of the Peace of the ſhire, or other head officer of the towne or place, that hee or they came frō, teſtifying the ſame, for the which he ſhal pay not aboue one penie (other thē ſuch perſons as ſhalbe retained in ſeruice, according to the forme of this Statute) may repaire & reſort in Harueſt of hay or corne, from the Coūties wherein their dwelling places are, into anie other place or Countie, for the onely mowing, reaping and getting of hay, corne and graine, and for the onely working of harneſt works, as they might haue done before ỳ making of this ſtatute: any thing herein cōtained to the contrarie notwithſtanding.

Teſtimoniall
i. Iuſt. of p.
Harueſt
worke

And be it further enacted by the authoritie aforeſaide, that two Iuſtices of the Peace, the Maior, or other head Officer of any citie, borough or towne corporate, and iij. Aldermen, or two other diſcréete burgeſſes of the ſame Citie, Borough, or towne corporate, if there be no Aldermē, ſhall and may by vertue hereof, appoint any ſuch woman, as is of the age of xij. yéeres, & vnder the age of xl. yéeres & vnmaried, and forth of ſeruice, as they ſhall thinke mēte to ſerue, to bée retained or ſerue by the yéere, or by the weéke or day, for ſuch wages, & in ſuch reaſonable ſorte & manner, as they ſhal thinke mēte. And if any ſuch woman ſhall refuſe to ſerue: then it ſhal be lawfull to the ſaid Iuſtices of Peace, Maior or head officers, to cōmit ſuch woman to warde, vntill ſhe ſhall be bounden to ſerue, as is aforeſaid. And for the better aduauncement of huſbandrie & tillage, and to the intent that ſuch as are fit to be made apprentices to huſbandrie, may be bounden thereunto: Be it enacted, that euery perſon beyng an houſholder, & hauing and vſing halfe a Plough land at the leaſt in tillage, may haue and receyue as an apprētice any perſon aboue the age of x. yeeres, & vnder the age of xviij. yéeres to ſerue in huſbandrie, vntill his age of xxj. yéeres at the leaſt, or vntill the age of xxiiij. yéeres, as the parties can agrée, and the ſaid retainer and taking of an apprētice, to be made and done by indenture. And be it further enacted, that euery perſon being an houſholder, and xxiiij. yéeres olde at the leaſt, dwelling or inhabiting, or which ſhall dwell and inhabite, in anie Citie or Towne corporate, and vſing and exerciſing any arte, myſterie or manuell occupation there, ſhall and may after the feaſt of Saint John Baptiſt nexte comming (during the time that hee ſhall ſo dwell or inhabite in anie ſuch Citie or Towne corporate, and vſe and exerciſe any ſuch arte, myſterie, or manuel occupation) haue and retaine the ſonne of anie freéman, not occupying of huſbandry, nor being a labourer & inhabiting in the ſame or in any other City or Towne, that now is, or hereafter ſhall be and continue incorporate, to ſerue and be bound as an apprentice, after the cuſtome & order of the Citie of London, for ſeuen yeeres at the leaſt, ſo as the terme and yeeres of ſuch apprentice, doe not expire or determine afore ſuch apprentice ſhall bee of the age of xxiiij. yeeres at the leaſt.

ij. Iuſt. of p.
Maior
Aldermen
Woman
Serue
Refuſe
Impriſon
Tillage
Huſbandry
Houſholder
Half plough land
Apprētice
Huſbandry
Indenture
Houſholder
Manuel occupation
Sonne
Apprētice
London

Prouided alwaies, and bee it enacted, that it ſhall not be lawfull to anie perſon dwelling in any citie or towne corporate, vſing or exerciſing any of the miſteries or crafties of a merchant, trafiquing by trafique or trade, into any the parties beyōd the

Citie
Towne corporate
Merchant

the sea, Mercer, Draper, Goldsmith, Ironmonger, Imbroderer, or clothier, that doth or shal put cloth to making & sale, to take any apprentice or seruant, to be instructed or taught in any of the artes, occupatiõs, crafts or mysteries, which they or any of thé do vse or exercise, except such seruant or apprentice be his sonne, or els that the father or mother of such apprentice or seruant shal haue at the time of taking of such apprentice or seruant, lands, tenements or other hereditaments, of the cléere yérely value of xl.s. of an estate of inheritance or frœhold at the least, to bée certified vnder the hands & seales of thrée Justices of P. of the shire or shires where the said lands, tenements, or other hereditaments do or shall lie, to the Maior, bayliffe, or other head officers of such Citie or Towne corporate, & to be inrolled among the Records there. And be it further enacted, that from & after the said feast of S. John the Baptist next, it shall be lawfull to euery person beyng an housholder and xiij. yéares olde at the least, & not occupying husbandrie, nor being a labourer, dwelling or inhabiting, or that shall hereafter dwell & inhabite, in anie towne not being incorporate, that now is, or hereafter shal be a Market towne (so long as the same shall be wékely vsed & kept as a Market Towne) and vsing or exercising any arte, mysterie, or manuel occupatiõ, during the time of his abode there, and so vsing & exercising such arte, mysterie, or manuel occupation, as is aforesaide, to haue in like maner to apprentice or apprentices, the child or children of any other Artificer or Artificers, not occupying husbandrie, nor being a labourer, which now do or hereafter shall inhabite or dwell in the same, or in any other such Market towne within the same Shire, to serue as apprentice or apprẽtices, as is aforesaid, to any such art, mysterie or manuell occupation, or hath bin vsually exercised in any such Market towne where such apprẽtice shalbe boũd, in maner and forme abouesaid.

Artes — Apprentice Sonne — xl.s.land — Certifie — Just.of P. — Housholder — Market towne — Occupatiõ — Apprentice

Prouided alwaies, & be it enacted, that it shal not be lawful to anie person, dwelling or inhabiting in anie such Market towne, vsing or exercising the feate, mysterie or arte of a Marchant, traffiquing or trading into the parties beyond the Seas, Mercer, Draper, Goldsmith, Ironmonger, Imbroderer or Clothier, that doth or shal put cloth to making and sale, to take anie apprentice, or in anie wise to teach or instruct anie person in the artes, sciences or mysteries last before recited, after ỳ feast of S. John Baptist aforesaid: except such seruant or apprentice shall be his sonne, or els that the father or mother of such apprentice, shall haue lands, tenements, or other hereditamẽts at the time of taking such apprentice, of ỳ cleare yerely value of iij. li. of an estate of inheritãce or frœhold at the least, to bée certified vnder the hands and seales of iij. Justices of peace of the shire or shires, where the said lands, tenements, & other hereditaments, doe or shal lie, to the head officers or head officer of such Market towne, where such apprentice or seruant shal be taken, there to be inrolled by such head Officers, alwaies to remaine of record. And be it further enacted, that from and after the saide feast, it shall be lawfull to anie person, vsing or exercising the arte or occupatiõ of a Smith, Whéelwright, Ploughwright, Milwright, carpenter, rough mason, plaisterer, sawier, lime burner, brickmaker, bricklaier, tyler, slater, heiler, tile maker, linnen weauer, turner, cowper, miller, earthen potters, woollen weauer, weauing huswiues of household cloth onely, and none other cloth, fuller or otherwise called tucker or walker, burner of oare and woadashes, thatcher or shingler, whereseeuer he or they shall dwell or inhabite: to haue or receiue the sonne of anie person as apprentice, in maner and forme aforesaid, to be taught & instituted in these occupations onely and in none other: Albeit the father or mother of anie such apprentice haue not any landes, tenements or hereditaments. And be it further enacted by the authoritie aforesaid, that after the first day of May nert cõming, it shall not be lawful to any person or persons, other then such as now doe lawfully vse or exercise anie arte, mysterie or manuell occupation, to set vp, occupie, vse or exercise, any craft, mysterie or occupation now vsed or occupied within the realme of England or Wales, except he shall haue bene brought vp therein vij. yéares at the least as apprentice, in maner and forme abouesaide, nor to set any person on worke in such mysterie, Arte or occupation, beyng not a workeman at this day, except he shall haue bin apprentice, as is aforesaid, or els hauing serued as an apprentice, as is aforesaid, shall or will become a Journeyman, or hired by the yére, vpon paine that euerie such person willingly offen-

Handicraft men — No lands — Occupy any occupation — Wales — Apprẽtice — Journeyman Fozk.

ding or doing the cõtrary shal forfeit & lose for euery default xl.s. for euery moneth.

Woollen Weauer

Prouided alwaies, and be it further enacted by the authoritie aforesaid, that no person or persons, vsing or exercising the art or mysterie of a wollen cloth weauer, other then such as be inhabiting within the Countie of Cumberland, Westmerland, Lãcaster and Wales, weauing frizes, cottons, or huswiues cloth onely, making & weauing wollen cloth commonly sold or to be solde by any clothman or clothier, shall take and haue any apprentice or shall teach or in any wise instruct anie person or persons in the seruice, arte or occupation of weauing aforesaid, in any village, towne or place, (cities, townes corporate, and market townes onely except) vnles such person be his sonne, or els that the father or mother of such apprentice or seruant, shall at the time of the taking of such person or persons to be an apprẽtice or seruant, or to be so instructed, haue lãds and tenements or other hereditaments, to the cleere yearely value of iij. li. at the least, of an estate of inheritãce or freehold to be certified vnder the hands and seales of iij. Iustices of the peace, of the shire or shires where the said lands, tenements or other hereditaments, doe or shall lie. The effect of the indẽture to be registred within three moneths in the parish where such master shall dwell, & to pay for such registring iiij.d. vpon paine of forfeiture of xx. s. for euery moneth that any person shall otherwise take any apprentice, or set any such person on worke cõtrary to the meaning of this article.

Wollẽ cloth

Apprẽtice

Market Townes

Sonne

Father and Mother

iij. li. Land

iij. Iust. of peace

Regist er

Forf.

And be it further enacted by the authoritie aforesaid, that al and euery person or persons, that shal haue three apprẽtices in any of the said crafts, misteries or occupations of a clothmaker, fuller, shereman, weauer, tailer or shoomaker, shall reteine and kepe one iourneyman, and for euery other apprentice aboue the number of the said iij. apprentices, one other iourneymã, vpon paine for euery default therein x. li.

3. Apprentices

j. Iorneymã

Forf.

Prouided alwayes, that this act nor any thing therein cõteined, shal not extend to preiudice or hinder anie liberties heretofore granted by anie act of Parliament, to or for the companie and occupation of Worsted makers, and Worsted weauers within the Citie of Norwich, & elswhere within the Countie of Norfolke, which liberties be in force vntill the beginning of this present Parliament: anie thing

Worsted makers excepted

herein contained to the contrarie in anie wise notwithstanding.

And be it further enacted, that if any person shall be required by any houlholder hauing and vsing halfe a plough land, at the least in tillage, to be an apprentice, & to serue in husbãdrie, or in any other kind of arte, mysterie or science before expressed and shall refuse so to do: that then vpon the complaint of such house kẽper, made to one Iustice of Peace, of the Countie wherein the saide refusall is, or shalbe made, or of such houlholder inhabiting in any Citie, Towne corporate or market Towne, to the Maior, Bailife or head officer of the said Citie, Towne corporate or market Towne, if anie such refusall shall there be, they shal haue full power & authoritie by vertue hereof, to send for the same person so refusing. And if the said Iustice, or the said Maior or head officer, shal thinke the same person mete and conuenient to serue as an apprentice in the art, labour, science or mysterie, wherein hee shalbe so then required to serue: that then the said Iustice, or the said Maior or head officer, shal haue power and authoritie by vertue hereof (if the said person refuse to be bound as an apprentice) to commit him vnto Warde, there to remaine vntill he be contented, and wil be bounden to serue as an apprentice should serue, according to the true intent & meaning of this present acte. And if any such Master shall misuse or euill intreate his apprentice, or that the sayd apprentice shall haue anie iust cause to complaine, or the apprentice doe not his duetie to his Master, then the said Master or apprentice beyng grieued, and hauing cause to complaine, shall repaire vnto one Iustice of Peace within the said Countie, or to the Maior or other head officer of the citie, towne corporate, Market towne, or other place where the saide Master dwelleth, who shall by his wisedome and discretion take such order and direction betweene the sayd Master and his apprentice as the equitie of the cause shall require. And if for want of good conformitie in the sayd Master, the said Iustice of peace, or the saide Maior or head officer, cannot compound and agree the matter betweene him and his apprentice: the the said Iustice or the said Maior or other head Officer, shall take bond of the said master, to appeare at the next session then to be holden in the said Countie, or within the saide Citie, Towne corporate

Huldandry

Refuse Complaint j. Iust. of p.

Impris.

Misse apprentice

j. Iust. of p. Maior

Order

Bond to appeare at Sessions

rate or Market Towne, to be before the Iustices of the said Countie, or the Maior or head officer of the said Towne corporate or market towne, (if the said Master dwell within any such) and vpon his apparance and hearing of the matter before the said Iustices, or ỳ said Maior or other head officer (if it be thought méete vnto them, to discharge the saide apprentice of his apprenticehod) that then the said Iustices or foure of thē at the least, whereof one to be of the Quorum, or ỳ said Maior or other head officer, with the cōsent of 3. other of his brethren, or men of best reputation within the said Citie, towne corporate, or market towne, shall haue power by authoritie hereof, in writing vnder their hāds & seales, to pronoūce & declare, that they haue discharged the said apprētice of his apprenticehod, and the cause therof, & the said writing so being made & inrolled by the Clerke of the Peace, or towne clerke, amōgst the records that he kēpeth shalbe a sufficient discharge for ỳ said apprētice against his master, his executors and administrators: the Indēture of the said apprenticehod, or any lawe or custome to the cōtrary notwithstāding. And if the default shalbe foūd to be in the apprentice: then the said Iustices or the said Maior, or other head officer, with the assistants aforesaid, shall cause such due correctiō and punishment to be ministred vnto him, as by their wisedome and discretions shalbe thought méete.

Apparance

Discharge the apprentice

4. Iu. of P. Quorum

Clerke of y. Towne clerke

Punish

Prouided alwaies and be it enacted by the authoritie of this present parliament, that no person shall by force or colour of this statute, be bound to enter into anie apprenticeship, other then such as be vnder the age of xxj. yeeres. And to the ende that this statute may from time to time be carefully and diligently put in good execution, according to the tenor and true meaning thereof: Bee it enacted, &c. that the Iustices of Peace of euery Countie, deuiding thēselues into seuerall limites, and likewise euery Maior and head officer of any Citie or towne corporate, shall yearely betweene the feast of S. Michaell the Archangell, and the Natiuitie of our Lord, and betweene the feast of the Annūciation of our Ladie, and the feast of the Natiuitie of S. John the Baptist, by all such wayes and meanes, as to their wisedomes shall be thought most méete, make a speciall & diligent inquirie of the branches and articles of this statute, and of the good execution of the same, and where they shall finde any defaultes, to see the same seuerely corrected & punished without fauour, affectiō, malice or displeasure.

xxj. yeeres

Iust. of P. Maior

Inquiris

Punish

And in consideration of their paines and trauell, it is further ordained and enacted &c. that euery Iustice of the Peace, Maior, or head officer, for euery day that he doth sit in, and about the execution of this statute, shal haue allowed vnto him, v.s. to be allowed and paied vnto him, or vnto the said Maior, or head officer, of the fines and forfaitures of the paines & penalties that shalbe forfaited and due vnto the Quéenes Maiestie, her heires or successors by force of this statute, in such maner and forme, as the Iustices haue bene heretofore commonly paied for their comming & charges at the Quarter Sessions, so that the sitting of the saide Iustices or Maior, or head officer, be not at any one time aboue three daies, & for the matters contained in this statute.

Iust. of P. Maior

v.s. the day

And be it enacted by authoritie aforesaid, that the one halfe of all forfaitures and penalties, expressed and mentioned in this statute, other then such as are expressly otherwise appointed, shalbe to our Soueraigne Lady the Quéenes Maiesty, her heires and successours, and the other Moitie to him or them that shall sue for the same, in anie the Quéenes Maesties Courtes of Record, or before anie of the Iustices of Oier and Terminer, or before any other Iustices, or President & Counsell before remembred by action of debt, information, bill of complaint, or otherwise: in which actions or suites, no protection, wager of lawe, or essoine shalbe allowed. And that the said Iustices, or two of them, whereof one to be of the Quorum, and the saide Presidents and Counsell, as is aforesaide, and the sayd Maiors or other head officers of Cities or townes corporate, shall haue full power and authoritie to heare and determine all and euery offence and offences, that shall bee committed or done against this estatute, or against any branch thereof, aswell vpon inditements to be taken before them, in the Sessions of the Peace, as vpon informations, action of debt, or bill of complaint to be sued or exhibited by any person. And shall and may by vertue hereof make proces against the defendant, and award execution, as in any other case they lawfully may by anie of the Lawes and Statutes of this realme, and shall yearely

Moitie

Iust. of P.

Action of debt

Iust. of P. Quorum

Oier & ter.

Proces

Certifie Eſtreates

in Michaelmas terme, certifie by eſtreat, the fines & forfaitures of every the offences contained in this eſtatute (that ſhal be found before them) into the Court of the Eſchequer

Eſchequer

Exchequer, in like ſort and forme, as they be bound to certifie the eſtreats for other offences and forfaitures to be loſt before them: any thing in this eſtatute contained to the contrary notwithſtanding.

Prouided alwayes that this act or anie thing therein contayned or mentioned, ſhall not be preiudiciall or hurtfull to the

London Norwich Liberties

Cities of London and Norwich, or to the lawfull liberties, vſages, cuſtomes or priuiledges of the ſame Cities, for or concerning the hauing or taking of anie apprentice or apprentices, but that the Citizens and Freemen of the ſame Cities ſhal and may take, haue and retaine apprentices there, in ſuch maner and forme, as they might lawfully haue done before the making of this ſtatute. This act or any thing therein contained to the contrary in anie wiſe notwithſtanding.

Indentures Bargaines Apprentice

And be it alſo further enacted, that all Indentures, couenants, promiſes, and bargaines, of, or for the hauing, taking or keeping of anie apprentice, otherwiſe hereafter to be made or taken, then is by this Statute limited, ordained and appointed ſhall be clearely void in the laiwe, to all intents and purpoſes. And that euerie perſon that ſhal from henceforth take, or newly retaine anie apprentice, contrarie to the tenor and true meaning of this acte, ſhall forfait & loſe for euery apprentice ſo by him taken, the ſumme of x.poũd. And becauſe there is ſome queſtion whether anie perſon beyng within the age of xxj. yæres, & bound to ſerue as an apprentice in any other place then in the citie of London, ſhalbe bounden, accepted and taken as an apprentice:

Void

For reſolutiõ of the ſaid ſcruple & doubt, be it enacted by the authoritie of this preſent Parliament, that all and euery ſuch perſon or perſons that any time or times from henceforth, ſhall be bounden by indenture to ſerue as an apprentice, in anie arte, ſcience, occupatiõ or labor, according to the tenor of this eſtatute in maner and forme aforeſaid (albeit the ſame apprẽtice or any of them ſhall bee within the age of xxj. yeres at ẏ time of the making of their ſeuerall Indentures) ſhall be bounden to ſerue for the yeres in their ſeueral Indentures contained, as amply & largely to euery intent, as if the ſame apprẽtice were of full age at the time of ẏ making of ſuch indentures: Any law, vſage or cuſtome to the contrary notwithſtanding.

Indentures of apprentice

Within age

Full age

Prouided alwaies, and be it enacted by the authoritie aforeſaid, that the inhabitãts now dwelling or inhabiting, or that hereafter ſhal dwel or inhabite within the towne of Godalming within the countie of Surrey, within the limits of ẏ watch of the ſaid Towne, may vſe and exercile ſuch artes, myſteries and occupations, & take and vſe apprentices and ſeruants, in ſuch maner and forme, as the inhabitants within market townes by this Statute may lawfully do.

Godalming

Apprẽtice

Prouided alwaies, and bee it enacted by the authoritie aforeſaid, that all maner amerciamentes, fines, iſſues and forfaitures, which ſhall riſe, growe or come by reaſon of any offences or defaultes mentioned in this acte, or anie branch thereof, within anie Citie or Towne corporate, ſhall be leuied, gathered and receiued by ſuch perſon or perſons of the ſame Citie, or Towne corporate, as ſhall be appointed by the Maior or other head Officers mentioned in this ſaid acte, to the vſe and maintenance of the ſame Citie or towne corporate, in ſuch caſe and condition, as any maner other amerciamentes, fines, iſſues or forfaitures, haue ben vſed to be leuied and imployed within the ſame Citie or towne corporate, by reaſon of any grãt or Charter from the Quẽnes Maieſtie that now is, or of anie of her graces noble progenitors, made and grãted to the ſame Citie, borough or Towne corporate: any thing or clauſe before mentioned and expreſſed in this act to the cõtrary notwithſtanding.

Amerce

Towne corporate Maior

Prouided alway, that this acte or anie thing therein cõteined, ſhall not extend to any lawfull retainings or couenants, had or made before the making of this act, but that all & euery the parties to ſuch retainings or couenants, ſhall and may haue the ſame & like aduantages of ſuch retainings and couenants, and of the ſtatutes heretofore in that behalfe prouided, as if this acte had neuer bene had or made: any clauſe of repeale, or other matter whatſoeuer in this act to the cõtrary in any wiſe notwithſtanding.

Retaining before

And be it further enacted by the authoritie aforeſaid, that if any ſeruãt or apprẽtiſe of huſbandry, or of any arte, ſcience or occupation aforeſaid, vnlawfully depart or flie into any other ſhire, that it ſhall be lawfull

Apprentice of huſbandry Occupation Depart without licence

Juſt. of P. Bailifes Maiors

lawfull to the ſaid Juſtices of peace, and to the ſaid Maiors, Bailifes, & other head officers of Cities and Townes corporate for the time beyng Juſtices of the Peace there, to make & grant writs of Capias, ſo many & ſuch as ſhall be needfull, to be directed to the Shirife of the Counties, or to other head officers of the places, whether ſuch ſeruãts or apprentiſes ſhal ſo departe or flie, to take their bodies, returnable before them at what time ſhal pleaſe them: ſo that if they come by ſuch proces, that they be put in priſon, till they find ſufficient ſuertie, well & honeſtly to ſerue their Maſters, Maiſtreſſes, or Dames, from whom they ſo departed or fled, according to the order of the law.

Capias

Shirife

Impriſon Suertie

Prouided alwaies, that it ſhall be lawful to the high Conſtables of hundreds in euery Shire, to hold, keepe and continue pettie Seſſions otherwiſe called Statute Seſſions, within the limites of their authorities, in al Shires wherein ſuch Seſſions haue bene vſed to be kepte, in ſuch manner & forme, as heretofore hath bene vſed and accuſtomed, ſo as nothing be by them done therein contrary or repugnãt to this preſent act. Anno 5. El. cap. 4. And ſee in Ships 13. more concerning Apprentiſes.

Conſtabels of hundreds Pettie ſeſſions Statute Seſſions

¶ Lancaſter.

ANno 9. H. 5. cap. 2. An acte was made to endure till the Kings returne frõ beyond the Sea, cõcerning the forfaiture of perſons outlawed in Lancaſter.

2 ¶ The ſaid ordinance in the maner and forme made the ſaid ninth yere (that is to ſay, Anno 9. H. 5. cap. 2. before 1.) by death of the ſaide late king Henrie the fift (as ſome thinke) erpired, & not otherwiſe repealed, ſhall be and remaine effectuall & an auailable ſtatute and ordinãce in law, to indure till the nert Parliament, and ſo forth for euer, if ſo be that betwixt this & the ſame nert parliament, no ſuch inconuenĩce happen in this behalfe for the which it ſhal ſeeme to the King and the Lords of the Parliament at this time, that it ſhall not be expedient. This ordinance to indure long after the ſame nert Parliamẽt. Anno 18. H. 6. cap. 15.

3 ¶ Anno 20. H. 6. cap. 2. An acte was made to indure for ſeuen yeres, cõcerning the forfeiture of perſons outlawed in Lãcaſter, and An. 31. H. 6. cap. 6. an acte was made cõcerning the forfeiture of perſons outlawed in the county Palãtine of Lancaſter, but An. 33. H 6 ca. 2. that act was repealed, and it enacted as followeth.

Outlawed

4 ¶ Euery indictment hereafter to be taken before any of the kings Juſtices in the ſaid countie Palantine of Lancaſter, or before any Shirife in his turne in the ſaid countie, whereby anie perſon or perſons be ſuppoſed by the ſame indictmẽt to be, or to haue bene inhabiting or conuerſant out of the ſaid Countie of Lancaſter, and within any other County within the realme of England, ſhal be taken and had by the verdict of xij. men, whereof euerie of them, or ſome other perſon or perſons to their vſe within the ſame Countie of Lancaſter, ſhall haue to the yerely value of an C. s. And no proces ſhal be made out of any ſuch indictment, before it be duely inquired and examined before the Kings Juſtices within the ſaid Countie of Lancaſter, for the time being, whether the ſaid indictors and euery of them, at the time of ſuch indictment ſo takẽ, had lands and tenements within the ſaid Countie of Lancaſter, to the yerely value of C. s. aboue all charges. And if it be found by examination of the ſaid Juſtices for the time being, within the ſaid Countie, that the ſaid indictors and euery of them at the time of ſuch indictment ſo taken, had not landes and tenementes to the ſaide yerely value of a C. s. that then the ſame indictments, as to ſuch perſons ſo indicted, ſuppoſed by the ſaide indictments to be inhabiting and conuerſant out of the ſaide Countie of Lancaſter, ſhall be voide and of none effect. And alſo the ſame our Soueraigne Lord the King, of the aduiſe and the authoritie of the Lordes Spirituall and Temporal, and the Commons aforeſaid, hath graunted, ordeyned and eſtabliſhed, that euerie indictment from henceforth to bee taken within anie Countie of the ſayd Realme, and out of the ſayd Countie of Lancaſter, before anie Juſtice, or the Shirife in his turne, whereby ame perſon or perſons ſuppoſed by the ſame indictment to bee, or to haue bene conuerſant or inhabiting within the ſaid Countie of Lancaſter, and without ſuch Countie where ſuch indictment ſhall happen to be taken, ſhalbe takẽ by verdict of twelue men, whereof euerie of them, or ſome other perſon or perſons to their owne vſe, ſhal haue lands and tenements to the value of a C. s. And that no proces be made out of any ſuch indictments, before it be

Indytement Juſtices

Shirife

Verdict Jurie

b. li. land Proces

Inquirie

Indytors

Void

duely examined, and inquired before the kings Iuſtices, hauing power to awarde any proces vpon ſuch inditements, whether the ſaid inditors, & euery of them, at the time of ſuch inditements take, or any other perſon or perſons to their vſe, had any landes or tenements to the yerely value of a C.s. within the ſame Countie, aboue all charges, where ſuch inditements happen to be taken. And if it be found before the king, or any of his Iuſtices, that the ſaid inditors or any of them, had not at the time of ſuch inditement take, nor that none other to their vſe, had lands and tenements to the value of a C.s. by ỳ yere: That then the ſaid inditement, as to any ſuch perſon or perſons, ſuppoſed by the ſame inditement to be, or to haue bene inhabiting or conuerſant within the ſaide Countie of Lancaſter, ſhall be void and of none effect. An. 33. H. 6. cap. 2.

Honors Caſtels Manors

5 ¶ All honors, caſtles, lordſhips, manors, lands, tenements, poſſeſſions and hereditaments, within this Realm of England, which at any time ſince the xxviij. day of Januarie, in the firſt yere of the raigne of our ſaid late Soueraigne Lord King Edw. the 6. were parcell of the poſſeſſions of the ſaide Duchie of Lancaſter, or which were vnited and annexed to the ſaid Duchie by authoritie of Parliament,

Letters P.

Letters patents, or otherwiſe, and which at any time ſince the ſaid xxviij. day of Januarie, hath bin giuen, granted, alienated, bargained, ſold, exchanged, or otherwiſe ſeuered from the ſaid Duchie, by our ſaid late ſoueraigne Lord king Ed. the 6. or by our ſaid ſoueraigne Lady ỳ Quene that now is, or by our ſaide Soueraigne Lord and Lady the king & Quenes Maieſtie that now be, to or with any perſon or perſons: & which ſaid honors, caſtles, lordſhips, manors, lands, tenements and hereditaments, ſince ſuch gifts, graunts, alienations, bargaines, ſales, exchanges or ſeuerance thereof ſo made, as is aforeſaid, bene comen or returned againe to the hãds of our ſaid late ſoueraigne Lord king Edw. 6. or to the handes of our ſaid Soueraigne Lady the Quene, or to the hands of our ſaid Soueraigne Lord & Ladie the king and Quene, or to the hands of her Maieſtie, her heires and ſucceſſors, in poſſeſſion, reuerſion, remainder, or otherwiſe, by attainder, eſcheate, forfaiture, purchaſe, exchãge or otherwiſe: And which now be or remaine in the hands of our ſayd Soueraigne Lord and Ladie the king and the Quenes Maieſties, of any eſtate of inheritance, ſhall from the time the ſame came and reuerted againe to the handes of our ſaid late Soueraigne Lord King Edward the firſt, or to the handes of our ſaid ſoueraigne Lady the Quene, or to the handes of our ſaide Soueraigne Lord and Ladie the King and Quene, by authoritie and force of this acte, be vnited and annexed for euer, vnto the ſayd Duchie of Lancaſter, and ſhalbe adiudged, deemed and taken for euer, for and as parcell and members of the ſaide Duchie of Lancaſter. And that all ſuch and thoſe of the ſaid manors, landes, tenements and hereditaments, which be lying within the Countie Palantine of Lancaſter, ſhall be of the ſame nature, qualitie, kinde, and condition, to al intents, conſtructions, and purpoſes, as others ỳ ancient poſſeſſiõs of the ſaid Duchie, lying and beyng within the ſaid countie Palantine of Lancaſter, be and ought to be. And all thoſe and ſuch of the ſaid manors, lands, tenements and hereditaments, which bee lying out of the ſaid County Palantine of Lancaſter ſhal be of the ſame nature, qualitie, kinde and condition, to al intents, conſtructions and purpoſes, as other auncient poſſeſſions of the ſaide Duchie, lying and beyng out of the Countie Palantine of Lancaſter be, and ought to be, and ſhalbe in the letting, ſetting, order, rule, ſuruey, receite and gouernance of the Chancelor, Counſell and Officers of the ſaide Duchie of Lancaſter for the time beyng for euermore: in like and the ſame maner and forme, to all intents and purpoſes, as others the ſaid auncient poſſeſſions belonging to the ſayd Duchie, beene, haue beene, or ought to be. And that all the ſaid Honors, Caſtels, Lordſhips, Manors, Landes, Tenements and hereditaments, vnited and annexed to the ſaid Duchie of Lancaſter, by authoritie and force of this act, And al and ſinguler giftes, graunts, leaſes, letters Patents, and writings thereof, or of anie parcell there of, hereafter to be made by the king and Quenes highnes, or by the heirs and ſucceſſours of her Maieſtie, ſhal for euermore paſſe and bee made vnder ſuch of the ſeales of the ſaid Duchie, as other the ancient poſſeſſiõs of the ſaid Duchie, haue vſed to paſſe and be made, and not vnder any other Seale, or otherwiſe, and with the like, and the ſame Liuerie of ſeiſin, attornements, ceremonies, orders and circumſtances in the lawe, and in the

Annexed

Countie Palantine

Chancelor Officers

Caſtels Lordſhips Lands

Giftes Leaſes Letters patents

Seales

Come againe to the king

ſame

ſame maner & forme, as other the ancient poſſeſſions of the ſaid Duchie, and the letters Patents, Charters, and writings thereof heretofore of ancient time made, haue vſed and ought to bee made & paſſed, & not otherwiſe, nor in anie other maner and forme: any law, eſtatute, plage or cuſtome to the contrarie therof in any wiſe notwithſtanding.

Letters P.

And be it &c. that our ſaid Soueraigne Lord & Lady the king & Quen that now bene, & the heires & ſucceſſors of her Maieſtie, may from time to time hereafter at their liberties & pleaſures, by their graces letters P. to be ſealed with the great ſeale of England, vnite, annere, limit, aſſigne, & appoint any other their honors, caſtles, lordſhips, manors, landes, tenements & hereditaments, lying and being within this their ſaid realme of England, vnto their ſaid Duchie of Lancaſter, for the further augmentation, honor & eſtate of the ſaid Duchie, at their willes & pleaſures. And that all and euery ſuch annering, limitting, aſſignement and appointment made or to be made by our ſaid Soueraigne Lord & Ladie the king & Quen, or by the heires and ſucceſſors of our ſaid Soueraigne Ladie the Quene, of anie their honors, caſtles, lordſhips, manors, lands, tenements and hereditaments vnto the ſaid Duchie of Lancaſter, by anie their ſaid letters Patēts vnder the great Seale of England, ſhall be as good and auaileable, as if it were done by authority of Parliament. And that all ſuch honors, caſtles, lordſhips, manors, landes, tenements and hereditaments, lying and being within the ſaid countie Palantine of Lancaſter, which ſhall happen to be vnited and annered to the ſaide Duchie by force of any ſuch letters Patents, ſhall be from the Teſte of the ſaid letters patents, within the order, ſurvey, rule, gouernāce, iuriſdiction, ſetting and letting of the ſaid Duchie of Lancaſter, for the time being, as other the poſſeſſions of the ſaid Duchy, lying and being within the ſaide Countie Palantine of Lancaſter, haue vſed and owen to be. And that all other honors, caſtles, lordſhips, manors, landes, tenements and hereditaments, lying & being out of the ſaid county Palantine of Lancaſter, which ſhall happen to bee vnited and annered to the ſaid Duchy by force of any ſuch letters patents, ſhalbe from the Teſte of the ſaid letters patents, within the order, ſurvey, rule, gouernance, iuriſdiction, letting and ſetting of the ſaid Duchie of Lancaſter, as others the poſſeſſiōs of the ſaid Duchy of Lancaſter, lying and being out of the ſaid countie Palantine of Lancaſter, haue vſed and owen to be, ſaiuing to al and euery perſon and perſons, bodies politike & corporate, their heires, ſucceſſors and aſſignes, and to the heires, ſucceſſors & aſſignes of euerie of them, all ſuch right, title, intereſt, entries, conditions, occupatiōs, poſſeſſion, leaſe & leaſes, fees, annuities, offices, rents, ſeruices, commōs, profits, cōmodities, eaſements, actions, ſuits, demaunds, thing & thinges whatſoeuer, which they or any of them ſhould, might or ought to haue had, into or out of any of the premiſſes before the making of this acte, in like & in the ſame maner, fourme and condition to all intentes, conſtructions & purpoſes, as if this act had neuer bin had or made: any thing in this act to the contrarie in anie wiſe notwithſtanding.

Great ſeale of England Annere

Great ſeale

Landes

Teſte

Iuriſdiction

Bodies politike

Rights

Leaſes Annuities

Prouided alwaies & bee it &c. that this act or any thing or things therein contained, ſhal not in any wiſe extend to enable or giue anie libertie to our Soueraigne Lord & Ladie the King and Quene, nor to the heires and ſucceſſors of our ſaid ſoueraigne Ladie the Quene, to vnite and annere to the ſaide Duchie of Lancaſter, by their letters Patents, any honors, caſtles, lordſhips, manors, lands, tenemēts, or hereditaments, being any part or parcel of the ancient inheritāce of the crowne, or of the principality of Wales, nor of the Duchie of Cornwal, or of the Earledome of Cheſter, or anie their honors, caſtles, lordſhips, manors, landes, tenements or hereditaments, ſet, lying, or being within the Counties of Cheſter and Flint, or either of them; nor to giue, annere or aſſigne to the ſaid Duchy of Lancaſter, any honors, caſtles, lordſhips, manors, lands, tenements or hereditaments, exceeding & amounting in the whole aboue the perely value of two thouſand pounds: any clauſe, article or thing in this act rehearſed, contained or ſpecified to the contrarie therof in any wiſe notwithſtanding. An. 2. & 3. P. & M. cap. 20.

Enacte

King and Quene

Crowne lands

Wales

Cornwal

Cheſter

My M. H. land.

6 ¶ An. 37. H. 8. ca. 16. An act was made for the annering of certaine landes to the Duchy of Lancaſter.

¶ Leaſes.

ANno 28. H. 8. cap. 11. It was enacted, that no Leaſe made by Spirituall perſons

Spiritual perſon

Parsonage Vicarage

persons to any laye person, of any Parsonage or Vicarage, or other spirituall promotion, made, as is declared in that acte, shalbe void by resignation or other auoydance of the benefice, by the onely act of ỳ Lessor, but that the Lessee and his executors shall inioy the terme of 6. yeeres, if the lessors so long do liue, and the lease do so long continue, and the successor may distraine for the rent, or haue an action of debt, & all other aduantages as the lessor might. And if the lessour die, the lessee to hold to the end of the yeere wherein he is then entred, if the lease so long continue, paying the rents &c. and ỳ successor within a moneths warning to haue the mansion house and glebe land not sowen, deducting of the rent to the value. An. 28. H. 8. cap. 11. This acte is repealed by 1. & 2. P. and M. as appeareth here 3.

Lease vi. yeres

Successor Distraine Rent

Lessor die

Mansion house Glebe land

2 ¶ All leases hereafter to be made of any manors, lands, tenemẽts or other hereditaments, by writing indented vnder seale for terme of yeeres, or for terme of life, by any person or persons being of full age of xxi. yeres, hauing any estate of inheritance, either in fee simple, or in fee taile, in their own right, or in the right of their Churches or wiues, or ioyntly with their wiues, of any estate of inheritance made before the couerture or after, shalbe good and effectual in the law against the lessors, their wiues, heirs, successors, & euery of them, according to such estate, as is comprised & specified in euery such Indenture of lease, in like maner & forme, as the same should haue bene, if the lessors therof, & euery of them, at the time of the making of such leases, had been lawfully seised of the same landes, tenements & hereditaments comprised in such indenture, of good, perfect and pure estate of fee simple thereof, to their own only vses.

Full age

Prouided alway that this acte, or anie thing therein contayned shall not extend to anie leases to be made, of any manors, lands, tenements or hereditaments, being in ỳ hands of any farmor or farmors, by vertue of any old lease, vnles the same old lease be expired, surrendred or ended, within one yere next after the making of the said new lease: Nor shal extend to any graunt to be made of anie reuersion of anie manors, lands, tenements or hereditamentes: Nor to any lease of any manors, lands, tenemẽts or hereditaments, which haue not most commonly been letten to farme, or occupied by the farmors thereof by the space of 20. yeres next before such lease thereof made: Nor to any lease to bee made without impeachment of waste: Nor to any lease to be made aboue the number of 21. yeres or 3. liues at the most, from the day of the making therof. And ỳ vpon euery such lease there to be reserued yerely during ỳ same lease due and paiable to the lessors, their heirs and successors, (to whom the same lands should haue commen after the deathes of the lessors, if no such lease had bin thereof made, and to whom the reuersion thereof shal appertaine according to their estates & interests) so much yerely farme or rent, or more, as hath been most accustomably yelded or paied for the manours, landes, tenements or hereditaments so to be letten, within 20. yeres next before such lease thereof made. And that euery such person & persons, to whom the reuersion of such manors, lands, tenemẽts or hereditaments so to be letten shal appertain, as is aforesaid, after the deaths of such lessor or their heires, shal and may haue such like remedy and aduantage to all intents and purposes against the lessees thereof, their executors and assignes, as the same lessor should or might haue had against ỳ same lessees. So that if the lessor were seised of any especial estate taile of the same hereditaments at the time of such lease, ỳ the issue or heire of ỳ speciall estate, shall haue the reuersion, rentes, and seruices reserued vpon such lease after the death of the said lessour, as the lessour himselfe might or ought to haue had, if he had liued.

3. liues

Rent

Taile especial.

Prouided alwaies, ỳ the wife be made partie to euery such lease which after shal be made by her husband of any manours, landes, tenements or hereditaments, being the inheritance of the wife, & that euery such lease be made by Indenture in the name of the husband & his wife, and she to seale the same. And that the farme & rent bee reserued to the husband & to the wife, & to the heirs of the wife, according to her estate of inheritance in the same, and that the husband shall not in anie wise alien, discharge, graunt, or giue away the same rent reserued, or any part thereof, longer then during the couerture, without it bee by fine lenied by the said husband & wife: but that the same rent shall remaine, discend, reuert or come after ỳ death of such husband, vnto such person or persons, & their heires, in such manner and sorte as the

Wife

Indentures

Alien

Fine

the lands so leased should haue done if no such lease had therof bin made.

Prouided also, that this acte extend not to giue any libertie or power to anie person or persons to take moe farmes, leases or takings of any manors, landes, tenements or hereditaments, then hee or they should or might lawfully haue done before the making of this act: Nor ertēd to giue any liberty or power to any Parson or Vicar of any church or vicarage, for to make any lease or grant of any their mesuages, lands, tenements, tithes, profits, vicarages, or hereditamēts belonging to their churches otherwise or in any other maner then they should or might haue done before the making of this acte: any thing contained in this act to the contrary notwithstanding. And furthermore be it &c. that al leases at any time within the space of 3. yeres nert before the 12. daie of Aprill, in the 31. yeere of our Soueraigne Lord the K. raigne, made by writing indented vnder seale, by any person or persons of ful age, of whole memory, not vnlawfully coacted nor being couert baron, for terme of yeres, of any manors, lands, tenemēts, or other hereditaments, wherof the lessor or lessors were seised of any estate of inheritance, of & in the same, to their own only vse, at the time of making any such lease therof, & wherof the lessees, their executors or assignes be now in possession by vertue of the same lease, and no cause of reentrie or forfaiture therof had or made, shalbe good & effectual in the law against the lessors, their heirs and successors, & the heirs and successors of euery of them, according to the couenāts, articles & agreements, specified in euery such Indenture of lease: So alwaies there be reserued & yeerely paiable during the same lease to ỹ said lessors, their heirs or successors, or to such other, as should or ought to haue had, the same manors, landes, tenements or hereditamēts so leased, after the decease of such lessors, in case no such lease had therof bin made, asmuch yerely rent for ỹ same, as was at any time therefore yelded or paied within 20. yeres nert before the making of any such lease, or else such leases to be of no other force ne effect then they were before the making of this present act. And moreouer for certain cōsiderations: Be it &c. that no fine, feoffemēt or other act or actes hereafter to be made, suffered or done by the husband only of anie manors, lands, tenemēts or hereditaments, being ỹ inheritance or freehold of his wife, during the couerture betweene the, shal in anie wise be or make anie discontinuance thereof, or be preiudiciall or hurteful to the said wife, or to her heires, or to such as shall haue, right, title, or interest to the same by ỹ death of such wife or wiues: But that the same wife & her heires, and such other to whom such right shal appertaine after hir decease, shal and may then lawfully enter into al such manors, lands, tenements & hereditaments, according to their right & titles therein: anie such fine, feoffement, or other act to ỹ contrarie notwithstanding: Fines leuied by the husband & wife whereunto the said wife is partie & priuie, onlie except.

Discontinuances

Wife Heires

Entre

Wife party

Prouided furthermore, that this clause or act extend not to giue ante libertie to anie such wiues, or to her heires, for to auoid any lease hereafter to bee made of anie the inheritance of the wife by her husband & her for terme of 21. yeres, or vnder, or any her inheritance for terme of 3. liues at the vttermost, wherupō as much yerelie rent or more, is, or shall be reserued, and yeerely paiable during the same lease, as was at any time therefore yelden or paied within 20. yeres nert before the making of any such lease, according to the tenor of this present act: any thing therein contained to the contrarie notwithstanding.

xxi. yeres 3. liues

Prouided also, that this act extend not to make good anie lease or leases heretofore made by anie ecclesiasticall person or persons by their couent or common seale, which be made void or take awaie by authoritie of Parliament heretofore made, nor ertēd to make good any lease or leases heretofore made by any ecclesiastical person or persons nowe being attainted of treason, vnder their couent seale or otherwise, or by anie person or persons nowe being attainted of treason by acte of Parliament or otherwise: But that all & singuler such lease & leases, & euery of them now made, or hereafter to be made, shalbe of such like effect & strength in the lawe, and none other as they and euery of them were before the making of this acte: anie thing before mentioned in this act, to the contrarie thereof notwithstanding. An. 32. H. 8. cap. 28.

Ecclesiastical persons

Attainted

3 ¶ Asmuch of the same act (S. of Ann. 28. H. 8. cap. 11. which is before 1.) as doth concerne the making good of the said leases, ne any clause, sentence, prouision, or

article

article therin contained, shal extend to be construed or adiudged to extende to anie lease that shall bee made by anie Parson, Vicar, or any other hauing any spirituall promotion, after the feast of the Purification of our Lady next comming. An. 1. & 2. P. & M. cap. 17.

Gifts

4 ¶ Be it &c. That all gifts, graunts, feoffements, fines, or other conueiances or estates from ỳ first day of this present Parliament to be had, made, done or suffered, by any Archbishop or bishop, of any honors, castles, manors, lands, tenemẽts, or other hereditaments, being parcel of ỳ possessions of his Archbishoprick or Bishoprick, or vnited, appertaining or belonging to any of the same Archbishopricks or bishopricks, to any person or persons, bodies politike or corporate, other then to the M. highnes, her heirs & successors, wherby any estate or estates should or may passe from the same Archbishops or bishops, or ane of them, other then for the terme of 21. yeres or 3. liues, frõ such time as any such lease, grant, or assurance shall begin, & whereupon the old accustomed yerely rent or more shalbe reserued, and paiable yerely during the said terme of 21. yeres or 3. liues, shalbe void and of none effect, to al intents, constructions & purposes: any law, custome, or vsage, to the contrarie in any wise notwithstanding. An. 1. Eliz. not printed.

Archbish. Bishops

Queene

xxi. yeeres 3. liues

Old rent

5 ¶ And for that long & vnreasonable leases made by Colledges, Deanes, and Chapters, Parsons, Vicars, or other hauing spiritual promotions, be the chiefest causes of the dilapidations, and the decay of all spiritual liuings & hospitalitie, and the vtter impouerishing of all successors Incumbents in the same: Be it enacted by the authority aforesaid, that frõ henceforth, al leases, gifts, grants, feoffemẽts, conueiances or estates to bee made, had, done or suffered, by any Maister and fellows of any Colledge, Deane & Chapter of any Cathedrall or collegiate Church, master or Gardian of any hospital, Parson, Vicar, or any other hauing any spirituall or ecclesiasticall liuing, or any houses, landes, tithes, tenements, or other hereditaments being any parcell of the possessions of any such Colledge, cathedrall Church, Chapter, Hospitall, Parsonage, Vicarage or other spiritual promotion, or any wates appertaining or belonging to the same, or of any of them, to any person or persons, bodies politike or corporate, (other then for terme of 21. yeres or three liues) from the time as any such lease or grant shalbe made or granted, whereupõ the accustomed yerely rent or more shall be reserued and paiable yerely during the said terme, shall bee vtterly voide and of none effect, to all intents, constructions, and purposes: any law, custome, or vsage to the contrary in any wise notwithstanding.

Cathedral Churches
Gardian of hospital
Parson
Curate

xxi. yeeres 3. liues

Old rent

Prouided neuertheles, and bee it enacted by ỳ authority aforesaid, that this act, nor any thing therein contained, shall be taken nor cõstrued to make good any lease or other graunt to bee made by any such Colledge or collegiate Church, within either of both the Vniuersities of Oxford & Cambridge, or elswhere wỉn the realme of England, for more yeeres then are limited by the priuate statutes of the same Colledges.

Cambridge Oxford

Prouided alwaies, ỳ this statute shall not extend to any lease hereafter to bee made vpon surrender of any lease heretofore made, or by reason of any couenant or condition contained in any lease heretofore made, & now continuing, so ỳ the lease to be made do not contain more yeres thẽ the residue of the yeres of the former lease now cõtinuing shalbe, at the time of such lease hereafter to bee made, nor any lesse rente then is reserued in the saide former lease. An. 13. El. cap. 10. See here following 7. 8. 9. certaine additions and alterations of this statute in seuerall pointes.

Surrender

9 ¶ That the liuings appointed to ecclesiastical ministers, may not by corrupt and indirect dealings be transferred to other vses. Be it enacted by the authoritie of this present Parliament, that no lease after the fifténe day of May nert following the beginning of this Parliament, to be made of any Benefice or ecclesiasticall promotion with cure, or any part thereof, and not being impropried, shall endure anie longer then while the lessor shall bee ordinarily resident, and seruing the cure of such benefice, without absence aboue foure score daies in any one yere, but that euery such Lease (so soone as it, or any part thereof, shall come to anie possession or vse aboue forbidden, or) immediately vpon such absence, shall cease and bee voide, and the Incumbent so offending, shall for the same lose one yeeres profite of his said Benefice, to bee distributed by the Ordinarie among the poore of the Parish. And that all chargings of such

Benefice. Spiritual promotion

Resident

80. dayes

Lord Incumbent Forf.

Ordinarie Poore people

Benefices

benefices with cure, hereafter with anie
Pension pension, or with any profite out of the ſame to bee yelded or taken, hereafter to be made, other then rentes to be reſerued vpon leaſes hereafter to bee made, according to the meaning of this act, ſhalbe vterly void.
Void

Prouided that euery perſon by the lawes
2. benefices of this realme allowed to haue two benefices, may demiſe the one of them, vpon which he ſhall not then be moſt ordinarily reſident, to his Curate onely that ſhall
Curate there ſerue the cure for him: But ſuch leaſe ſhall indure no longer, then during ſuch curates reſidence, without abſence
xl. daies aboue xl. daies in any one yere. This act to continue to the end of the next Parliament. Anno 13. Eliz. cap. 20. And An. 14. Eliz. cap. 11. this Statute is continued vnto the end of the next Parliament, with the addition here 7. next following. And ſee alſo another alteration hereafter 9. This acte is continued by Anno 27. El. cap. 11. vnto the ende of the next Parliament, and Anno 29. El. cap. 5. it is continued vntil the ende of the next Parliament. And Anno 31. El. cap. 10. it is continued vntill the ende of the next Parliament. And Anno 35. El. cap. 7 it is continued to the ende of the Parliament next enſuing.

7 ¶ Prouided alſo, and be it enacted, that theſe wordes (ſo ſoone as it, or anie parte thereof, ſhall come to anie poſſeſſion or vſe aboue forbidden, or) Which words are contained in the ſaide Statute, made in the ſaid thirteneth yeere of Elizabeth, touching Leaſes of Benefices, and other
Eccleſiaſticall liuings Eccleſiaſticall liuings with cure (before 6.) ſhall not bee reuiued by this acte, but remaine diſcontinued, and ſhall from henceforth be omitted out of the ſaid acte: any thing in the ſaid acte or in this acte to the contrary notwithſtanding.

And where ſundrie euill diſpoſed perſons, haue defrauded the true meaning of the ſaid laſt mentioned ſtatute, made in the ſaid thirteenth yeere, by bonds and couenants of ſuffering other perſons to enioy Eccleſiaſticall liuinges, and the fruites thereof, for that ſuch bondes and couenants are not in Lawe taken to be Leaſes, although indeede they amount to as much: Be it therefore enacted, that all bondes, contractes, promiſes, and couenants, hereafter to be made, for ſuffering or permitting any perſon to enioy anie benefice or Eccleſiaſtical promotion with cure, or to take profits or fruits thereof, other then ſuch bondes and couenants, as ſhall bee made for aſſurance of any Leaſe heretofore made ſhall be to all intents and purpoſes adiudged of ſuch force and validitie, and not otherwiſe, as leaſes by the ſame perſons made of ſuch benefices and Eccleſiaſticall promotions with cure. And be it further declared and enacted, that all leaſes, bondes, promiſes, and couenants, of and concerning benefices and Eccleſiaſticall liuings with cure,
Curate to be made by any Curate, ſhall be of no other nor better force, validitie or continuance, then if the ſame had been made by the beneficed perſon himſelfe, that demiſed, or ſhall demiſe the ſame to anie ſuch Curate.

And where in one other Acte made in the ſaid 13. yere of Eliz. intituled, An act againſt fraudulent giftes, to the intente to
Eccleſiaſticall liuings defeate dilapidations of Eccleſiaſticall liuinges, and for leaſes to be granted by collegiate Churches (before 5.) there is one braunch to auoide certaine Leaſes to bee made by Maſters and fellowes of Colledges, Deanes and Chapters of cathedral or collegiate Churches, Maſter or
Hoſpitals Gardians of any Hoſpitall, or by any Parſon, Vicar, or any other hauing anie ſpirituall or Eccleſiaſticall liuing. Bee it enacted, that the ſaid braſh, nor any thing therein contained, ſhall not extend to any grant, aſſurance, or Leaſe of any houſes,
Bodies politike belonging to any the perſons, bodies politique or corporate aforeſaid: Nor to any grounds to ſuch houſes appertaining, which houſes be ſituate in any Citie, Borough, Towne corporate or Market towne, or the ſuburbs of any of them: but that all ſuch houſes and grounds may be graunted, demiſed and aſſured, as by the Lawes of this Realme, and the ſeuerall ſtatutes of the ſaid Colledges, cathedrall
Colledges Cathedral Churches and Hoſpitals, they lawfully might haue bin before the making of the ſaid Statute, or lawfully might be, if the ſaid ſtatute were not, ſo alway that ſuch houſe bee not the Capitall or dwelling houſe vſed for the habitation of the perſons aboueſaide, nor haue ground to the
x. Acres ſame belonging, aboue the quantity of x. Acres: any thing in the ſaide Acte to the contrary notwithſtanding.

Prouided alway and be it enacted, that no leaſe ſhall be permitted to be made by force of this act in reuerſion, nor without reſeruing the accuſtomed yeerely rent at
Old rent the leaſt, nor without charging the leſſee with

Reparatiõs xl. yeres Alien

with ỹ reparations, nor for longer terme then xl. yeres at the most, nor anie houses shalbe permitted to be alienedd, vnles that in recompence therof, there shalbe afore, with, or presently after such alienation, good, lawfull & sufficient assurance made in fee simple absolutely to such colledges, houses, bodies politike or corporat, & their successors, of lands of as good value, & of as great yerely value at ỹ least, as so shal be alienedd any statute to the ctrary notwithstanding. An. 14. Eliz. cap. 11.

Cambridge Oxford Winchester Eaton

8 ¶ For the better maintenance of learning, & the better releefe of Scholliers in the Vniuersities of Cambridge & Oxford, and the Colledges of Winchester & Eaton: Bee it enacted, that no Master, Provost, President, Warden, Deane, Gouernour, Rector, or chiefe Ruler of anie Colledge, Cathedral Church, Hall or house of learning in any of the Vniuersities afore said, nor no Provost, warden, or other head officer of the said Colledges of Winchester or Eaton, nor the corporation of any of the same, by what title, stile or name soeuer they nowe bee, or shall or may be called, after the end of this present Session of Parliament, shall make anie lease for life, liues, or yeres of anie farme, or any their landes, tenements, or other hereditaments, to the which any tithes, arable land, meddow or pasture, doth or shal appertaine, except the one third part at the least of the old rent be reserued and paied in Corne for the said Colledges, cathedral Church, Hals, and houses: that is to say, in good Wheate after vj. s. viij. d. the quarter or vnder, & good Malt after v. s. the quarter or vnder, to bee deliuered yerely vpon daies prefixed at the saide Colledges, cathedral Churches, Hals or houses, and for default thereof to pay to the said Colledges, cathedrall Churches, Halles, or houses in ready money at the election of the said lessees, their executors, administrators & assignes, after the rate, as the best wheat and malt in the market of Cambridge, for the rentes that are to be paied, to the vse of the house or houses there, & in the market of Oxford, for the rents that are to bee paied to the vse of the house or houses there, and in the market of Winchester, for the rents that are to be paied, to the vse of the house or houses there, & in the market of Windsor, for the rents that are to be paied to the vse of the house or houses at Eaton, is or shall be sold the next Market day, before the said rent shalbe due, without fraud or deceite. And that al leases, otherwise hereafter to be made, & all collaterall bondes or assurances, to the contrary by anie of the said corporations, shalbe void in law, to all intentes and purposes: The same wheate, Malt, or the money comming of the same to bee expended to the vse of the releefe of the commons and diet of the said Colledges, cathedral Churches, Halles & houses only, & by no fraud nor colour, let, nor solde away from the profit of the said Colledges, cathedrall Church, Hals, and houses, the Fellowes & Scholliers in the same, and the vse aforesaide, vpon paine of depriuation to the Gouerners and chiefe Rulers of the saide Colledges, cathedrall Churches, Halles and houses, and all other thereto consenting.

Lease

3. partes reserued Corne

Price

Void

Commons Diet

Deprivatiõ

Prouided alwaies, that this act or anie thing therein contained, shall not extend, or be in any wise preiudiciall to any lease to be made of a Barne called Wounken Barne with a certain portion of tithes rising, growing, and being in the parish of Southwarke in the county of Suffer, being parcel of the possessions of Maudline Colledg in Oxford, so that the terme demised, in, and by the said lease, exceede not the number of tenne yeares, from and after the feast of S. Michael the Archangell next comming: anie thing therein specified to the contrarie notwithstanding.

Wonken Barne

Prouided also, that this act shal not extend to any lease to be made by the President and Scholliers of the Colledge of S. John Baptist in Oxford, to any heir male of Sir Thomas White late Knight and Alderman of London, founder of the said Colledge, which lease shalbe made according to the meaning of the foũdation and statutes of the said Colledge of the manor of Fyfield, and no other hereditaments. An. 18. El. cap. 6.

Sir Tho. White

9 ¶ Whereas since the making of the Statute An. 13. El. cap. 10. (before 5.) diuers of those Ecclesiasticall persons hade made new leases, long before the expiration of the former yeres, contrary to the true meaning of the said Statute. Be it therefore enacted &c. that al Leases hereafter to bee made by anie of the sayd Ecclesiasticall, Spirituall, or collegiate persons or others, of anie their said Ecclesiastical, Spiritual or collegiate lands, tenements or hereditaments, whereof any former lease for yeares, is in being, not to be

Ecclesiasticall persons Colledges

be expired, ſurrendred or ended within 3. yeres next after the making of anie ſuch new leaſe, ſhalbe void, fruſtrate, & of none effect: any lawe, vſage or cuſtome to the contrary notwithſtanding.

3. yeres

And be it likewiſe &c. that all and euery bond and couenant whatſoeuer hereafter to be made, for renuing or making of anie leaſe or leaſes, contrarie to ỹ true intent of this acte, or of the ſaid acte made in the ſaid xiij. yere of El. ſhalbe vtterly void: any law, ſtatute, ordinance, or other thing whatſoeuer to the contrary in anie wiſe notwithſtãding. Prouided alwaies, that this act, nor any thing therein contained, ſhal extend or be prejudicial, to make fruſtrate or void anie leaſe or leaſes, heretofore made by any of the ſaid Spirituall or eccleſiaſtical perſon or perſons, or any of them, but that the ſame & euery of thẽ, are of the like force & effect, as they or any of thẽ were before the making of this preſent ſtatute: this acte or any thing therein contained to ỹ contrary notwithſtãding.

Bond Couenant

Rolfe

And where Sir Thomas White, late Knight & Alderman of London, for aduancemẽt of good learning, hath founded one Colledge in the Vniuerſitie of Oxford, called Saint John Baptiſts Colledge, and being ſeiſed of the manour of Fylhide, alias Fyfield in the Countie of Wark. did together wᵗ al other his landes, tenements and hereditaments, giue and aſſure the ſaid manor with ỹ appurtenances, to the Preſident and Scholliers of the ſaid colledge for euer: (And neuertheleſſe the ſaid Sir Tho. White, hauing thẽ one Ralph White his brother liuing, and ſundry kinſmen to whom by courſe of the common lawe his landes might haue diſcended) did deuiſe and order, & by the Statutes which he prouided for ỹ ſaide houſe, and by order of the now viſitor of the ſaid Colledge: it is ordained, that the ſaid manour Fylhide, alias Fyfield, with the appurtenances, ſhould bee demiſed by the ſaid Preſident and ſcholliers, for the time being, to the ſaid Ralph, for the terme of foure ſcore and nineteene yeres, if the ſaid Ralph ſhould ſo long liue. and ſoit is intended that frõ heire male to heire male of the ſaid Sir Thomas White, ne we demiſes ſhould from time to time be made of the ſaid manor with the appurtenances, to euery ſuch heire male ſucceſſiuely, for the terme of fourſcore and nineteene yeeres, if ſuch heire male ſhoulde ſo long liue: yeelding to the ſaide Preſident and Scholliers for the time being, ſuch rent as now is reſerued, with ſuch further couenants and conditions, as by the ſaid Sir Thomas White, or viſitor, is agreed and appointed.

Sr Tho. White

Oxford Colledge

Preſident

Heire male

99. yeeres

And where ſithen the decreaſe of the ſaid Sir Tho. White, the ſaide aſſurances to the ſaid Preſident and Scholliers, in all or the moſt part of the landes, tenements and hereditamentes of the ſaide founder, were found in ſome reſpect vnperfect, and inſufficiẽt in lawe, (and that therupon the ſaid Ralph White, to whome the aduantage of ſuch imperfection came by law did neuertheleſſe take no ſuch aduantage, but did willingly make perfect the ſaide aſſurances, according to the true meaning of the ſaid Sir Thomas White his brother, accepting onely one leaſe of the ſaid manor, in ſuch ſort as by the ſaid viſitor was appointed, with the coppholds, and other appurtenances of the ſaid manor.)

Coppholds

For remedy whereof be it enacted, that the Preſident and Scholliers of the ſaide Colledge, may from time to time demiſe the ſaid manor, coppholds, and other appurtenantes, to euery heire male of the ſaid Sir Thomas White ſucceſſiuely, according to the forme of the leaſe thereof alreadie made to the ſaid Ralph, and that euery ſuch leaſe ſo to be made, and euerie couenant made or to be made for the performance of the ſame, ſhalbe good in law, as if the ſaid acte made in the ſaid thirteenth yere of Elizabeth had neuer been had nor made any thing in the ſaide acte made in the ſaid xiij. yeere, or any other act or matter whatſoeuer to the contrary notwithſtanding.

And where as in one other ſtatute made in the ſaid 13. yeere of her Maieſtie, intituled, An act touching leaſes of benefices, and other Eccleſiaſticall liuings with cure, (before 6.) one clauſe is cõtained, that the Incumbent offending the purport of the ſaid Statute, ſhall for the ſame loſe one yeres profit of his ſaid benefice, to bee diſtributed by the Ordinary, among ỹ poore of the pariſh, as by the ſaid braunch in the ſaid laſt recited ſtatute appeareth: Wee it therefore enacted by the authority aforeſaid, that after complaint made to the Ordinary, and ſentence giuen vpon any offence cõmitted by the Incumbent, whereby he ſhal or ought to loſe one yeeres profit of his benefice, as aforeſheweth: that ỹ Ordinarie within 2. moneths after ſuch ſentence giuen, and requeſt to him made by

Eccleſiaſtical liuings

Incumbent

Ordinarie

Churchwardens Sequestration

by the Churchwardes of the said Parish, or one of them, shall grant the sequestratiō of such profits to such inhabitāt or inhabitants within ẏ parish where such benefice shalbe, as to him shal seeme meete & conuenient, & vpon default therin by the Ordinarie, that it may and shalbe lawful to euerie parishioner, where the benefice is, to retaine & keepe his or their Tithes, and likewise for the Churchwardens of the said parish, to enter & take the profits of the glebe lands, and other rents & duties of euery such benefice, to be imploied to the vse of the poore as aforesaide, vntill such time as sequestration shall bee committed by the Ordinarie, & then aswel the Churchwardens, as parishioners, to yeeld accompt of, and make paiment to him or them, to whom such sequestration shal be committed, and that he or they to whom such sequestration shall be committed, frō time to time, shall iustly & truely imploy and bestowe the said profits, or the true & iust value therof, without fraud or guile, to such vses, as by the said statute is limited and appointed, vpon paine of forfaiture of the double value of such withholden profits, to be recouered in the Ecclesiastical Court, by the poore of the said parish. Anno 18. Eliz. cap. 11.

Tithes

Glebe lāds

Poore

Accompt

For. Ecclesiasticall Court Poore

¶ Lee.

FOrasmuch as it is perceiued by many graue & wise men, aswell in the Citie of London, as of the coūtrey, that it were very commodious and profitable, both for the citie and the countrey, that the riuer of Lée, otherwise called Ware Riuer, might bee brought within the land to the North parte of the said Citie of London, the same to be cut out of the said riuer, in the most aptest and meetest place of the said riuer of Lée, to haue from thence the leading and passage of the saide water, through such a conuenient and meete cut, as may serue for the nauigation of Barges & other vessels, for the cariage & conueying, aswel of all marchandises, corne and victuals, as other necessaries from the towne of Ware, and all other places nere the said riuer, vnto the said Citie of London, and from the said citie, to the said places and the towne of Ware, and also for Lighters and Wherries for conueying of the Queens subiects to and fro, to their great ease and commoditie: In consideration of the premisses, & of diuers, sundrie, commodious, profitable and beneficiall causes which are like to insue to this body of the common wealth, & so incidently to many particular persons: Bee it enacted by the Queenes most excellent Maiestie, with the assent of the Lords spiritual and temporall, and the commons in this present Parliament assembled, & by the authority of the same, that it shalbe lawfull to the Lord Maior, Comminaltie, & Citizens of the Citie of London, and their successors, at any time or times hereafter to begin and continue the laying out of such conuenient limits of ground, for the making of the trench for the saide riuer, at such breadth, as to them and their deputies & workemen shal be seene conuenient and meete for the same, and in that place they shal find to be most apt and meete for that purpose, to haue, take, and vse for the purpose aboue saide, such and so much ground during and by all the length, as the saide new Channel, cut or riuer shall passe, as shalbe requisite for the conueying of the saide water, and also fiftie or 60. foote in breadth on eth side of the saide riuer, by all the length of ẏ same: so alway that they doe not in any one place, take in breadth both in Channell & grounde on both the sides of the water, aboue the breadth of 8. score foote in all, which conuenient breadth of ground on both sides, is thought needefull to be had, for the ground & soile of necessitie must be occupied on both sides of ẏ said riuer, aswell for the laying of ẏ earth that shall be cast out of the said trench, to serue in the lower grouds, and especially nere the said riuer, to make substantiall banks for the preseruation and keping of the Countrey from inundations when ẏ flods shall arise, as also for way to passe with Cronkes & cartes, which must cary away the grauel and other earth in very great quantitie from the hilles whereas the cut must be very deepe, to such places as shalbe conuenient to helpe to make vp the said bankes, and otherwise to bestow the same: And also for that, when it shal please God that the same shall be brought to passe and full effect, that the whole grounde on both sides of the saide Riuer may lie in one leuell from the key of the citie of London, to the place where the said riuer or trench shall haue his beginning out of the maine Riuer of Lee. And to the end also, that in all places within the limit and distance, al people may with great ease and commoditie, goe in and

Ware riuer

London

Nauigation

Ware towne

Lighters & Wherrie

60. Foote

160. Foote

Bankes

out

out of their tilt boates and other vessels whatsoeuer without perill, & so walke by foote, as long as it shal please them, and also that the Bargemen may vpon the same ground without offending any other, draw their vessels from place to place alongst the same, as of like they shalbe driuen to do against the streame, being lode: Be it enacted, ỳ the said Maior, Comminaltie & citizens, & their successors for euer, shal haue ỳ said ground alongst all ỳ said whole length, for such compositiõ as they shal make with the lords, owners & occupiers of the soile and ground.

Bargemen

Maior

Prouided alwaies & be it enacted, that if in the new cut, there happen any breaches, inundations or hurts, the Maior & Citizens of London shall stop the breaches at their own charges, & so maintain them from time to time. And be it also enacted, that the said lord Maior, comminaltie & cittizens, shall haue the whole iurisdiction, conseruation, rule & gouernement, as wel of the said new cut riuer and ground, of ech side, as also the roialtie of the fish & fishing of the same & profits of ỳ said ground, soile & water, to them & their successors for euer. And also shal haue authoritie to punish as well all such transgressors as shal offend in the breaking of such good order as shalbe hereafter made for such of the Maiesties subiectes, as shal haue occasion to trauel & passe by the same new cut riuer, as also euery other person & persons which shall breake such good & wholesome rules & orders as shalbe prouided & ordained for the preseruation, keeping & maintaining of the saide riuer, & euery part thereof. And further be it enacted, that the Shirifes & Iustices of the peace, & such other as it shal please the Lord Chauncellor, or lorde Keeper of the great seale, to put in Commission for the same, as wel of Middlesex & Essex, as of Hartfordshire, or ỳ more part of them, by their discretions, shall at the costs and charges of the countrey, after ỳ the saide new cut shalbe made & finished, cause the same from such place where as the newe cut shal begin, vnto the towne of Ware, alongst the said riuer, to be sufficiently clensed of al the shelfes & shalowes, & to bring the same to a conuenient depth in al places, for the passages of barges, tilt boats, & other vessels, in as good & conuenient depth, all the way of the same, as shalbe made & continued in the aforesaid new riuer, by the Maior, Comminaltie, &

Breaches

Riuer Fishing

Punish

Shirifes, Iust. of P. L. Chancellor L. Keeper Commission

Clense

citizens of the said citie of London, and so to continue the same from time to time, vpon the paines therefore to be limitted & leuied, by the discretions of the said Cõmissioners, or the more part of them. And also that all other buildings & obstacles, standing in or vpon the said riuer, which may be found impeachments or lets to this good worke, may be remoued & take away, to the end that this may be a good & perfect worke, & by the grace of God, to such good effect & commoditie, as is hoped & looked for. Prouided alway, & be it enacted, that this acte shall not extend to take away any building, locke or obstacle which by the said commissioners or the more part of them, shalbe thought not to hinder the passage of boats or vessels, by & thorow the said riuer. And be it &c. that the Maior, Comminalty and Citizens of London, shall make & mainteine at their costes and charges, such sufficient hedges and fences, as shalbee requisite betweene the grounds so by them to bee taken to the vses aboue saide, and the grounds of other owners, and also conuenient Bridges & waies for the passage of the Queenes subiects and their carriages.

Buildings

Commissioners

Maior

Hedges Fences

Bridges

Prouided alwaies, and be it &c. that the Lord Chauncelor, or Lorde Keeper of the great Seale of England for the time being, shall and may by his discretion, & at ỳ request of the saide Lorde Maior, Comminaltie, and Citizens for the time being, appoint and authorize by Commission vnder the great seale of Englande xvj Commissioners, whereof iiii. to be of the saide Citie of London and the other xii. to be of the Counties adioyning to the saide Riuer of Lee, viz, four of euery ỳ Shires of Essex, Middlesex, and Hartford shire, and euery of the saide xii. hauing landes, tenements or hereditamẽts, of the clere yeerely value of xl. Markes, in the same Shires, or some of them, and not being Citizens of London vsing the trade of Marchandize: Which xvj. Commissioners, or the more number of them, shall haue full power and lawfull authoritie, to treat, agree, and compound with such numbers of the freeholders and inhabitantes of the saide Counties, as to their discretions shall seeme meete and conuenient for the scouring, clensing, repairing and keeping of the said riuer of Lee, from such place whereas the new riuer or cut shall haue the beginning vnto the saide Towne of Ware, in such sort as the same

L. Chancellor

xvj. Commissioners

xl. Markes land

Repairing

Nauigable

may be nauigable for boates, barges and other vessels.

Cõmission returned

Maior

And further be it enacted, that vntil or before such order or meanes be deuised & agreed vpon by the saide Commissioners, and the saide Commission returned into the high court of Chauncery, it shall not be lawful to the said Lorde Maior, Citizens and Comminaltie, to put the saide diggmg, trenching, or new cutting of the said Riuer in execution, nor to cut or take in any ground by force of this Statute: any thing in this act to the contrarie notwithstanding.

Compound with the owners .x. yeres

And be it further enacted, that the Maior, Citizens & Comminaltie of London shall not by vertue of this Acte take any mans ground, vntil they haue compounded with the owners of the same ground: and shal within .x. yeres next after ẏ ende of the Session of this Parliament, cut & finish the same. Prouided alway, & be it enacted, that al ẏ Queenes subiects, their boates and vessels, shal haue frée passage through the said Riuer, aswell the newe cut, as the old Riuer, without interruptiõ or molestation, by reason of or for his or their passage, as in other common riuers & waters they lawfully may do.

Boates Free passage Riuer

Prouided alway, that this law shall not extend to make the saide Riuer to be clensed, otherwise then any persons be or shalbe compellable by the law, or by the statute of sewers, to clense the same.

Sewers

Prouided also, and be it enacted that if any person shall refuse to be reasonably compounded with, for ground to be take in, for the said new cut & banks: then the said .xvi. Commissioners, or the more part of them shall appoint & determine the cõposition, & bargaine betweene both the parties & the satisfaction for such ground, and all wayes, bridges and other things to the same pertaining.

Refuse to compound

Cõmissioners

Wayes Bridges

Prouided alway, and be it further enacted, that if the said new cut, shall bee the meane & occasion ẏ any Milles beneath, or abone the beginning of the saide newe cut, shalbe by vertue of this act destroied, or the profit thereof decayed by want of water: that then the said Lord Maior, cõminaltie, & citizens of London, shal yeeld & pay to the owners of such Milles so decayed, and to such persons as shall haue any detriment or losse by such decay, such reasonable recompẽce in money or yerely rent, or otherwise, as the said .xvi. Cõmissioners or other .xvi. Commissioners, in like forme to be chosen and authorised, or any twelue of them shall determine & appoint. And that such owners, their heires and assignes shal haue such reasonable remedy, by actiõ of debt or distresse or otherwise, to recouer, haue and obtain the said recompence, as the Lord Chauncellor, or Lord Keeper of the great seale of England for the time being, together with the said fifténe commissioners, or with any twelue of them, shall appoint: any thing in this act to the contrary notwithstanding. An. 13. Eliz.

Milles

Recõpence

Action of debt Distresse

¶Leet.

Jurors

FIrst you shall tell vs, by the othe that you haue made, if all the suters that owe sute to this Court be come, as they ought to be, and which be not. And if all the chiefe pledges be come with their deceners, and which be not. And if all the deceners be in the assise of our soueraigne Lord the king, and which be not, & who receiued them. And if there be any of the Lords villeines fugitiue, dwelling otherwhere then in the kings demeanes, and of such as be within ẏ kings demeanes, if they haue not abidden there a yere and a day. And if there be any of the Lordes villaines in frankpledge, otherwhere then in this Court. Of customes & services due to this Court withdrawen, howe & by whome, and in what Bailifes time. Of purprestures made in lands, woods & waters to annoyance. Of walles, houses, dikes and hedges, set vp, or beaten downe to annoyance. Of boundes withdrawen and taken away. Of wayes and paths opened or stopped. Of waters turned or stopped, & brought from their right course. Of breakers of houses, & of their receiuers. Of cõmon théeues & of their receiuers. Of petie Théeues, as of geese, hennes, or sheafes of corne. Of théeues ẏ steale clothes out of windowes. Of such as go in message for théeues. Of hue & cry leuied & not pursued. Of bloodshed, and of frayes made. Of escapes of théeues or felons. Of persons outlawed and returned not hauing the Kings warrant. Of women rauished not presented before ẏ Coroner. Of clippers and forgers of money. Of treasure found. Of the assise of bread & ale broken. Of false Measures, as of bushels, gallons, yards, & elles. Of false ballances & weights. Of such as haue a double measure, and buy by the greater and

Pledges Deceners

Villeins

Frank pledge

Customes

Purprestures

Boundes Wayes Waters

Theeues

Bloodshed Frayes Escape

False measures

and sell by the lesse. Of such as cõtinually haunt Tauernes, and no man knoweth wheron they do liue. Of such as slæpe by day & watch by night, & fare well & haue nothing. Of cloth sellers and curriers of leather, dwelling out of Parchãt towns. Of such as take church or churchyarde, & after depart without doing that which belongeth thereunto. Of persons imprisoned, and after let go without warrant. Pigions Of such as take doues in winter by doorfalles or engins. And of all these things you shall do vs to wit, by the Othe that you haue taken. An. 18. E. 2.

¶Libell.

AT what time the Libel is grauntable by the law, that it be graunted and deliuered to the partie without any difficultie. Anno 2. H 5. ca. 3.

¶Limitation.

TOuching conueyance of discent in a writ of Right from any auncestour, Writ of right. from the time of king Henry the elder the yeere and day: It is prouided, that from hẽceforth there be no mentiõ made of so long time, but from the time of king Henrie our Graundfather. And this acte shal take effect at Pentecost, the xvi. yere of our reigne, and not afore. And the writtes before purchased shall procéde: Writtes of Mortdaunceſter, of Natiuis and of Entre, shall not passe the last returne of king John from Irelande into England. Mortdaunceſter Nativo habendo And this acte shall take effect as before is declared: Writtes of Nouel disseisin shall not passe the first voyage of our Soueraigne Lorde the king that now is, into Gascoigne. Nouel diſſ. And this prouision shall take his effect from the time aforesaide, and all writs purchased before shall proceede. Merton cap. 8. An. 20. H. 3.

2 ¶And for asmuch as it is long time passed since the writtes vnder named were limitted: It is prouided, that in cõueying a discent in a writ of right, none Writ of right shal presume to declare of the seisin of his auncestor, further or beyond the time of king Richard, vncle vnto king H. father to the king that now is, and a writ of Nouel disseisin, of partition, which is called Nouel diſſ. Nuper obiit Nuper obiit, haue their limitatiõ since the first voyage of king H. father to the king that nowe is, into Gascoigne. And the writs of Mortdaunceſter, of Cosinage, of Ayel, of Entre, and of Natiuis, Mortdaunceſter haue their limitation from the coronation of the same king Henry, and not before: Neuertheles all writs purchased nowe by thẽselues, or to be purchased betweene this and the feast of S. John, for one yere complete, shall bee pleaded from as long time as heretofore they haue bin vsed to be pleaded. West. 1. ca. 38. 3. E. 1.

3 ¶No manner of person or persons shal from henceforth sue, haue or maintaine any writ of right, or make any prescription, title or claime, of, to, or for any manors, lands, tenements, rents, annuities, commons, pensions, portions, corodies, or other hereditamẽts, of the possession of his or their auncestor or predecessor, and declare and allege any further seisin or possession of his or their ancestor or predecessor, but onely of the seisin or possession of his ancestor or predecessor, which haue bin or now is, or shalbe seised of the said manors, lands, tenements, rents, annuities, commons, pensions, portions, corodies, or other hereditamẽts within lx. yeres, next before the Teste of the same writ, or next before the saide prescription, title or claime so hereafter to be sued, commenced, brought, made or had. Writ of right lx. yeres Teste

And bee it &c. that no manner person or persons shall hereafter sue, haue or maintaine any assise of Mortdaunceſtor, Cosinage, Aile, Writ of Entre vpon disseisin done to any of his auncestors or predecessors, or any other action possessarie, vpon the possession of any of his auncestors or predecessors for any mannors, landes, tenements or other hereditamentes of any further seisin or possession of his or their auncestor, or predecessor, but only of the seisin or possession of his or their ancestor or predecessor which was or hereafter shal be seised of the same manors, landes, tenemẽts or other hereditamẽts, within L. yeres nert before the Teste of the original of the same Writ hereafter to be brought. And be it &c. that no person or persons shal hereafter sue, haue or maintaine any action of any manors, lãds, tenemẽts or hereditaments, of, or vpon his or their own seisin or possession therein, aboue xxx. yeres before the Teste of ỳ originall of the same Writ hereafter to bee brought. And be it &c. ỳ no person or persons shal hereafter make any auowrie or cognisance for any rent, sute or seruice, & alledge any seisin of any rent, sute or seruice in the same auowry or cognisance, in Assise of Mortdaunc Cosinage Aile L. yeres Teste xxx. yeres Auowrie Cognis.

the possession of his or their auncestors, predecessor or predecessors, or in his own possession, or in the possessiō of any other, whose estate he shal pretend or claime to haue aboue fiftie yéers next before ẏ making of the saide anowrie or cognisance. And ouer that be it &c. that al Formedons in reuerter, Formedons in remainder, and Scire facias vpon fines of any manours, lands, and tenements, or other hereditaments at any time hereafter to be sued, shalbe sued, vsed and taken within fiftie yeres next after the title and cause of action fallen, and at no time after the saide fiftie yeres passed.

And be it &c. that if any person or persons at any time hereafter do sue any of the said actions or writs, of any manors, lands, tenements or other hereditamēts, or make any anowry, cognisāce, prescription, title or claime, of or for any rent, suit, seruice, or other hereditaments, and cannot proue ẏ he or they, or his or their auncestors or predecessors were in actual possession or seisin of & in ẏ same manors, lands, tenemēts, rents, suites, seruices, annuities, commons, pensions, portions, corodies, or other hereditaments, at any time or times, within the yeres before limitted & appointed in this present acte, & in manner & forme as is aforesaide, if the same be trauersed or denyed by the partie plaintife, demaundant, or anowant, or by the party tenant or defendant: that then & after such trial therein had, all and euery such person & persons & their heirs, shal frō henceforth be vtterly barred for euer, of al & euery the said writs actiōs, anowries, cognisance, prescription, title and claime hereafter to be sued, had or made, of, & for the same manours, lands, tenements, hereditamēts, or other the premisses, or any part of the same: for the which the same action, writ, anowrie, cognisance, prescriptiō, title & claime, hereafter shalbe at any time had, sued or made.

Prouided alwaies, & be it &c. that all & euery person & persons which now haue any of the said actiōs, writs & anowries, Scire facias, cognisance, prescriptions, title or claim, depending, or that hereafter shal sue, cōmence, make or bring any of ẏ said writs or actions, or make any of the said anowries, cognisances, prescriptiōs, titles or claime, at any time before ẏ feast of the Ascention of our Lorde God which shalbe in the yere of our Lord God 1546 shal alledge the seisin of his or their auncestors or predecessors, or his own possession & seisin, and also haue all other like aduantages, to all intents & purposes, in the same writs, actions, anowries, cognisances, prescriptions, titles & claimes, as he or they might haue had at any time before the making of this estatute: this act or any thing therein conteined to the contrary notwithstanding.

Prouided also, and be it &c. that if any person or persons being now within the age of xxi. yeres, or couert baron, or in prison, or out of this realm of England, now hauing cause to haue, sue, comence, make or bring, any of the said writs, actions, or to make anowries, cognisances, prescriptions, titles or claimes, ẏ it shalbe lawful to such person & persons being within age, couert baron, in prison, or out of the Realme, to sue, cōmence, or bring any of the said writs or actions, or make any of the said anowries, cognisances, prescriptions, titles or claimes, at any time wīn vi. yeres next after such persō or persons, now being within age shall accōplish the age of xxi. yeres, or within sixe yeres next after such person or persōs now being couert baron, shall bee sole, or within sixe yeres next after such persō or persōs now being in prison, shalbee at his libertie, or within vi. yeeres next after such person or persons nowe being out of this Realme, shall come and bee within this Realme. And that euery such person & persons in their saide actions, writs, anowries, cognisances, prescriptions, titles or claimes, to bee made, sued or commenced within the said vi. yeres, shall alledge within the said vi. yeeres the seison of his or their auncestors or predecessors, or of his owne possession, or of the possession of those whose estate he shal then claime. And also within the same vi. yeres shall haue al & euery like aduantages to all intents & purposes in the same, as he or they might haue had before the making of this act, & as though this act had neuer ben had ne made. This acte or any thing therin contained to the contrary notwithstanding. Prouided also, that if it happen the saide person or persons now being within age, or couert baron, in prison, or out of this Realme, hauing cause to sue, commence, make or bring any the said Writs, actions, anowries, cognisances, prescription, title or claime, to decease within age, or being couert, as is aforesaid, or during ẏ time that he or they shalbee in prison, or out of this

Realme

L. yeres

Formedon

Scire facias

L. yeres

Triall

Barre

Writs Actions

Alleage seisin

Within age Couert baron Imprif.

Sixe yeres

Die within age

vi. yeeres

Realme, or to decease within vi. yeeres next after such person or persons shal accomplish his or their full age, or shalbe at large within this Realm, or shal become sole, & no determination or iudgemẽt had of such titles, actions or rights, so to them accrued: that then ỹ next heire or heires of such person or persons being in prison, or out of this Realme, or within age, or being couert baron so dying, shall haue & enioy all & euery such libertie, & aduantage, to sue, demaund, anowe, declare or make their said titles, claime or prescriptions, within vi. yeres next after ỹ death of such person or persons, now imprisoned, or being out of this Realm, or within age, or couert de barõ, in such like maner and forme, to all intents & purposes, as the same infant after his full age, or ỹ said woman couert, after the death of her husband, or the same person being out of this Realme after his repaire or cõming into the same, or the saide persons imprisoned after his enlargement and comming out of prison, should or might haue had within vi. yeeres then next ensuing, by force and vertue of the prouision last before rehearsed: any thing in this acte contained to the contrary thereof in any wise not withstanding.

Heire

vi. yeeres

Prouided also, that if any person or persons, before the said feast of the Ascention of our Lord God, which shalbe in the said yere of our Lord God 1546. cõmence & sue any of the said actions or Writs, or make any anowrie, prescription, title or claime, and the same action, writ, anowrie, cognisance, prescriptiõ, title or claim, happen by the death of any the parties of the same, to be abated before iudgement or determination thereof had: that then the said person or persons being demaundants or anowants, or making any such cognisance, prescription, title or claime, being then on line, & if not, then the next heire or heires of such person or persons so deceased, may commence or pursue his or their action & sute, & make his or their anowrie, cognisance, prescriptiõ, title or claim, for or vpon the same matter within vnis yeres next after such action or sute abated, & shal haue & enioy all and euery such libertie & aduantage, to sue, demand, and we, declare or make their said titles, claimes or prescriptions, within the said one yere, as the demaundant or demaundãts in such writ or sute abated, or as such as did anowe or make cognisance, title, claime or prescription, should or might haue done, had, vsed, made or enioyed in the said former action or sute: any thing in this act to the contrary notwithstanding.

Abate before iudgement

Heire.

One yeere

False verdict

Attaint

Recouerie Execution

Prouided furthermore, that if any false verdict happen hereafter to be giuen or made, in any of the said actions, sutes, anowries, prescriptiõs, titles, or claims: that then the partie grieued by reason of the same, shall and may haue his attaint vpon euery such verdict so giuẽ or made, and the plaintife in the same attaint vpon iudgement for him giuen, shall haue his recouerie, execution, and other aduantage, in like manner and forme, as heretofore hath been vsed and accustomed: any thing before in this Acte contained to the contrary, notwithstanding. Anno 32 H. 8. cap. 2.

Aduowson Quare imp. Dart pres. lure patronat

Writ of right Wardship

Knights seruice

4 ¶ The said former Acte made in the 32. yeere of the raigne of the saide late king H. (1. Ed. 2. before 3.) or any article, clause, sentence or matter therein contained, shal not extend to any writ of right, Anowson, Quare impedit, or assise of darraine presentment, nor lure patronatus, nor to any writ of right of Ward, writ of rauishment of Ward, for the wardship of the body or for the Wardship of the castles, honors, manors, lands, tenements or hereditaments holden by knights seruice, nor to the seisor of the wardship of the body of any Ward or Wardes: or to the seisor or Wardship of any castles, honors, manors, lands, tenements, or hereditaments holden by knights seruice, but that all and euery person & persons, bodies politique & corporate, their heires and successors, and the heires and successors of euery of them, shal and may haue, maintayne and pursue all and singuler the saide Writs of Right, of Anowson, Quare impedit, Assise of Darrein presentment, lure patronatus, Writtes of Right of Warde, Rauishment of Warde, and also seise the Wardship both of body, and of the castles, honors, manors, lands, tenements and hereditaments holden by knights seruice, in like manner & forme, to all intents, constructions and purposes, as they or any of them should or might haue done, made or pursued before the making of the saide Acte, made in the saide xxxii. yeere, as though the same Acte had neuer beene had or made: any thing in the said former act to the contrary notwithstanding. Anno 1. M. 1. Parliamento, cap. 5.

¶Lincolne.

ANno 31. Eliz. cap. 22. An act was made for the relefe of the Citie of Lincolne, but not printed: And 35. Elizabeth. cap. 7. it is continued to the ende of the next Parliament.

¶Linne.

ANno 33. H. 8. cap. 34. It was enacted, that the kings Letters patents, dated 7. July, An. 29. H. 8. made to the towne of Linne, vnlit. Faires or Markets to bee holden yerely in the towne, be made void and of none effect: Sauing to the towne all other their liberties and other things comprised in any other letters patents.

Faires Markets Voide

2 ¶Anno 36. H. 8. cap. 9. An acte was made for the repairing of the Towne of Linne.

¶Linnen cloth.

AN. 21. H. 8. ca. 14. It was enacted, that none should bring into England any Linnen cloth called Dowlas & Lockeram, not containing the length & breadth declared in the statute, vpon paine of forfaiture. And after An. 28. H. 8. cap. 4. this act is repealed. And it is there enacted, ỳ no maner of person, English nor straunger, denizen nor alien, put to sale any whole piece or halfe of the saide linnen cloth called Dowlas or lockeram, vnlesse there be mention expressed vpon euery of the said whole péece or halfe péece of the said linnen cloth called Dowlas or lockeram so put to sale, as is aforesaide, the whole & entire number of the yardes, or elles, that is contained in euery such whole peece or halfe péece, vpon paine of forfaiture of the same whole peece or half peece, not cõtaining the number of yards or elles so mentioned vpon euery of the said whole peece or halfe péece so put to sale as is aforesaid. The one halfe of euery such forfaiture to be to the king our soueraigne Lorde, & the other halfe to him that shall seise & will sue for the same, by action of debt, bill, plaint, information, or otherwise: in which action, suite or informatiõ, no wager of law nor essoin shalbe admitted or allowed. Prouided alwaies, that this act or any thing therein cõtained, be not preiudiciall ne hurtfull to any person or persons, that before ỳ first days of this parliament, hath made any seiser, or put in any information into any of the kings Courts, for any manner of forfaiture, done or cõmitted by any person or persons, contrary to the saide statute, made the said third day of November, ỳ 21. yere of ỳ raigne of our said soueraigne Lord, king H. 8. An. 28. H. 8. ca. 4.

Alien Denizen

Dowlas Lockeram

Forf.

Dowlas Lockeram

Forf.

Moitie

2 ¶Where certaine euil disposed and deceitful persons, vsing to buy & ingrosse into their handes great store of linnen cloth do vse to cast the peces of cloth ouer a beame or piece of timber made for their purpose, and do by sundry deuises racke, stretch & draw the same both of length & breadth, & that done, doe then with battledores, péces of timber & wood and other things, sore beat the same, euer casting there vpon certain deceitful liquors mingled with chalke and other like things, wherby the said cloth is not only made to seem much finer & thicker to the eye, then it is in deede, but also the threedes thereof be so loosed & made weake, that after iii. or iiii. washings, it will scarcely hold together, to the great deceit, hinderance & losse of the subiects of this Realme.

Stretch

Beate

Chalke

Be it therefore enacted &c. that if any person or persons shal hereafter willingly vse, or cause to be vsed the aforesaid deceits, or any other act or actes, meane or meanes, in, or with any kinde of linnen cloth, whereby the same shalbe deceitfull or woorse, to and for the good vse therof: That then the said cloth shalbe forfaited, & the offender therein to be punished by one Moneth imprisonment at the least, & shall pay such fines, as shalbe assessed for his or their offence or offences by the Iustices before whom he or they shal be cõdemned, according to the tenor of this Act. And be it &c. that all & euery of the Iustices of Oier & determiner, and Iustices of Assises in al their Sessions, & all Iustices of peace in euery Countie and place of this Realme, or three of them at the least, whereof one to be of the Quorum, shall haue full power & authority to inquire, heare & determine the offences beforesaid, in their sessions, by information, indictment, or vpon the trauers of any presentment or indictment, found before the said Iustices, or any of them. And be it further enacted by the authoritie aforesaide, that if any person or persons shall seise any such deceitful linnen cloth: then he or they shall at the next sessions of the Peace (after the said seiser, to be kept within the shire or place, where the seiser was made, or before ii. Iustices at ỳ. whereof one to be of the Quorum) make due information

Forf. Imprif. Fine

Iustice of Oier & ter. Iust. of all.

Quorum Oier & ter. Inquire. Sessions

Iust. of P. Quorum

formation of the offence, & of the ſeiſer of the ſaid cloth, or els ſhall procure the offenders to be therof indicted, at the ſaide next Seſſions after ỳ ſaid ſeiſer. And ſhal alſo be bound before the ſaide Juſtices by Recogniſance, or obligation, to the vſe of the Queenes Maieſtie, her heires & ſucceſſors, in ſuch forme, as the ſaide Juſtices, or any of them ſhall thinke meete for the greatnes of the matter, and to purſue the ſame matter with effect, and to giue euidence, as of right appertaineth, & alſo to pay and giue the mottie of all that he or they ſhall ſo recouer, and receiue, to the ſhirife or other accomptant, to the vſe of the Quéenes Maieſtie, her heires and ſucceſſors: and the one halfe of al the forfaitures and fines, of and for the premiſſes, to be vnto the Quéenes Maieſtie, her heires and ſucceſſors, and the other moitie to him or to them that ſhall make information, or procure indictments of, and for the premiſſes, & ſhall follow the ſame with effect. And further be it ordained & enacted by the authoritie aforeſaid, that the Juſtices before whome any ſuch offence ſhalbe tried, ſhall certifie the ſame by their eſtreat into the Eſchequier, at the leaſt yerely at Michaelmas, as they be bound to do other their eſtreates, & vpon the certificate, the Barons of the Eſchequer, to haue full power and authoritie, to make proces for ſo much therof, as by this ſtatute ſhal appertaine to ỳ Quéens Maieſtie, in like manner and forme as they onely doe for any other fines and amerciaments ſo certified before them. Anno. 1. Eliz. cap. 12.

Recognizance

Euidence

Mottie

Shirife

Mottie

Certifie

Eſchequer

Barons of the Eſcheq. Proces

¶ Liuerie & Ouſter le maine.

Where Inqueſtes taken by his Eſchetors by any of the kings writs purchaſed out of the Chancerie being returned, and it be found by inqueſts, that nothing is holden of the king, whereby the king ought to haue ỳ warde of ſuch lands & tenements, by reaſon of the enqueſt taken by his Eſchetors, that immediatly & without any delay, the Eſchetors ſhalbe commaunded by the kings writ, had out of the kings Chancerie, to put from their hands al the landes and tenements ſo taken into the kings poſſeſſion, and if they haue taken any profits of ſuch lands and tenements, ſo taken into the kings hands by them, from the time that ſuch lands & tenements fell into the kings hãds, they ſhal make ful reſtitution to him or them, for whom it was found by inqueſtes, taken by the ſame Eſchetors, that ſuch lãds ought to remaine: Sauing alway to the king (in caſe that after ſuch time, as his Eſchetors haue diſcharged their handes, by force of the kinges writ, as before is ſaid) if any thing happen to be found in ỳ Thauncerie, or the Eſchequer, or in any other of the kings Courts, whereby the ward of ſuch landes, whereof the Eſchetors haue diſcharged their hands in form aforeſaid, ſhould belong vnto the King, that immediatly he in whoſe poſſeſſions ſuch lands happen to be, ſhalbe ſummoned by a writ out of the Chauncerie, to be afore the king at a certaine day wherſoeuer &c. to ſhew if he can ſay any thing, wherfore the king ought not to haue the ward of ſuch lands, according to the form of the euidences or remembrances found for the king. And if he come in, and ſhew why the ward of ſuch lands doth not belong vnto the king, but doth ſhew that it ought to belong & remaine to himſelf, he ſhal goe quite, & ſhal retaine the Ward. But in caſe that the partie warned doeth not come, or if that he come and can ſhew nothing to put the king from the Ward, the lands & tenements ſhalbe forthwith reſeiſed into the kings handes, to be kept in name of Wardſhip vnto the lawfull age of ſuch heires, as before is ſaid. And if it be found vpon the inqueſts taken by the Eſchetors & returned, that the warde of the ſame lands & tenements contained in the inqueſt, and ſeiſed into the kinges hands, ought not to remaine vnto ỳ king, then the Eſchetor ſhalbe commaunded forthwith to diſcharge his hands therof, and to reſtore the iſſues wholy. In like maner, if it be found afterwarde by the euidences & remembrance in ỳ Chancerie, Eſchequer, or otherwhere, as before is ſaide, that our Soueraigne Lorde the king ought to haue the Ward therof, the king ſhalbe aunſwered vnto, for the whole iſſues and profits, by the handes of ſuch as held the ſame lands & tenements, from the time they were firſt taken into the kings hands by his Eſchetors, by the Writtes aboueſaide And this order ſhal be obſerued frõ henceforth in the Chauncerie, notwithſtanding a certaine ordinance lately made by our Soueraigne Lord the king, concerning lands and tenements taken into his hands by his officers, and not to be deliuered but by the king himſelfe, and as it is contained in a

Inqueſts Eſchetors

Ward

Chancery Lands

Profits

Reſtitution

Eſchequier

Summoned

Reſeiſe

Reſtore iſſues

certaine Diuidenda or Indenture made betweene the king himselfe & his Chauncellour, whereof one part remaineth in the custodie of the Chauncellour. Anno 29. Edw. 1.

Eschequer Shirife,

2 ¶ Where the Escheto͂r or Shirife seiseth lands into the kings hãds (where there is no cause of seiser) and after when it is found no cause, the profits taken in the meane time haue been still retained & not restored when the king hath his Ouster le maine. The king will, that if hereafter any lands be seised, and after it bee out of his hands, by reason that hee hath no cause to seise nor to holde it, the issues shalbe fully restored to him, to whom the land ought to remaine, and which hath sustained the damage. Artic. super Char. cap. 19. Anno. 28. E. 1.

Issues

Escheto͂rs

3 ¶ Because that the Escheto͂rs and other the kings ministers, by the kings commaundement from the Chauncery, haue bin charged at the Eschequer, of the farmes & rents of the lands & tenemẽts, which were taken into the kings hands, by the death of the tenants, which held of him, to the heires & other, to whome the said landes and tenements ought to discend, reuert, or remaine, wherof ỳ termes of paiments were to come after such liuerie made for the rate and portion of the time that ỳ same lands & tenemẽts were in the kings hands: It is accorded & stablished, that of manors, cities, boroughs, townes, hundreds, franchises, and all other lands & tenements, whereof profite doth rise from time to time through the yere, as of Milles, herbage, toll, plees & profits of courts, & al such issues and profits, euery Escheto͂r and other minister, which hath seised such lands & tenemẽts to the kings vse, shalbe holden to answer to the king for the rate & portion of the time, according to the olde course of the Eschequer. And that of auncient farmes & rents, which be to be payd at certaine terms, as rent seek, & rent seruice, wherof no profit riseth til the day of payment, such farmes & rẽts shalbe payed to them, which haue liuerie out of the kings hãds, at the termes of payments of the saide farmes and rents, which followeth after such liuerie made, aswel of the time past, as of the time to come. An. 28. E. 3. ca. 4.

Eschequer

Rent seek Rent seruice

¶ Liueries of Companies & Retainers.

¶ Note that in all the Statutes vnder this title, where you finde this worde (Hatts) the French word is (Chaperons) which rather signifieth Hoods. And where you finde (Badges) the French worde is (Signes.)

BEcause that diuers people of small garison of land or rent, or other possessions, do make great retinue of people, aswell of Esquires as of other, in many partes of the Realme, giuing to them Hatts, & other Liuerie of one sute by the yere, taking againe towards them ỳ value of the same liuerie, or percase the double value, with such couenant & assurãce, that euery of them shall maintaine other in all quarrels, be they reasonable or vnreasonable, to the great mischief & oppression of the people: It is ordained & assented, that the statutes & ordinances made in such case before this time, bin kept and duely executed. And moreouer the king doth straightly defend, that from henceforth no such liuery be giuen to any man for maintenance of quarrels, nor other confederacies, vpon paine of imprisonment, and grieuous forfaiture to the king. And the Justices of assises shall diligently inquire of all them that gather them together in fraternities by such liuerie to do maintenance, and they which thereof shalbe found giltie, shall be duely punished, euery man after the quantitie of his desert. An. 1. R. 2. cap. 7. See after 3. 7. and 10. this confirmed. *

Hats or Hoods

Quarels

Maintenance Quarels

Imprisõment Forf. Just of ass. Fraternities

Maintenance

2 ¶ No yeoman, nor other of lower estate then an Esquire, from henceforth shall vse nor beare any Liuery, called liuery of company of any Lord within the Realme, if he be not menial and familiar continually dwelling in the house of the said Lord. And that the Justices of peace shal haue power to inquire of thẽ which doe the contrary, and them to punish according to their discretion. Anno 16. R. 2. cap. 4. See after 4. *

Yoman Esquire Liuery of Company

Just. of P.

Discretion

3 ¶ The Statute made in the first yeere of our raigne of liueries of Hattes, shall bee holden and kept vpon the paine contained in the same Statute (before 1.) and vpon paine to be imprisoned, and to make fine and ransome to the king. An. 20. R. 2. cap. 1. *

Hats or Hoods

Imprisõn Fine

4 ¶ Marlets called yeomen, nor none other of lesse estate then Esquires, shall vse nor beare no signe of liuery, called liuery of company of any Lord within the Realme, vnlesse he be menial & familiar, or cõtinuall Officer of his said Lord. And that

Yoman Esquire

Iust. of P. that the Iustices of the Peace shall haue power to inquire of them which do ẏ contrary, & them to punish according to their discretion. An. 20. R. 2. ca. 2. See before 2.

Discretion

5 ¶ To eschew maintenance, & to nourish loue, peace, & quietnes of all partes throughout the Realme: Be it &c. that no Lord of what estate or condition soeuer he bee, shall vse nor giue any liuerie or signe of company, to no Knight, Esquire, nor Yeoman, within the realm aforesaid: sauing alwaies that our Soueraigne Lord the King, shall giue onely his honorable liuerie to his Lords temporall, to whome it shall please him: Sauing also that our said soueraigne Lord shall giue his honorable liuerie to his knights & Esquires menial, & also to his knights & Esquires which be of his retinue, & doe take of him their yeerely fee for terme of life. Moreouer it is accorded & assented by the king, his Lordes & Commons aforesaide, that the said knights and Esquires shal not in any wise weare their said liueries in their Countries or Counties, where they bee resiant or dwelling, nor in none other place within the realme out of the kings presence, & if any Lord do the contrary, & that duly proued, he shal make fine & ransome at the kings wil. And if any knight or Esquire do the contrary, & be therof duly attainted, he shall lose his said liuerie, and forfait his fee for euer. And ẏ no Yeoman take nor weare any liuery of the king, nor of none other Lord, vpon paine of imprisonment, and to make fine & ransome at the kings will.

Lord

Knight Esquire Yeoman

Knights Esquires

Lord

Knight Esquire

Forf.

Yeoman

Imprif. Fine

Prouided alway, that the Constable & Marshal of England for the time being, with their retinue of knights & Esquiers, may weare the said liuery of the king, vpon the borders & Marches of the Realme in time of warre.

Constable & Marshal of England

Marches Warre

Prouided also, that al they that wil trauel & passe ouer into the parties beyond ẏ Sea, to seeke honour, may weare ẏ same liuerie in those parties without being therfore any wise grieued or impeached. Moreouer it is accorded & assented, that no Archbishop, Bishop, Abbot, nor Prior, nor none other man of holy Church, or temporal, of what estate or condition he be within the said realm, shal giue any liuerie of cloth to any man, but onely to his menial seruãts & officers, or to them that be of his counsel, as wel spiritual as temporall, learned in the one law or in the other, vpon paine to make fine & ransome at the kings will. And this Statute shal begin to take place from the feast of Candlemas next to come. Anno 1. H 4. cap. 7. See here 6. 7. & 9. more.

Archbishop Bishop Abbot, Prior

Cloth

Fine

*

6 ¶ Forasmuch as the former part of the statute made, An. 1. H. 4. cap. 7. before 5. concerning the kings liueries, & liueries and signes of Companies, is very expedient & necessary. Be it &c. that ẏ same statute shalbe firmely holden & kept, ioyned thereto, that the Iustices of the one bench & of the other, & the Iustices of assises, and of the Peace, haue power and authority to inquire, heare and determine in this case, by record in their presence, or by inquiry to be made frõ time to time. And that the Dukes, Earles, Barons, & Baronets of the realme, may weare the said liuery in their countrie & elswheare. And also that the said knights & Esquires, may weare the said liuerie in going from the kings house, and returning to the same.

Iustices of both benches Iust. of ass. Iust. of P.

Presence

Dukes Earles Barons

Knights Esquires

Prouided alwaies, that ẏ same knights & Esquires weare not the same liuerie in their counties or coũtrey, where they be resiant or dwelling, vpon the paine cõtained in the said estatute. Moreouer it is accorded, that the prince may giue his honorable liueries or signe to the said Lords, & to his menial gentlemen, & that the saide lords may weare the same, as they weare the kings liuerie, and that the menials of the Prince may also weare the same, as the kings menials, and in the forme, and vpon the paines aforesaide. Anno 2. H. 4. cap. 21.

Paine

Prince

*

7 ¶ Wheras there is an ordinance made in the statute, Anno 1. H. 4. cap. 7. (before 5.) concerning the giuing of Liueries of cloth. Be it &c. that aswell that statute, as the Statute of liuery of Hats, made in the time of king R. 2. (1. Anno 2. cap. 7. before 1.) bee holden and firmelie kept & put in due execution, ioyned to the same, that if any knight, or any other person of lesse estate, do giue any such liuerie of cloth, or of hats, against the forme of ẏ said statutes, that he shal incurre the pain of a C. s. for euery such liuery of cloth, as of hats, to be paied to the king as often as he shall do contrary to this estatute or ordinãce, & that he which receiueth any such liuery of cloth, or of hats, shal likewise incurre the paine of xl. s. to bee paied to the king, as afore is said, and he that wil sue in this case shall haue the one halfe of such paines for his labour. And that the same paines be in no wise pardoned. Moreouer

Knight

Hats or hoods Giuer Forf. C. s.

Taker

Paine xl. s.

Informer Pleintif

It

Companies

it is ordained, that no congregations, nor cõpany bee made, of such liueries of cloth nor of hats, at the proper costs of the congregation of company, vpon pain of euery man of the same congregation or company, that doth cõtrary to this ordinance or Statute, to pay to the king xl.s. The

Paine xl. s. Guildes

guildes and fraternities, & also the people of misteries of cities and boroughs within the realme, that be founded or ordained to a good intent or purpose onely except.

Iust. of ass.

And the Iustices assigned to take assises, shall haue power to inquire from time to time in their Sessions of the matters aforesaide, and the same to certifie in the kings Bench.

Certifie

Prouided alwaies, that in the time of warre, it shalbe lawful to lords, knights, & Esquires, which trauell in such warre, to giue their liuery of clothing, or of hats, such, & in such wise, as best to them shall séeme for the time of such warre, without being any wise vexed or inquieted in this behalfe, by force or vertue of this statute. An. 7. H. 4. cap. 14.

CWarre Lords Knights Esquires

*

8 ¶ That the saide estatutes (that is to say, An. 1. H. 4. cap. 7. concerning liueries of Cloth (before 5.) And An. 7. H. 4. cap. 14. (before 7.) And An. 1. R. 2. cap. 7. (before 1.) shalbe holden and kept and put in due execution, according to their forme & effect. An. 13. H. 4. cap. 3.

9 ¶ Item, whereas it is ordained by diuers statutes, made in the times of the kings noble progenitors (before 5. & 7.) that no knight, nor none other of lesse estate, should giue any liuery of clothes or hats, to other then to his menials, & his officers, and men learned in the one law or the other, vpon the paine of a C. shillings, to be leuied of the giuer, & xl.s. of ỳ taker, as often as they do the contrary, & hee that would sue, should haue the one halfe of the payne after that, that they therof be duely conuict. And that the Iustices of Assises, and Iustices of Peace in euery Countie of Englande, should haue power from time to time in their sessiõs, to inquire of the saide matters, and them to heare and determine, as in the saide Statutes & ordinances fully appeareth, which Statuts and ordinances haue not bene duely kept, because that they ỳ doe contrary to the Statutes and ordinances before the said Iustices, cannot be indited by reason of the great maintenances in this behalfe vsed: Our Soueraigne Lord the king, willing to expell such maintenãces, hath ordained by the authoritie aforesaide, that the said Iustices shall haue power by the same authoritie, as well at the kings suit, as the parties, to awarde writs of attachment and distresse, against them, which from henceforth doe the contrary of the said statutes & ordinances, in the Counties where they hold their Sessions, directed to the Shirife of the same Counties, returnable before the same Iustices or Iustice for the time being in their Sessions. And if the saide Shirifes returne ỳ they against whome such writs issued, haue nothing, then a Capias and Exigend shalbe awarded against them, in the manner as shal be done against them that be indicted before Iustices of Peace, of trespasse done with force and armes against the Kinges peace. And if they appeare at any of the saide Writs, the saide Iustices shall haue power & authoritie aforesaide, to examine them of the matters aforesaid. And they whome they finde by examination, to haue done to the contrary of the said statutes and ordinãces, shal incurre the paine comprised in the same statutes: that is to saie, the giuer C.s. and the taker xl.s. as often as they shall do to the contrary, in ỳ maner & forme, as they should doe, if they were by inquest duelie conuicted before the saide Iustices, so as the said statutes & ordinãces extend themselues (as to examination) to liueries to bee giuen after the feast of Christmas next comming, against the forme of ỳ said statutes, thereof made before this time. Prouided that the said ordinances extend also into the Counties of Chester & Lancaster, by the examination and proceste, as afore is saide, of the Iustices of Chester or his Lieutenant there, as by examination of the Iustices of the county of Lancaster, so to be made, against al them which shall do the contrary of the said ordinances in time to come.

Knights Hats or hoodes Officers

Iust. of ass. Iust. of P.

Maintenance

Iustices

Writs of Attachmit Distresse

Sessions Shirife

Capias Exigent

Examine

Paine

Examination

Chester Lancaster

Prouided also, that al the statutes & ordinances before made & not repealed of liueries of clothes, by Lords giuen or to be giuen (before 5.) against the forme of the same statutes, shall stande in their force. And that this statute extend not (as to the execution of examinatiõ) to the shirifs of Londõ, Maiors for ỳ time that they shal be officers, Serieants of the lawe, at the time that they take the same estate vpon them, to them that doe commence in the Vniuersities within the realme of England, at the time of their commẽcement,

Shirife of London Maior Serieants of the law

Nor

Lord
Lady
Examination
Warre
Souldiers
Byrying coates
Maintenance
Foyle.
Mainpryse Impryl.
Badges or signes
Other Retaine

for to them which during the times aforesaid, shall take any Liueries of them. And also that al those that shall take any such liueries of cloth or of hattes, of anie lord spirituall or temporal, or of any great Lady, in or of Englād, against the forme of the saide statutes, they shalbe likewise examined & punished in the maner as they that take such Liueries of knightes, or other of lesse estate, as before. Prouided alwaies, that in the time of warre, it shalbe lawful to the Lords, knights & Esquires, that do trauel in such warre, to giue their liueries of clothing, or of hattes to their souldiers, and in such wise as to them best shal seeme. And yt it shal be lawful for such souldiers to take and weare such liueries of clothing, or of hats for the time of such warre, without being in any wise molested in this party, by force or vertue of ỹ same statutes. And that moreouer, if anie person, of what estate or condition he be, after the saide feast of Christmas, of his owne authority & proper costes, do buy or weare for his clothing any cloths or hats called liueries, of the sort or sute of any Lord, Lady, knight, or other person, for to haue supportation, succour or maintenāce in any quarrel, or in any other manner, if he be thereof duely conuict by examination, or in other manner before by the Statutes declared, he shall incurre the payne before limited, of them that take liueries of Lords or other persons aforesaide, and moreouer shall haue a whole yeeres imprisonment, without being let to baile or mainprise for their falsity & subtill imagination in this part. An. 8. H. 6. cap. 4. See here no more.

¶ Forasmuch as notwithstanding all the former statutes, diuers persons in great number do daily offend in the same, not fearing the forfaitures of the same. Be it &c. That all statutes & ordinances made before this time against any persōs for giuing or receiuing of liueries & badges, shall be fully obserued & kept. And moreouer, that no person of what estate, degree or condition that he be, by himselfe or any other for him, from the feast of the Natiuitie of Saint John Baptist, which shall bee in the yeere of our Lord, 1468. shall giue any such liuerie or badge, or retaine any person other then his menial seruant, officer or learned men in the one lawe or other, by any writting, otbe, or promise, and if any doe the contrary, that then he shall runne in paine & forfaiture for euery such Liuerie or badge giuen. C. s. and the retainer or taker of such othe, writting or promise, or retainer by Indēture, for euery such retaining or taking of any such othe or promise, or retaining by Indenture, shall incurre the paine and forfaiture of C. s. for euery moneth that any such person is so retained with hym by othe, writing, indenture or promise. And also that euery person so retained by writing, indenture, othe or promise, for euery moneth that bee is so retained, shall forfait and lose C. s. And moreouer, the king by the aduise, assent and authoritie aforesaide, hath ordained and established, that aswell before the king in his bench, as before the Iustices of the common plees, Iustices of peace in their sessions, Iustices of Oyer and terminer, & gaole deliuerie, the Kings Iustices of the counties Palātine of Lancaster and Chester, for the time being, in euery of those the Kings Courtes aforesaide, before them or any of them: And in the Regaltie and Courte of the Archbishoppe of Yorke in Yeramshire before the iustices there: And in the Courte of the Bishop of Durham, in the Countie Palantine of Durham, before his Iustices there, euery person that will sue or cōplaine against any person or persons, offending or doing against the forme of this ordināce or of any other of the premisses, shall bee admitted by the discretion of the Iudges in euery of the said Courtes to giue Information for the King therein, of any of the premisses, within the iurisdiction of euery of the said Courts done or cōmitted. And euery such Informer if he will, shall bee admitted to sue for the king and himselfe, actions or action vpon the same, by information to be giuen or made in any of the said courts, against as many such offenders in one bil or information to be named as liketh him which so informeth. And this Information so giuen, shall stand and bee in stead of a bill or originall writ. And that thereupon all such processe shall bee had and made, as is had and made vpon an originall Writte of trespasse done against the Kings peace. And if any the offenders bee present in any of the said Courtes, hee by the commandement of euery of the Iudges in the same Courts, shall bee brought in and put to aunswere to such bill or bils by such Information by an othe first to bee made vpon a booke by the Informer, before any of the saide Iudges, that his

writting othe promise
Forf.
Retainer
Forf. Euery moneth
Iust. of cōmon place
Iust. of P.
Iustice of Oyer & ter. Lancaster Chester
Regalty Yeramshire
Discretion Informatiō
Informer
Action
Processe
Commaund
Othe

his complaint is rightful, without any other or further proceſſe therein. And that the ſaide Iudges & euery of them, in euery of the ſaid Courts, ſhall haue power in their ſeueral iuriſdictions to examine all perſons defendants, & euery of them, vpon euery ſuch information, and to iudge him or them conuict or attainted, as well by ſuch examination, as by triall, as the caſe requireth, after the diſcretion of the Iudges. And alſo they ſhalbe charged by the iudgement in the ſame to the perſon complainãt or Informer in this behalfe, of al the coſtes had in the ſame by the diſcretion of the Iudges and iudge in the ſame, & alſo the ſame party complainant, to haue the one halfe of ẏ ſaid forfaitures, and the king the other halfe. And all ſuch execution to bee had for the Informer in this behalfe, as is had or ought to bee had in recoueries of debt or treſpaſſe at his pleaſure: and that no proteſtation nor eſſoine be allowed vpon any ſuch information. And that no Shirife or Coroner returne vpon any defendant being a perſon ſufficient, in any ſute grounded vpon anie of ẏ premiſſes, any leſſe iſſues then twentie ſhillings at the firſt day of ẏ diſtreſſe, and at the ſecond day thirty ſhillings, & at the third forty ſhillings, & ſo at euery day after, more by x. ſhillings in iſſues. And if any ſhirife or coroner doe the contrarie: that then he ſhal forfeit for euery ſuch returne againſt the forme aforeſaide, xx. li. And alſo by the aduiſe, aſſent, & authority aforeſaid, it is ordained, that in euery citie, Borough, Towne, and Port of this Realme corporate, wherein the Maior, ſhirifes or ſhirife, bailife or bailifes, or other chiefe officer of ſuch Citie, borough, towne, or port haue power to heare & determine perſonal plees: The ſame Maior, ſhirife or ſhirifes, Bailife, or bailifes, or chiefe Officer, in the court holden before them or any of them, within any ſuch citie, Borough, towne or port, ſhall haue all like & ſuch authoritie to receiue ſuch information, as to heare & determine al well by examination as by trial, by their diſcretion, al things done concerning the premiſſes, by or to the inhabitants within the iuriſdiction of the ſame Court, and to make and put this ordinance in execution, in like manner and forme, as is aboue ordained. And that our Soueraigne Lorde the King, ſhall haue the one halfe of the forfaitures, and the Informer therein, and the Maior, ſhirifes or ſhirife, Bailife or bailifes, or chiefe officer of ſuch Citie, borough, town or port, to haue the other halfe equally to bee deuided betwixt them, whereof the part pertaining to the Maior, ſhirifes or ſhirife, bailife or bailifes, or chief officer, ſhalbe applied to the vſe of ſuch Citie, Borough, towne, or port. And that all retainings, & euery retaining by indenture, or other writing, oth, or promiſe, of any perſon made before the ſaid feaſt, other then to bee menial ſeruant or officer, or of his Counſel, or for lawful ſeruice done, or to be done, ſhal be from the ſaid feaſt vtterly void & of no force nor effect. Alſo it is ordained & eſtabliſhed by the aduiſe, aſſent, & authority aforeſaid, that our Soueraigne Lorde the king ſhal haue the one halfe of al the ſaide paines & forfaitures in maner and forme before ordained, except in cities, boroughs townes & diuers other places, where any perſon or perſons, haue by reaſon of their priuiledges, liberties, franchiſes or graunts, like forfaitures & paines. And ẏ euery ſuch perſon or perſons ſhall haue ẏ halfe of the ſaid forfaitures & paines made by this act, according to their priuiledges, liberties, franchiſes & grants, as ẏ king ſhould haue, if the ſaid priuiledges, liberties, franchiſes & grants had not bin had, graunted nor made. Prouided alwaies, ẏ this acte extend not, nor be preiudiciall to any gift, grant, or confirmation made or to bee made of any fee, annuitie, pension, rent, lands or tenements by the king, or any other perſon or perſons, to any perſon or perſons for their counſell giuen, or to be giuen, & their lawfull ſeruice done, or to bee done, and for none other vnlawful cauſe, nor none other vnlawful intẽt: although that the perſon or perſons, to whom ſuch gift, grant or cõfirmation is, or ſhal be made, be not learned in the one lawe or other. Alſo it is ordained by the aduiſe, aſſent, & authoritie aforeſaid, that euery ſuch gift, graunt or confirmation ſhalbe of like force and effect, & as good, effectual, & auailable, as they & euery of them were, if this act had not bin made. And by the ſaide authoritie it is ordained, that no Exigend ſhall bee awarded by any of the Iuſtices for the time being, into the ſaide Counties Palantine of Lancaſter and Cheſter, or either of them, or in the ſaide biſhoprike of Durham, againſt any perſon or perſons, vpõ any information, ſute or proceſſe to bee made by force of this ordinance and Statute. And if any Exi-

gend

Examine

Diſcretion

Coſts

Moitie

Execution

Shirife Coroner

Iuſtices

Fort.

Citie Towne Port Maior Shirife Bailife

Determine

Informatiõ Examination Trial

Moitie

Voide

Moitie

Liberties Priuiledges

Annuitie for counſell

Exigend

Lancaſter Cheſter Durham

Outlawrie gend be awarded, or an Outlagary therupon pronounced in any information, sute or proceſſe to bee made by vertue of this ordinãce, as before is ſaid: that then ſuch outlagary ſhalbee vtterly void and of no Voide force nor effect, without any ſute by writ of Error or otherwiſe.

Prouided alſo, that this ordinance doe not extende to any Liuery giuen or to bee giuen at the kings or Quéenes coronation, or at the ſtallation of an Archbiſhop Archbiſhop or Biſhop, or erection, creation, or mariage of any Lord or Lady of eſtate, or at any creation of Knights of the Bath, or at the commencement of any Clerke in any Vniuerſitie, or at the creation of Sergeants of the Law, or to bee giuen by anie guild, fraternitie or miſtery corporate, or by the Maior and Shiriſes of the Citie of London, or any other Maior, ſhiriſe or other chiefe Officer of any Citie, borough, towne or port of this realme of England, for the time being, during that time, and for executing their office or occupation, nor to any badges or liueries to bee giuen in defence of the king, & of this Realm of England, nor to the Conſtable and Marſhall, nor to any of them, for giuing anie badge, liuery or token, for any feate of armes to be done within this realme, nor to any wardens of the Marches toward Scotland, for any liuerie, badge or token for them to be giuen from Trent Northward, at ſuch time only as ſhalbe neceſſary to leuie people for defence of the ſaide Marches or any of them. An. 8. E. 4. ca. 2.

Bishop
Lord
Lady
Knights of the Bathe
Vniuerſitie
Sergeants at the law
Guilde
Maior & Shirife of London
Badges
Conſtable
Marſhall
Armes
Wardẽs of marches
Trent
Marches

11 ¶ An. 12. E. 4. cap. 4. An acte was made, that Prince Edwarde might giue liueries and reteine, notwithſtãding the ſtatute.

12 ¶ An. 19. H. 7. cap. 14. An acte was made againſt Reteiners & giuing of Liueries and badges, to endure during the kings life.

Badges

¶ London.

IT is prouided by our Souereigne Lord the king and his Juſtices, & alſo graunted vnto by the Citizens of London, that Archbiſhops, Biſhops, Earles, Barons, and other that haue rents in London, and for any tenements that the rents are behinde, & they cannot recouer thoſe rentes that it ſhal be lawful for them to diſtraine their tenantes for the arrerages, as long as there is any thing to be founde within the fées, where by they may be diſtreined, and if not, then the tenantes ſhall bee impleaded of the gauelet by a writte of Cuſtomes and ſeruices, which may bee well done by their Fréemen of the Citie preſented in their Huſtings, for the kéeping of their ſute, to gather their rents, ſo that if the tenants doe knowledge their ſeruices, they ſhall incontinent and without delay ſatiſfie their Lords of their arrerages, and if they denie them their ſeruices, the demandants ſhall immediatly name two witneſſes, whoſe names ſhal bee inrolled, and ſhall haue a day to bring them forth at the next Huſtings, at which daie if they bring foorth their witneſſes, and it is ſhewed by them, at the full Courte of their owne ſight & hearing, that the ſame plaintifes haue at any time receiued the rentes, which they demaunde of the tenements: then the tenants ſhall leeſe their fees by awarde of the Courte, and the playntifes ſhall recouer their tenements in demeſne, but if they will acknowledge their ſeruice vnto their Lordes, as before is ſaide, and likewiſe the arrerages: then the arrerages ſhall bee doubled by the iudgement of the Court, and they ſhal giue to the Shiriſe for the wrongfull withholding (if they be able to do it without ouercharging of them) the ſumme of an C.s. but if they doe not come in after due Summons in the Huſtings, then the ſame fées ſhalbe deliuered vnto the plaintifs in the full Huſtings, to be holden and kept in their owne hands for one yere and a daye, within the which time if the tenants do come vnto them, and do offer to ſatiſfie them of double arrerages, & to the Shiriſe for his amerciaments, as before is ſaid: then they ſhal haue their tenemẽts againe. But if not, then after one yeere & a day accompliſhed, ſuch tenements ſhall remaine vnto the Lordes of thoſe fées by iudgement of the Court in their demeane for euermore. And then ſuch lands ſhal be called Forchoke, becauſe ſuch tenements ſhall remaine for euer in demeane to the lords of the fées for the default of the ſeruice. The ſame ordinance ſhalbe kept and obſerued if the tenãts do confes or knowledge the arrerages, & be not able to make ſatiſfaction therefore as it is ſaide before. An. 10. Ed. 2.

Gauelet
Huſtings
Seruice
Recouer
Arrerages
Shiriſes
Forchoke
Confeſſe

Archbiſhops
Biſhops
Earles
Barons
Rents
Diſtreine

2 ¶ Becauſe that the errours, defaults, & miſpriſions, which bee notoriouſly vſed in the Citie of London (for the default of good gouernance of the Maior, of the ſhirifs and the Aldermen) can not be inquired

Errors
Maior
Shirifs

red nor founde out by people of the same citty: It is ordeined & establisshed, that the said Maior, Shirifes, & Aldermen, which haue the gouernance of the citie, shal redresse & correct the defaults, errours and misprisions aboue named, and the same duelie punish from time to time vpon a certaine paine, that is to say, for the first default 1000. marks to the king, and for the seconde default 2000. marks, and for the third default, that the franchise and the libertie of the citie to bee taken into the kings hand. And be it begunne to inquire vpon them at Saint Michael next cõming, so that if they make not due redresse as is aforesaid, it shalbe inquired of their defaults by inquests of people of foreine counties, that is to say, of Kent, Esser, Suffex, Hertford, Buckingham & Bark, aswel at the kings sute, as others that will complaine. And if the Maiors, Shirifs, & Aldermen be by such inquests, thereto assigned, indicted, they shall bee made to come by due processe before the kings Justices, which shall bee to ỹ same assigned out of the said citie, before whom they shal haue their answere aswel to the king as to the party. And if they put them in inquests, the same inquests shalbee taken by foreine people, as afore is saide. And if they bee attainted, the saide paine shall incurre and bee leuied of the sayde Maior, Shirifes, and Aldermen for default of their gouernance. And neuertheless, the plaintifs shal recouer the treble damages against the said Maior, shirifs, & Aldermen. And because that the shirifs bee parties to this businesse, the Constable of the Tower, or his Lieutenant, shal serue in the place of the Shirifes to receiue the writs, aswell originals of the Chauncerie as iudicials, vnder the seale of the Justices, to doe thereof execution in the said Citie. And processe shall bee made by attachment and distresse, and by Exigend if nede bee, so that at the Kings sute the Exigend shalbe awarded after ỹ first Capias returned, and at the third Capias returned, at the sute of the party. And if the Maior, Shirife, and Aldermen haue lands or tenements out of the citie, processe shal be made against them by attachment and distresse in the same Counties, where the lands or tenementes bee. And that euery of the said Maior, shirifes & Aldermen that will, may aunswere before the saide Justices particularly for himselfe, aswel at the peril of other which be absẽt, as of himselfe. And this ordinãce shalbee holden firme and stable, notwithstanding any manner franchise, priuileges or customes. And that this ordinãce ertende to all Cities and boroughs of the Realme, where such defaults or misprisions bee vsed, and not duely corrected nor redressed. Sauing that the Inquests shal bee taken by foreine people of the same Countie where such cities or boroughs bee. And that the paine of those the saide boroughs and townes which shalbe therof attainted, shall be adiudged bythe discretion of the Justices which shall bee thereto assigned. Ann. 28. E. 3. cap. 10. See here following 4.

Punish
1000 marks
2000 marks
Liberties seised
Inquests
Attaint
Default of gouernance
iii. damages
Constable of the tower
Writs
Processe
Maior Shirife
Cities
Boroughs
Inquests

3 ¶ An. 42. E. 3. cap. 7. It was enacted to endure to the nexte parliamẽt, that Londoners & none other might sel by retaile vitailes.

4 ¶ The paines aforesaide aswell of the thousand marks, and of the two thousand marks, and of the seisin of the franchise, comprised in the saide statute: that is to saie, Anno 28. Edward. 3. cap. 10. (before 2.) shall not bee limited in a certeine, but that the paine in this case be by the aduice and discretion of the Justices thereto assigned, as other Cities & Boroughs bee within the Realme. And that the remnant of the same statute, and the processe thereof stand in their force. An 1. H. 4. cap. 15.

5 ¶ Anno 35. H. 8. cap. 10. An acte is made, for the repairing, making & amending of the Conduits in London.

Conduits

6 ¶ No person or persons of what estate, degrée or conditiõ soeuer, shal from henceforth make & erect any newe building or buildings, house or houses for habitation or dwelling wỉn either of ỹ said Cities, (viz. London & Westminster) or within three miles of any of ỹ gates of the said citie of Londõ, except it be to inlarge his or their house or houses that so shall build ỹ same, or to adde some other buildings to his or their houses, or in their gardens for the more ease or pleasure of the builder, or ỹ such new house or tenement shalbe fit for the inhabitation or dwelling of such a person as heretofore hath bin assessed to or for the subsidie to her Maiesty at v. li. in goodes, or iii. li. in landes, at the last assessement next before the said newe buildings, or shall bee iudged by the two next Justices of Peace, by writing vnder their handes and seales to bee presented at the next quarter sessions, to bee fit and able

iii. Miles Inlarge
Subsidie v. li. goodes iii. li. Lands

able to be assessed in the subsidy, according to ỹ rate if before ỹ time he hath not bene so assessed, or except any such new building shalbe made for any Hospitall for relieke of the poore, vpon paine to forfeit for euery such offence quarterly the summe of fiue pounds.

Relieke Poore Fork.

And further bee it enacted, that no person or persons of what estate, degree or condition soeuer, shall at any time hereafter conuert or deuide any dwelling house or other buildings now erected & builded, or hereafter to beerected & builded within the Cities and places aforesaide or anie of them, into diuers and seuerall habitations or dwellings for seuerall and diuers families, Except euery seuerall house so diuided shalbe fit for habitation or dwelling of such a person as heretofore hath bin assessed to or for ỹ subsidy to her Maiestie at fiue li. in goods, or three poundes in lands, at the subsidy next before such diuision, or by two Justices of Peace next adioyning, by writing vnder their hands & seales to be preseted at the next quarter sessions, shall bee thought fit & able to be assessed in the subsidie according to that rate, vpon paine to forfeit for euery such offence, (if any other person vnder that value shal inhabite such house) the summe of fiue poundes, for euery Moneth to bee paied by that person that shall permit the house diuided to be inhabited. And bee it enacted also, that euery person being not of such value which shall hereafter dwell or inhabit in any such house so to be newe builded, conuerted or diuided as aforesaid, shall forfeit for euery moneth that hee or she shal so dwel or inhabit in the same, the summe of fiue poundes.

Conuert

Habitatiõs

Subsidie

v.li. goods
xx.li. lands

Fork.

Fork.

And be it further enacted by the authority aforesaid, that no person or persõs inhabiting and dwelling within the Cities and places aforesaide, shall after xx. dayes next insuing this Session of parliament, receiue or take into his or their house or houses any inmate or vnderslitter, or inmates or vnderslitters, vpon pain to forfait for euery moneth that hee, she or they shal haue and kẽpe, or willingly suffer in his, her or their house or houses any such inmate or vnderslitter cõtrary to the true meaning of this acte, the summe of v.li. as is aforesaid.

Inmates

Fork.

Prouided, that this branch of this acte, or any thing therin cõteined, shall not extend to any persõ or persons for taking or receiuing into his, her or their house or houses any person or persons which is or shall bee assessed in the Subsidy at v.li. in goods, or three poundes in lands or fees, or shall bee thought able and fit to pay such a rate in Subsidie as is aforesaid.

And whereas diuers commons, waste grounds and great fields neere adioyning to the Cities aforesaid which haue beene heretofore vsed for training & mustering of souldiers, and for creation, comfort & health of the people inhabiting in the said cities and places, & for the vse & exercise of Archerie, haue of late yeres ben inclosed & conuerted into seueralties and to other priuate vses:

Commons Fields

Mustering

Archerie

Wee it enacted by the authoritie aforesaid, that it shal not be lawful to any person or persons to inclose or take in anie part of the commons or waste grounds, situate, lying or being within three miles of any of the gates of the said city of London, nor to seuer or deuide by any hedge, ditch, pale or otherwise any of the saide fields lying within three miles of any of the gates of the said citie of London as aforesaide, to the let or hinderance of the training or mustering of souldiers, or of walking for recreation, comfort & health of her Maiesties people, or of the laudable exercise of shooting where there hath ben vsual exercise of shooting and marks haue bene there set, vpon paine to forfeit for euery Moneth that hee or they or any of them shall kẽpe any part of the said commons, or waste grounds inclosed or taken in, for euery such inclosure, fiue poundes, and for euery moneth that he or they shal kẽpe any parte of any of the same fieldes seuered or diuided, for euery such offence, fiue pounds.

Inclosd

Seuer

Mustering

Shooting

Fork.

The one moitie of al which paines, penalties & sũmes of money to be forfeited by vertue of this act, shalbe to the churchwardens of all & euery parish & parishes where the seueral offences shal be cõmitted, to be imployed by them, with consent of the more parte of the parishioners being houlholders, to the vse of the poore of the same parish or parishes, and the other moitie to him or them that wil sue for the same by action of debt, bil, plaint, or informatiõ in any of the M. Maiesties courts of Record, in which sute, no essoine, protection, writ of priuilege or wager of law shalbe admitted or allowed.

Poore

And for the better relieke of the poore in seueral parishes where any of the offices aforsaid shalbe cõmitted, be it also enacted

Poore

that

that the Churchwardes of euery seuerall parish (if they shal not be herein offendors) where any of the offeces aforesaid shal be committed, and if they be offendors, then the Curate of the parish with two other honest men of ỹ same parish being householders, shall haue ful power & authority by vertue of this acte, to enter into al and euery house and houses, and other place and places where any offece shalbe committed against the true meaning of this act, and there to distraine for the moity of all and euerie such summe & summes, as shalbe forfaited by vertue of this act, and the distresse & distresses to detaine vntill such moitie of the summe and summes of money so to be forfaited, shalbe truely satisfied & paied according to the true intēt and meaning hereof. Distreine

Prouided alwaies, that this act, nor any thing therin conteined, shal not extend to take away, preiudice or impeach any good vsages or customes heretofore vsed in the cities of London and Westminster, or either of them, for the reforming or punishing any of the offences aforesaid, nor to any lord or lords hauing liberty to kéepe a Léet for the punishing of any the offences afore mentioned within the iurisdiction of his Léete, as they might haue done before this Statute. Leete

Prouided also that notwithstanding any thing in this act cōtained, it shal & may be lawful for euery such Mariner, sailer, or shipwright, as shalbee allowed by the Lord Admirall & the maisters & company of Trinitie house for the time being in writing vnder their handes and seales to continue his habitation in any house that hath bin built sithence the said proclamation nére to the Thames side, serving only for the habitation of such Mariner, Sailer or shipwright, & not to be vsed for any victualking house, nor for any storehouse for any merchandise, sauing such as shall appertaine to the arming or apparelling of ships. And likewise ỹ any Mariner, Sailer or Shipwright may hereafter builde any house for such purpose, & for no other, on or nere the Thames side, so as it be distant from the very wharfe or banke xxx. foote, so as people may passe betwixt the said houses, & the said banke, and the Thames. And so as in the newe building thereof euery house hereafter to be builded, may be distant from any other house aboue xx. foote, to auoid casualtie of fire, & so as also that ther be no newe landing place or staires made to take vp or lay to land, or to lay from land, in any boat or ship any wares or marchandises. Mariner Shipwright Lord Admirall. Trinitie house Victualling house Distant xxx. foot

And to auoid doubts that may arise by reason of this act, be it ꝛc. that two Justices of peace inhabiting nert to any of the houses or tenements aforesaide, shal haue full power by vertue of this acte to decide and determine, whether euery particular house or tenement before mentioned bee sufficient and conuenient for habitation of a man assessed or fit to be assessed to the subsidy for her Maiestie at v. li. in goods, or iii. li. in lands. And whether the inhabitant in any such house or tenement bee of value or substance to bee assessed in the subsidie, according to the rates aforesaid: And that a mile shalbe reckoned & taken in this manner & no otherwise: that is to say, a mile to conteine eight furlongs, and euery furlong to conteine forty lugs or poles, and euery lug or pole to conteine xvi. foote and a halfe. Just. of P. Decide Mile

Be it further enacted, that for auoiding colourable cōtinuing of inmates against the intention of this act by pretence of any leases or estates made to them, the said Inmates pretending any leases, shall at the nert Léete or Court to bee held in the manor or place where the houses inhabited by Inmates are situate, shall produce his or her lease, and thereof make good proofe before the Steward of the Léete or court & the Jurie, which if he shal not do, then the said inmate to be forthwith remoued as aboue is mentioned. This acte to endure for seuen yeres, & afterwardes vntill the end of the session of parliament then nert ensuing. 35. Eliz. ca. 6. Inmates Court Leet Leases *

Lone.

ANno 35. H. 8. cap. 12. A Lone lent to the king was discharged and released by Parliament.

Lords.

ANno 31. H. 8. capite. 13. An acte was made concerning the placing of Lords in the Parliament, and other assemblies and conferences of Councill.

¶ Mainprise and Baile.

IF a clerke for any crime or offence touching the Crowne bee arrested, & afterward by the kings commandement let to baile or replenised, so ỹ they to whome he was let to baile, bee to haue him before our Justicers: The sureties fro hereforth, Clerks Crowne

nor

nor they to whome he was let to bayle, shal not be amerced, (if they haue his bodie before our Justicers) although he will not, nor may not aunswere before them by reason of the priuiledge of his Clergy. Marleb. cap. 27. Anno 52. H. 3.

Shirifes

2 ¶ And forasmuch as Shirifes and other which haue taken and kept in prison persons detected of felonie, haue diuers times let out by pleuin sir has were not repleuisable, and haue kept in prison such as were repleuisable, because they would gaine by some and greeue other. And, forasmuch as before this time it was not determined, what persons were repleuisable and which not, but onely of them that were taken for the death of a man, or by commaundement of the king, or of his Justicers, or for the forests: It is prouided, and by the king commaunded, that such prisoners, as be before outlawed, and they which haue abiured the Realme, prouors and such as be taken with the maner, and such as haue broken the Kings prisons, theeues openly defamed and knowen, and such as be appealed by prouors, so long as the prouors be liuing (if they be not of good name,) and such as be taken for house burning feloniously done, or for false money, or for counterfaiting the Kings Seale, or persons excommunicat taken at the request of the Bishop, or for manifest offences, or for Treason touching the King, shall bee in no wise repleuisable by the common writ, nor without writ. But such as be indicted of Larcenie, by enquestes taken before Shirifes or Bailifes, by vertue of their office, or for light suspeition, or for petie larcenie, that amounteth not aboue the value of xii. d. (if they were not guiltie of some other larcenie aforetime) or such as are accused of receit of theeues, or felons, or of commaundement or force, or of aide in felonie done, or charged with some other trespasse, for which one ought not to leese life nor member, and a man appealed by a prouor after the death of the prouor (if he be no common theefe, nor defamed) shal from henceforth be let out by sufficient suertie, wherof the Shirife twil be answerable, and that without giuing ought of their goods. And if the shirife or any other let any goe at large by suertie, that is not repleuisable, if he bee shirife or constable, or any other bailife of fee, which hath keeping of prisons, & therof be attainted, he shal leese his fee & office for euer. And if the undershirife, constable or bailife of such as haue fee for keeping of prisons, do it contrarie to the will of his Lord, or any other bailife being not of fee, they shall haue three yeares imprisonment, and make fine at the kings pleasure. And if any withhold prisoners repleuisable after that they haue offered sufficient suretie, he shall pay a greeuous amerciament to the King. And if hee take any reward for the deliuerance of such, he shall paye it double to the prisoner, and also shall pay a greeuous amerciament vnto the king. Westm. 1. cap. 15. Anno 3. E. 1. *

Commandement

Fozest

Outlawed Abiure Prouors

Breakers of prison Felons Appealed by prouors Burners of houses Foxgers of money Treason Excommunicate

Larcenie

Suretie Shirife

Constable

Lost office

3 ¶ Anno 7. R. 2. cap. 17. It was enacted to endure to the nert Parliament, that in actions, if the persons mainprised appeare not at the day &c. the mainpernors should pay to the plaintife a summe at the discretion of the Judges.

4 ¶ Concerning letting to baile, the estatutes made before this time for that cause (and not repealed) shall be holden in their force, and kept in all pointes. Anno 4. H. 6. cap. 1.

5 ¶ Item whereas diuers persons from day to day be arrested and imprisoned for suspection of felonie, sometime of malice, and sometime of a light suspeciõ, and so kept in prison without baile or mainprise, to their great veration & trouble: It is ordained, established and enacted by authoritie of this present Parliament, that euery Justice of Peace in euery Countie, Citie or Towne, shall haue authority and power by his or their discretion, to let such prisoners and persons so arrested to mainprise in like form as if the same prisoners and persõs were therof indicted of record before the same Justices in their Sessions. Anno 1. R. 3. cap. 3. This Acte is repealed by 3. Henric 7. cap. 3. as appeareth hereafolowing 6.

Suspection of felony

Just of P.

Mainprise

6 ¶ Forasmuch as since the making of this Statute (1. R. 3. cap. 3. before 5.) diuers not mainpernable, haue beene let to baile, and so, many felons haue escaped: Be it &c. that the Justices of ye peace in euery Shire, citie and towne, or ii. of them at the least, wherof one to be of ye Quorum, haue authoritie and power to let any such prisoners or persons mainpernable by the lawe, that bene imprisoned within their seuerall Counties, Cities or towne, to baile or mainprise, vnto the next generall Sessions, or vnto the nert

Just. of P.

Quorum

gaole deliuery of the same gaoles in euery shire, Citie or Towne, aswell within franchises as without, where any such gaols bene, or hereafter shalbe. And that the said Justices of the peare, or one of thē so taking any such baile or mainprise, do certifie the same at their next generall sessions of the peace, or the next generall gaoles deliuerance of any such gaole within euery such counties, citie or towne, next following after any such bayle or mainprise so taken, vpon paine to forfait vnto the king for euery default hereinp̄ recorded x.li. And ouer that it is ꝛc. that euery Shirife, Bailife of franchise, and euery other person hauing authority or power of keeping of gaoles, or of prisoners for felonie, in like maner and forme doe certifie the names of euery such prisoner in their keeping, and of euery prisoner to them committed for euery such cause, at the next generall gaole deliuerie, and in euery Countie or franchise where any such gaole or gaoles bene or hereafter shall be, there to be kalendred before the Justices of the deliuerance of the same gaole, wherby they may aswell for the king as for the partie, proceede to make deliueraūce of such prisoners according to the lawe, vpon paine to forfait vnto the king for euery default there recorded an hundred shillings. And that the foresaid act (s. of An. 1. R. 3. ca. 3. before 51.) giuing authoritie and power to any Justice of the peace by himself, be in that behalfe vtterly voide and of none effect, by authoritie of this present Parliament. Anno 3. H. 7. cap. 3. But see the first article of this statute altered by Anno 1. & 2. P. & M. here following 7.

Iust. of P.

Certifie

Forf.

Shirife Bailife

Forf.

* 7 ¶ For that sithee the making of the statute 3. H. 7. cap. 3. (before 6.) one Justice of peace in the name of himselfe, and of one other of his fellowes (being not made priuie to the cause wherefore the prisoner should be bailed) hath oftē times by sinister meanes set at large the notablest offendors, being not repleuisable by lawe, and hath also, to hide his affection, signified the cause of the apprehension to be but onely for suspection of felony, to ꝯ great peril of true subiects, & incouragement of theeues & euil doers, and contrary to the true meaning of the said estatut. Be it ꝛc. that from and after the first day of Aprill next comming, no Justice or Justices of peace shall let to baile or mainprise, any such person or persons, which for any offence or offences, by them or any of them committed, be declared not to be repleuisable or bailed, or be forbidden to be repleuied or bailed, by the statute of Westm. 1. (1. cap. 6. before 2.) made in the Parliament holden in the third yere of ꝯ reigne of king Ed. 1. And furthermore, that any person or persons arrested for manslaughter or felony, or suspection of manslaughter or felonie, being bailable by the lawe, shall not after the said first day of Aprill, be let to baile or mainprise by any Justice of peace, if it be not in open sessions, except it be by ii. Justices of peace at the least, whereof one to be of the Quorum, & the same Justices to be present together at the time of the said bailment or mainprise, which bailment or mainprise they shall certifie in writing, subscribed or signed with their owen hāds at the next general gaole deliuery, to be holden within the county where the saide person or persons shalbe arrested or suspected. And ỹ the saide Justices, or one of them being of the Quorū, when any such prisoner is brought before them for any manslaughter or felony, before any bailemēt or mainprise, shal take the examinatiō of the said prisoner, and information of them that bring him, of the fact & circumstāces therof, & the same, or as much therof as shalbe material to proue the felony, shal put in writing before they make the same bailement, which said examination, together with the said bailmēt, ỹ said Justices shal certifie at the next generall gaole deliuery, to be holde within the limits of their cōmission. And ỹ euery Coroner, vpō an inquisitiō before him taken, wherby any person or persons shalbe indicted for murder or manslaughter, or as accessarie or accessaries to the same, before the murder or manslaughter committed, shal put in writing the effect of ỹ euidence giuen to the Jury before him being material, & aswel the said Justices as the said Coroner shal haue authoritie by this act, to binde al such by recognisance or obligation, as do declare any thing material to proue the said murder or mānslaughter, offices or felonies, or to be accessary or accessaries to the same, as is afore said, to appeare at the next general gaole deliuerie to be holden within the Countie, citie, or towne corporate, where the triall therof shal be, then and there to giue euidence against the partie so indicted at the time of his triall, & shal certifie aswel the same

Iust. of P.

Wāslaughter Felony

Open sessions

Two Iust. of peace

One of the Quorum

Together

Bailment

Certifie

Gaole deliuery

Examin the prisoner

Information of the bringers

Certifie Gaole deliuery

Coroner

Indicted

Accessaries before

Euidence

Recognisance

Obligation

same euidence as such bond and bonds in writing, as he shall take, together with the inquisition or indictment before him taken and found, at or before the time of his said triall thereof to be had or made. And likewise the saide Justices shall certifie all and euery such bond taken before them in like manner as is beforesaide of bailements and examination. And in case any Justice of peace or Quorum, or Coroner, shall after the saide first day of Aprill, offend in any thing contrary to the true intent and meaning of this present acte: that then the Justices of gaole deliuery of the Shire, citie, towne or place, where such offences shall happen to bee committed, vpon due proofe thereof, by examination before them, shall for euery such offence set such fine on euery of the same Justices of peace and Coroner, as the Justices of gaole deliuery shal thinke meete, and shall estreate the same as other fines and amerciaments assessed before Justices of gaole deliuerie ought to be.

Just. of P.

Just. of G. deliuery

Examination

Fine

Estreat

Prouided alwayes, and be it &c. that Justices of peace, and Coroners within the citie of London, and the Countie of Middlesex, and in other cities, boroughs, and townes corporate within this realm and Wales, shall within their seuerall iurisdictions, haue authoritie to let to baile felons and prisoners, in such maner and forme, as they haue béene heretofore accustomed: this act or any thing therein conteined to the contrarie notwithstanding: And also shall take examinations and bonds, as is aforesaide, vpon euery bailement by them or any of them to be made, and shall certifie euery such bailements, bonds, and examinations by them or any of them taken or made, at the next gaole deliuerie to bee holden within the shire, citie, borough, or town where their seuerall iurisdictions extendeth, vpon the like paine and forfaiture, as is before limitted in this present act. And be it &c. that no writs of Habeas corpus, or Certiorare, shalbe hereafter graunted, to remoue any prisoner out of any gaole, or to remoue any recognisãce, except the same writs be signed with the proper hande of the chiefe Justice, or in his absence of one of the Justices of the court, out of ẏ which the same writs shalbe awarded or made, vpon paine that he that writeth any such writs, not being signed, as is aforesaide, to forfait to our saide Soueraigne Lorde the king and the Quéene, for euery such writ and writs, fiue pounds. Anno 1. & 2. P. & M. cap. 13. See Prison 6. Anno 2. & 3. P. & M. cap. 10. a like statute for Prisoners that be taken for suspection of Felonie, and be not bailed, concerning examination and taking of recognisances, & certifying of them.

Prouisō Just. of P. Coroner London Middlesex Cities

Habeas cor. Certiorare

Chiefe Just.

Forf.

¶ Maintenance.

NOne of the kings Clerkes, nor of any Justicer, from henceforth shall receiue the presentment of any Church, whereof there is any plee of debate in the kings court, without speciall licence of the king, and this the king forbiddeth, vpon paine to lose the Church & his seruice. And that no clerke of any Justicer or Shirife, take part in any quarrels or matters depending in the kings court, nor shall worke any fraud whereby common right may be delayed or disturbed, & if any so doe, he shalbe punished by the paine aforesaide, or more grieuously, if the trespasse do so require. W. 1. cap. 28. Anno 3. E. 1.

Clerkes

Presentmẽt to a Church

Licence

Clerke

Fraud

2 ¶ Because the king desireth that common right be ministred to al persons aswell poore as rich, he commaundeth & defendeth, that none of his Counsellours nor of his house, nor none of his other Ministers, nor no great man of ẏ realm, by himselfe, nor by other by sending of letters nor other wise, nor none other in his land great nor small, shall take vpon them to maintaine quarrels, nor parts in the countrey, to the let and disturbance of the common law. Anno 1. Ed. 3. cap. 14. Parliamento 2. See this confirmed hereafter 6. and 7.

Great men Quarrels

3 ¶ Wee haue commaunded and vterly defended, that none of our house, nor of them that be about vs, nor other which be towards our deare beloued companion the Quéene, or our sonne, Prince of Wales, or towards our courts, nor Prelats, Earles, Barons, nor other great nor small, of the land, of what estate and condition they be, shal not take in hande quarrels, other then their owne, nor the same maintain by them nor by other priuily nor apertly, for gift, promise, amitie, fauor, or hatred, nor for none other cause in disturbance of lawe, or hinderance of right and reason, vpon the paines aforesaid. (That is, that bodie, goods and lande shalbe at the Kings pleasure, as it appeareth by the first chapter of the same Parliamẽt.)

R. houshold

Quarrels

But ỹ euery man may be frée to sue for, & defend his right, in Courts & elswhere, according to the lawe: And wee haue straitly commaunded our saide sonne and diuers Earles, and other great men, being before vs, that they on their behalfe, shall do to be kept this ordinance without default, and that they suffer none which bee towardes them to attempt against this ordinance by any way. Anno 20.E.3.cap.4.

☞ 4 ¶ For that many handlers & maynteiners of quarrels and sides in the coũtrey, be borne out by Lords, and are therby the more incouraged, so that many men are disherited and delayed of their right, or vniustly condemned, or otherwise disturbed or oppressed: We it &c. that all the great men from henceforth shall void from their retinue, fées, and robes, al such handlers & maynteiners in the countrey, without shewing to them frõ henceforth any aide, fauour or comfort in any maner. And moreouer, we haue ordeined to doe come before vs at a certaine daye, or before them whom wee shall depute of our counsel, such handlers & maintainers of diuers counties, & them do to be diligently examined & charged, that they frõ henceforth void them of such maintenances or other procurements making in the countrey, in damage of our people: And that vpõ grieuous paines which to them shalbe shewed. An.20.E.3.cap.5.

Examine

☞ * 5 ¶ None of the kings counsellers, officers or seruants, nor none other person within the realme of England, of whatsoeuer estate or condition they bee, shall from henceforth take nor sustaine any quarel by maintenance in the countrey, nor elsewhere, vpon a grieuous paine, ỹ is to say, the said counsellers, & the kings great officers, vpon a paine which shalbe ordeined by the king himselfe, by the aduise of the Lords of his realme, and other lesse officers & seruants of the king, aswel in the Eschequer & al his other courts, as of his own menie: vpõ paine to lose their offices & seruices, & to be imprisoned, and from thence to be ransomed at the kings will, euery of them after their degrée, estate & desert. And al other persons thorowe the realm, vpon paine of imprisonment, and to be ransomed as other afore said. An.1.R.2.cap.4.

K. counsellers

Eschequer

Losse of off.

Imprit. *

☞ 6 ¶ For the grieuous complaint that is made of mainteiners of quarrels, and champertors, it is ordeined & stablished, that the statutes thereof made in the first and fourth yere of king Edward, grandfather to our soueraigne Lorde the king ỹ nowe is, (before 2. And after Nisi prius 5.) and also in the first yeere of our Soueraigne Lord the king that now is (before 5.) shal & holden & kept, & duely executed in all points. An.7.R.2.ca.15.

Champertors

* ☞ 7 ¶ For that nothing within ỹ realme conserueth the subiects in more quietnes and concord, then the due ministration of lawes, & the indifferent trial of titles and issues, which are nowe greatly hindered by maintenance, imbracerie, champerty, subornation of witnesses, sinister labor, buying of titles & pretensed rights of persons not being in possessiõ, wherby great periury, trouble, oppression & disinheritance haue followed: We it &c. that al statutes heretofore made concerning maintenance, champertie, & imbracery, or any of them, now standing & being in their ful strength & force, shalbe put in due execution, according to the tenors & effects of ỹ same statuts: And ouer that, be it &c. that no person or persons of what estate, degrée, or conditiõ soeuer he or they be, shal from henceforth bargaine, buy or sell, or by any waies or meanes obteine, get or haue any pretẽsed rights or titles, or take promise, graunt or couenãt to haue any right or title of any person or persons, in, or to any manors, lãds, tenemẽts, or hereditamẽts, but if such person or persons which shal so bargaine, sell, giue, graunt, couenant, or promise the same, their antecessors, or they by whome hee or they claime ỹ same, haue bin in possession of ỹ same, or of ỹ reuersiõ or remainder thereof, or take ẽ the rents or profits therof by ỹ space of one whole yere next before ỹ said bargaine, couenant, graunt, or promise made, vpon paine that he ỹ shall make any such bargaine, sale, promise, couenant or grant, to forfait the whole value of the lands, tenemẽts, or hereditamẽts, so bargained, solde, promised, couenaunted or granted contrary to the forme of this act. And the buyer or taker thereof knowing the same, to forfait also the value of ỹ said landes, tenementes or hereditaments, so by him bought or taken, as is aforesaid: The one halfe of the saide forfaiture to be to the K. & the other halfe to the party ỹ will sue for the same in any of the kings courts of record, by actiõ of debt, bil, plaint or information, in which &c. no essoine &c.

Champerty Imbracery

Buy titles

Forf.

Buyer

Moitie

And furthermore, that no manner of person

person or persons, of what estate, degrée, or condition soeuer he or they be, do hereafter vnlawfully maintaine, or cause or procure any vnlawfull maintenãce in any action, demand, sute, or complaint, in any of the K. Courts of the Chancery, ỹ Starre chamber, Whit hall, or elswhere within the kings dominions of England or Wales, or Marches of the same, wher any person or persons haue, or hereafter shal haue authoritie by vertue of ỹ kings Commission, patent, or writ, to hold plée of lands, or examine, heare or determine any title of lands, or any matter or witnesse concerning the title, right, or interest of any lands, tenements or hereditaments. And also that no person or persons, of what estate, degree, or condition soeuer he or they be, do hereafter vnlawfully reteine, for maintenance of any suit or plee, any person or persons, to imbrace any freholders or Jurors, or suborne any witnes by letters, rewards, promises, or by any other sinister labour or meanes for to maintaine any matter or cause, or to the disturbance or hinderãce of iustice, or to the procurement or occasion of any maner of periury by false verdict, or other wise, in any maner of courts aforesaide, vpõ paine of forfaiture for euery such offence x.li. The one moitie thereof to the king &c. and the other moitie to him that will sue, &c. in which action no essoine, &c. The penaltie against suborners of false witnes is much increased by 5. Eliz. cap. 9. which, see in Periurie 2.

Maintaine

Courts

Title of land

Retainer

Imbrace

Suborne witnesses

Periurie

Forf. Moitie.

Prouided alway, and bee it &c. that it shalbe lawfull to any person or persons, being in lawful possession, by taking of ỹ yerely farme, rents & profits, of, or for any manors, landes, tenements, or hereditaments, to buy, obtaine, get, or haue, by any reasonable way or meanes the pretensed right or title of any other person or persons, hereafter to be made, to, of, or in such manors, landes, tenements, or hereditaments, whereof, he or they, shall so be in lawfull possession: any thing in this act contained to the contrary notwithstanding. And for the due execution of this present act, be it &c. that the Justices of assise of euery circuit w̃in this realme, and elswhere within the kings dominions, shal in euery Countie within their circuits two times in the yere, that is to say, in the time of their sittings for the taking of assises, or deliuerie of the gaoles, cause open Proclamations to be made,

Iust of ass.

Proclamations

aswel of this present act, and euery thing therein contained, as also of al other statutes heretofore made against vnlawful maintenance, champertie, imbraceric, or vnlawful reteiners, to the intent that no manner of person or persons hearing the same, should be ignorant or miscognisant of the dangers and penalties therin contained and specified.

Prouided alway, and be it &c. that this act shall not extend to charge any person or persons with any the penalties mentioned in the saide acte for any offence by him or them committed, contrary to the said act, except the same person or persons so offending, be sued thereof by action of debt, bill, plaint, or information, in any of the kings Courts, within one yere next after the same offence by him or them committed, as is aforesaide. Anno 32. H. 8. cap. 9.

Prouiso

One yere

¶ Malt.

WHere diuers and sundry persons, taking vpon them the art and misterie of Malt making, and sundrie other persons, tending more their owne priuat lucre, gaine & profit, then the wholsome victualling of the kings Maiestie, the nobilitie of this Realme, and other his graces subiects, haue now of late by their vnsatiable, couetous, and grædie mindes, accustomably and commonly made much Malt, vnpure and vnseasonable, for that they haue made the same Malt in eight or nine days, where in dæde the same can not be well and perfectly made, vnlesse it haue the time and space of xii. days in the making thereof. And where also diuers & sundrie of the said makers of malt, commonly haue and doe slackly & deceitfully dry the malt, so by them made, for that they would haue an inordinate increase thereof, by the swelling of the said malt, whereby the same malt not being sufficiently dried, cannot be kept any long time or space, but it wil be mustie & ful of wevels, whereby no wholesome drinke for mans bodie can by any meanes thereof be made, which is not onely to the great perill and danger of the nobilitie, and other the kings highnes subiectes, within this Realme, and also to the great losse & decay of the common wealth of the same, but also an vtter impouerishing of the Brewers of this said Realm, for that the saide Brewers (ouer and besides the vnwholsomenes of the drinke, which is

cõmonly made thereof) cannot make so much drink of fiftie quarters of malt, being so euil dried & made, as they might & can make of xl. quarters being well and truely made: And also, forasmuch as diuers & sundrie persons, minding & seeking their own priuate & excessiue gaine & profite, forgetting thereby their duetie, & the order or charitie towardes the common wealth & their neighbours in this behalf, do commonly vse to put & mixe good malt & euil malt together, & after put the same malt to sale, as good malt, whereby manie of the kings subiectes haue bene and are like to be verie oftẽ deceiued, to their great losse and hinderãce contrary to the honest, semely & godly buying, selling, & commutation that should & ought to bee amongst Christian people, specially in things concerning the sustentation and sustenance of mans body:

For remedie whereof be it enacted &c. that no such persõ or persons at any time after the first day of March next cõming, shal make any barlie malt (the Moneths of June, July, & August only excepted) but that the same shall haue in making thereof, that is to saie, in the fat, flower, steeping, & sufficient drying of the saide malt, three weekes at the least, & that no such person or persons at any time within the said moneths of June, July & August shall make any barley malt, except the same haue in the fat, floure, steeping, and sufficient drying, the time & space of 17. dayes, at the least, vnder & without which time & times, the said malt cannot be wel & perfectly made, nor wholesom for mans body, vpon paine to forfait & lose for euery quarter of malt which shalbe made by any person or persons contrary to the tenor, purport, & true meaning of this acte, xl.s. And be it further enacted &c. that no person or persons, after the first of March next comming, shall mingle, or put together any malt, not being well & sufficiẽtly made, or being made of mowburnt, or spired barly, with other good malt, & after put the same so mingled to sale vpon paine to forfait & lose for euery quarter so mingled, & put to sale, two shillings.

And be it also further enacted &c. that if any person or persons after the last daye of Januarie next comming, shall put to sale any malt which shall not be sufficiently and wel trodden, rubbed and well fanned, whereby there may be conueniently fanned out of one quarter thereof halfe a peck of dust or more, that then the person so putting the same to sale, shall forfait & lose for euery quarter so put to sale xx.d. The moitie of all which forfaitures to be to the king our Soueraigne Lord, and the other moitie thereof to the partie that will sue for the same by actiõ of debt, bill, plaint or information, in any of the kings courts, wherin no protectiõ, wager of law, nor essoine nor iniunction, shalbe admitted or allowed.

And be it further enacted &c. that the Iustices of peace in euery of their Sessions, & also the Stewarde in euery Leete, shal haue full power & authoritie by vertue of this act, to inquire, heare and determine aswell by presentment of twelue men, as by accusation or information of ii. honest witnesses of, for, and vpon, all and euery the offences and forfaitures aforesaid, aswel for the king, as for ỳ partie that shal sue, procure or cause the same to be presented, as is aforesaid. And that the bailifes and constables of euery Borough or market towne, or other towne where any such malt shalbe made, or put to sale, shal haue full power & authoritie frõ time to time to view, search & survey al such malt as shalbe made or put to sale within any of the said townes. And if any of them shal therupõ find any malt so put to sale being euil made or mingled with euil malt, contrary to the tenor and true meaning of this present act: that then the said Bailife or Constable so finding any such malt euil made, or mingled as is aforesaid, with the aduise of one Iustice of peace, within the same shire, shal cause ỳ same to be sold to such person or persons, & at such reasonable price or prices, & vnder the comon price of ỳ market, as to his discretiõ shall seeme necessarie & expediẽt.

Prouided alwaies and be it enacted &c. that this acte nor any thing therein contained, shal not extend to charge, or be to the making of malt, for any mans owne prouision for his owne house or familie, neither preiudiciall to any person or persons, for, or concerning any of the offences or forfaitures aforesaide: except he or they so offending, shall happen to be sued, presented and accused for the same, in maner and forme aforesaid, within one yere next after any such offence or offences to be done or committed: Any thing in this present acte to the contrarie notwithstãding. This present acte to continue vntill the ende of the next Parliament.

Anno

Dust

Fork.

Iustices

Leete

Bailifes Constables

Vnder rate

Owne prouision

Anno 1. Edw. 6. cap. 10. And Anno 7. Ed. 6. cap. 1. this Act was continued. And after 1. Mary 1. Parliament. cap. 13. it was continued vntill the last daye of the next Parliament, and then it expired. And after, this statute was renued by 27. Eliz. ca. 14 to haue continuance for three yeeres, and so to the ende of the next Parliament then following. And Anno 35. Eliz. cap. 7. this Act is continued to the ende of the Parliament next ensuing. *

2 ¶ Anno 33 H. 6. cap. 4. An acte was made to endure for fiue yeeres against Brewers, for making of malt, aboue an hundred quarters in the yere. Brewers

¶ Marches.

FOrasmuch as the ministers of the wardens of the Marches adioyning vnto Scotland, called the East March and the West March, haue of late taken vpon them to attach men out of the Counties of Northumberland, Cumberland, and Westmerland, and the towne of Newcastel vpon Tine in the countie of York, and other places, to answer in the Warden Courts of the saide Marches, vnto indictments there contrarie to olde customs: Be it et. that if any minister of any of the saide courts, attach any person by his body, or by his goods, out of any of the said counties of Northumberland, Cumberland, and Westmerland, or the towne of Newcastle to aunswere in any of the saide Courts, by colour or cause of any manner of presentement taken or to be taken in any of the saide courtes: that it shalbe lawfull to euery person, which shall happen so to be attached, to make resistance, and not to obey any such attachment. And if any person be endammaged, or grieued by any such attachement, he shall haue in this behalfe an action of Trespas, or false imprisonment against them, which shall make or do to be made hereafter any such attachement, and in the same to recouer trebla dammages, if in any of the actions the matter pleaded, passe or be iudged for the plaintife in the same. And the defendant to haue xl. yeeres imprisonment, and moreouer to pay to the king an C li. And that the Iustices of peace in their Sessions of the peace, Shirifes in their turnes, and also Stewardes of Leetes in their Leetes by them to be holden, shall haue power to inquire of all such attachements made or to be made out of any of the saide counties of Westmerland, Cumberland, and Northumberland, or the towne of Newcastle, and therein, and vpon the same, to doe and proceede, as they may do and proceede vpon presentments taken before them in their Sessions of peace, turnes, or Leetes, of trespasse, or of frays made against the kings peace. And. 31. H. 6. cap. 3. *

Attach
Court
Remit
Trespasse False imprisonment.
trebla dammages
Imprisonment. Iust. of Peace. Shirifs Stewards.
Inquire

¶ Mariners.

BEcause that diuers Mariners, after that they be arrested & retained for the Kings seruice vpon the sea in the defence of the Realme, and thereof haue receiued their wages pertaining, do fly out of the said seruice without licence of the Admiralles or of their Lieutenants, to the great damage of the king & his Realme, & hinderance of the said voyages: It is ordeined & established, that all those Mariners, which from henceforth shall do in such maner, & that truely found & proued before the Admirall or his Lieutenant, shalbe holden to restore to our said Soueraigne Lord the king, the double of that they haue taken for their wages: & neuertheless shal haue one yeres imprisonment without being deliuered by mainprise, baile, or by other wise. And the king will and commaundeth to all Shirifes, Maiors, and Bailifes, within franchises and without, that at the certifikation of the saide Admirals or their Lieutenants, by their letters thereof to bee made, testifying the saide proofe, shall incontinent without tarrying, make another commaundement of the King our Soueraigne Lorde, to take and attache all fugitiue Mariners by their body, within their baliwikes, within franchises and without, and put them in prison, there to abide in good and sure keeping, till they haue made gre & to the king, as is aforesaide, and thereof haue a special commandement of our Soueraigne Lorde the King of their deliuerance. And like punishment shall bee made of Sergeants of Armes, maisters of Shipps, and all other that shall be attainted by inquirie before the Admirall or his lieutenant aforesaid, that they haue any thing taken of the saide mariners, for to suffer them to goe at large out of the saide seruice, after that they haue bene arrested for the same seruice. An. 2. R. 2. cap. 4. Arrest Restore Imprisonment Mainprise Certifie Admirall Fugitiue Imprisonment. Sergeants at Armes

¶ Be it enacted &c. that the foresaid

Wardens Trinitie house

master, Wardens & Assistants of ẏ Trinitie house of Detford strond aforesaide, being a company incorporated as before, shal & may lawfully by vertue of this act, from time to time hereafter at their wils and pleasures, & at their costs, make, erect & set vp, such, & so many beacons, markes & signes for the sea, in such place or places of the sea shores & vplandes, where the sea coastes, or forelands of the sea, onely for sea markes, as to them shal seem most

Sea marks

méete, néedefull & requisite, whereby the dangers may be auoided & escaped, and shippes the better come to their ports without peril. And that all such beacons, marks & signes so to be by them or their assignes, erected, made & set vp at ẏ costs & charges of the said Master, Wardens & Assistants, shall & may be continued, renued, & be maintained from time to time at the costs & charges of the said master, Wardens & Assistants: any thing to the contrarie hereof notwithstanding.

And be it further ordeined and enacted by the authoritie aforesaide, that no steeples, trées or other things now standing,

Steeples Trees

as beacons or markes for the sea (whereof to the owner or occupier of the place where the same doth growe or standeth, before the first day of March next cõming, notice shalbe giuen by the Quénes Maiesties letters vnder her signet) shall at any time hereafter be taken downe, felled or otherwise cut downe, vpon paine that euery person by whose procurement or consent such offence shalbe committed, shal forfait the summe of one C. pounds,

Forf. Moitie

whereof the one moitie to the Quenes Maiestie, & the other moitie to be to the Master, Wardens & assistants of the said Trinitie house. And if the saide person or persons so offending, be not of the value of one hundred pounds, then the same person and persons to be deemed conuict of outlawrie, ipso facto, to all constructions and purposes.

And further be it ex. that all Mariners and sea faring men, dwelling about the

Thames

said riuer of Thames, being thereto licensed by the said Master, Wardens and assistants, and hauing sufficient certificat of such licence from the said master & wardens, aswel betweene their voyages, as at other times at their willes & pleasure, by force hereof, (the better to kep & refraine themselues from folly, idlenesse & leud company, & for the releefe of them, their wiues & children,) shal & may freely & quietly exercise and row in their owne

Whirries

whirries, or any other mens whirries, by them to be hired, or wherin they shall be hired to work, vp & down the said riuer of Thames, to apply & followe the ordinarie passing & carrying of the Quénes Maiesties people to & fro, as other water men, commonly called whirrie men, of ẏ same riuer, vse & accustome to doe, with-

Whirrie men

out impeachment, hinderance, or let to ẏ contrarie. And that such sea faring men shal not thereby be drawen vnder any other gouernmẽt, then vnder ẏ saide master, wardens & assistants, as they were before: any act, statute, prouision, proclamation, ordinance, or custome heretofore against ẏ premisses ordeined or made, in any wise notwithstanding. An. 8. El. c. 13.

¶ Marshalsey.

COncerning the authoritie of the Stewardes & Marshals, & of such plæs as they may hold, & in what maner: It is ordeined that from henceforth they shall not hold plée of freehold, nor of debt, nor of couenant, nor of any contract made betweene the kings people, but only of trespas don within the kings house, or within the verge, and of such contracts & co-

Verge

uenants that one of the kings house maketh with another of the same house, and within the house, and none other where.

Trespasse

And they shal plead no plée of trespas, except the partie were attached by them, before the King departed from the place where the trespas was committed, and shal plead them speedily from day to day, so that they may be pleaded and determined before that the king depart out of the limits of the same verge where the trespasse was done. And if it so chaunce that they cannot be determined within the limits of the same verge: then shall the same plees cease before the Steward, & be matters determinable at the Common law. And from henceforth the Steward

Debtes

shal not take cognisance of debtes, nor of other things, but of such only as be of the kings house, nor shal hold none other plée by obligation, made at the distresse of the steward or the Marshall. And if they attempt any thing contrarie to this ordinance, it shalbe holden as void.

Lloyd

And forasmuch as heretofore many felonies that haue bẽn committed within the verge, haue bẽn vnpunished, and all because ẏ Coroners of the countrey haue not bẽn authorised, to inquire of felonies

done

done within the vierge, but only the Coroner of the Kings house, which neuer continueth in one place, by reason wherof there can be no trial made in due maner, nor the felons put in erigēt nor outlawed, nor nothing thereof presented in the Eire, the which hath bene aswell to the great dammage of the K. as to the disturbante of his peace: It is ordeined, that from henceforth in cases in the death of men, wherof ẏ coroners office is to make viewe & inquest, it shal bee commanded to the coroner of the countrey, that he with the Coroner of the kings house shall do as belongeth to his office, and inroll it. And that thing that can not be determined before the Steward, because the felons can not bee attached, or for other like cause, shalbe remitted to the cōmon law, so that erigends, outlawries, & presentmēts shall be made thereupon in the Eire by ẏ Coroner of the countrey, aswell as of other felonies done out of the vierge, neuertheles they shal not omit by reason hereof, to make attachments freshly vpon the felones done. Art. super chas. ca. 3. an. 28. E. 1.

Felony Coroner

Attachmēt

2 ¶ And that in euery case where inquests be to be taken before the Steward and the Marshall of the kings house, that such inquests bee taken by men of ẏ countrey there about, and by no men of the kings house, except it be of the contracts, couenants or trespasses made by men of the kings house of either part, and that in the same house, according to another statute thereof made, in the time of the saide Edward the grandfather (before rehearsed) Anno 5. E. 3 cap. 2.

Inquestes K. houshould

3 ¶ In euery case, where inquests bee to be taken before the Steward or Marshal of the kings house, the same inquests shall be taken by people of the Countrey thereabout, and not by the people of the Kings house, except it be of contracts, couenants, or trespasses made by the people of the same house, according to the Statute thereof made in the time of the same King the grandfather. Anno 10. E. 3. cap. 2. Statut.

Inquests

K. servants

4 ¶ Priestes and other people of holie Churche taken in the Marshalsey of the kings house, shal pay such fees as lay people pay reasonably, and no more. An. 9. R. 2. cap. 5.

Priests

Fees

5 ¶ The Courte of the Stewarde and Marshall of the kings house, nor also the iurisdictiō of them shal not passe the space of twelue miles to bee counted about the toneł of our said soueraigne lord the king. An. 13. R. 2. cap. 3. stat. 1.

6 ¶ Whereas the Marshal of the Marshalsey of the court of our soueraigne lord the Kings house, in the time of King Edwarde, grandfather to our Soueraigne Lord the king that now is, was wont to take the fees as hereafter followeth, that is to saie, of euery person that commeth by Capias to the said court iiii. d. and if hee be let to mainprise til his day ii. d. more, and for euery person which is impleaded of trespasse, & findeth two mainpernors, to kéepe his day till the end of the plée, to take for that cause ii. d. of the defendant, and of euery person committed to prison by iudgement of the Steward, in whatsoeuer maner the same be, iiii. d. of euerie person deliuered of felonie, and of euerie felon let to mainprise by the Court iiii. d. which fées were wont to be takē & paied in ful court, as the king hath wel perceiued by the complaint of the saide cōmons thereof made in the said parliament: The same our soueraigne Lord the king, to auoide all such durefles & oppressions to be done to his people, against the good customes and vsages made & vsed in ẏ time of his progenitors, by the aduise & assent of the lords spirituall and temporall, and at the supplicatiō of the saide commons, hath ordeined and established, that if the said Marshal or his ministers vnder him, take other fées thē aboue is declared, that the same Marshal & euery of his saide ministers shal lose their offices, & pay treble damages to the party grieued, & that the partie grieued, haue his sute before the Steward of the said Court for the time being. And also it is ordeined & establisshed ẏ no seruitor of billes that beareth a staffe of the same court, shal take for euery mile from the said court to the place where he shall do his seruice, no more then i. d. and so for twelue miles xii. d. and for to serue a Venire facias duodecim &c. or a Distringas, out of the same court, the double. And if any of the saide seruitors of bils doe the contrary, he shalbe punished by imprisonment, and make a fine to the king after the discretion of the Steward of the same Court, and also be forjudged the Courte. And the same Steward shal haue power to make Proclamation at his comming to the said court in euery Countrey from time to time of all the articles aforesaid, & thereof to make punishment as is aforesaid. An. 2. H. 4. cap. 23.

Fees

Oppression

Lose office iii. damages

Officer

Imprison Fine

Proclamation

7 ¶ By

7 ¶ Because the Stewards and Marshals of the kings house, doe vse to holde pleas betweene parties which bee not of the same house, making mention in their records that the plaintifs and defendants were of the saide house, against the will of the defendants and against lawe, Bee it &c. That in any sute from henceforth by the saide defendants to be taken, they shall not be stopped by such record, to say, that they themselues or the plaintifes in the same Record specified, were not at the time of the saide plee or sute thereof commenced, of the kings house, as by the same record is supposed, but the defendantes shall haue their auerment to saye that they themselues or the saide plaintifes were not of the same house at the time of such plee or sute commenced. The saide Record or other matter within the same conteined, notwithstanding. Anno 13. H. 6. cap. 1.

Auerment

¶ Masons.

Congregations

Such Chapters and Congregations shall not bee from henceforth holden. And if any such bee made, they that cause such Chapters and congregations to bee assembled and holden, if they thereof bee conuict, shall bee iudged for felons. And ỳ all the other Masons that come to such Chapters and Congregations bee punished by imprisonment of their body, and make fine and ransome at the kings wil. An. 3. H. 6. cap. 1.

Felony

Imprisl.

Fine

¶ Matrimony and Marriage.

Degrees

ANno 28. H. 8. cap. 7. Mariages with in certaine degrées there expressed, were prohibited. But by 1. and 2. P. and M. as much of that Acte as concerneth prohibition to Marrie within those degrées, is repealed.

Repealed

2 ¶ That from the first day of the moneth of July next comming, in the yeere of our Lord God 1540. all and euery such Marriages, as within this Church of England shall bee contracted betweene lawfull persons (as by this acte wee declare all persons to bee lawfull, that bee not prohibited by Gods lawe to marrie) such marriages being contracted and solemnised in the face of the Church, and consummate with bodily knowledge of fruit of children, or child, being had therein betweene the parties so maried, shal be by authoritie of this present Parliament aforesaid, deemed, iudged, and taken to be lawful, good, iust, and indissoluble, notwithstanding any precontract or precontractes of matrimony, not consummate with bodily knowledge, which either of the persons so married, or both, shall haue made with any other person or persons before the time of contracting the mariage which is solemnised and cõsummat, or whereof such fruit is issued or may issue as aforesaide, and notwithstanding any dispensation, prescription, lawe, or other thing granted or confirmed by act or otherwise. And that no reseruation or prohibition (Gods lawe except) shall trouble or impeach any mariage without the Leuiticall degrées. And that no person of what estate, degrée or condition soeuer he or she bee, shall after the said first daye of the moneth of July aforesaid, be admitted in any of the spiritual Courts within the kings Realme, or any his graces other lands and Dominions, to anie proces, plee, or allegation contrary to this aforesaid act. Anno 32. H. 8. cap. 38. This article in this act concerning precontracts, is repealed by 2. Ed. 6. and the residue was repealed by 1. and 2. P. and M. but it is reuiued by 1. El. cap. 1.

Precontract

Dispensation

Repealed

Reuiued

3 ¶ Anno 2. Edward. 6. cap. 21. It was enacted that all lawes and ordinances positiue, prohibiting priests marriages, and all paines and forfeiturs therein, should be voide. And after Anno 5. Edward. 6. cap. 12. It was enacted, that priests mariages, should bee lawfull, and their children legitimate and inheritable, and the priests to be tenant by the curtesie, and the wife to bee indowed. But after those two Actes were in 1. M. 1. Parl. cap. 2. repealed.

Priests mariages

Children legitimate & by the curtesie

Dower Repealed

¶ Marchantes and Marchandises.

ALl Marchants (if they were not openlie prohibited before) shall haue their safe and sure conduct, to enter and depart, to goe and tary in the realme aswell by land as by water, to buy and sell without any maner of euill tols by the olde and rightfull customes, except in time of warre. And if they be of the land making warre against vs, and be founde in our realme at the beginning of the warres, they shall bee attached without harme of bodie or goods, vntill it be knowen vnto vs or our iusticers how our marchants be intreated there

Conduct

Tolles Warre

Attach

there in the lande, making warre againſt vs. And if our marchants be well intreated there, theirs ſhalbe likewiſe with vs. Mag.char.ca.30.9.H.3.

Denizens

2 ¶ All Marchants ſtrangers, & denizens, and all other, and euery of them, of what eſtate or condition ſoeuer they bee that will buy or ſell corne, wines, auer de pois, fleſh, fiſh, and all other liuings, and vitaile, wools, clothes, & all other things vendible, from whenceſoeuer they come by forrens or denizens at what place ſoeuer it be, Citie, borough, town, port of the ſea, faire, market, or elſwhere, within the Realme, within frãchiſe or without, may freely without interruption, ſell them to what perſons it ſhall pleaſe them, aſwell to forrens as denizens. Except alwaies ẏ

Enemies

enemies of our ſoueraigne Lord the king, & of his realm. And if happely any diſturbance be done to any marchant ſtranger or denizen, or any other for the ſale of ſuch things in any Citie, borough, towne, port of the ſea, or other place which hath franchiſes, & the Maiors, and bailifes, or other

Maiors Bailifes

which haue the rule of ſuch franchiſes, being required by the ſaide Marchant, or other, therof to prouide remedy, & doth not, & be thereof attainted, the franchiſe ſhall be ſeiſed into the kings hands. And neuertheleſſe he and the other which hath done this diſturbance againſt this ſtatute ſhal be bound to yeeld and reſtore to the ſaide

li. damages

Marchant his double damage which hee hath therby ſuſteined. And if ſuch diſturbance or interruption bee done to ſuch Marchãtes, or to other in ſuch townes or places where no ſuch franchiſe is, and the

Lord Bailife Conſtable

lord if he be preſent, or his bailife, conſtable, or other ruler of the ſaid townes and places, in the abſence of the ſaid lords, being therin required to do right, & doth not, & thereof bee attainted, they ſhal yéelde to the party plaintif his double damages as afore is ſaide. And the diſturbers in the one caſe and the other, aſwell within the franchiſe as without, if they be attainted,

Imprſt.

ſhall haue one yeres impriſonment: And neuertheles to be ranſomed at the kings will. An.9.E.3.cap.1.

Alien Denizen

3 ¶ No alien or denizen vpon the ſame paine ſhall not be troubled, but ẏ he may freely buy ſuch things afore ſaide in the ſaid places, & cary them where it pleaſeth him, to his owne vſe, or to the profite of the king, or of the great men, or the commons of the Realme: Sauing that ſuch

Wine

marchants aliens ſhall cary no wine out of the ſame realm, as is cõteined in their charter. And it is enacted, that the things afore ſaid ſhall bee ſurely obſerued & kept in euery Citie, Borough, towne, Port of the Sea, and other places within the Realme, notwithſtanding charters of

Charters

franchiſe granted to them to the cõtrary: nor vſage, nor cuſtome, nor iudgment giuen vpon their charters, vſages, or cuſtoms that they can aledge: Which charters, vſages and cuſtomes, if any bee, our ſoueraigne Lord the king, his Prelates, Earles, Barons, great men, & the commons afore ſaid, holdeth them of no force nor effect, as things graunted, vſed or accuſtomed to the derogation of the king & of his Prelates, Earles, Barons, & great men of this realm, & to the oppreſſiõ of the commons: ſaued alway to the king & to other, the cuſtomes due of the ſaide marchandiſes. An.9.E.3.cap.1.

4 ¶ The Chauncellor, Treaſorer and

Chancelor Treaſorer

the Juſtices aſſigned to holde the kings

Juſtices

pleas, where they come, ſhall inquire of

Inquire

ſuch diſturbances and grieuãces, and the ſame to punish according as is afore ordained. And neuertheles the king ſhal aſſigne by commiſſion of his greate ſeale, certaine perſons, where and when it ſhal pleaſe him to inquire of ſuch diſturbance and grieuances and the ſame to punish as afore is ſaid An.9.E.3.cap.1.

5 ¶ All marchants, denizens and forreins, except thoſe which bee of our enmitie may without let, ſafely come into the ſaide Realme of Englande, with their goodes and marchandiſes, and ſafelie tarrie, and ſafelie returne, paying the cuſtomes, ſubſidies, and other profits reaſonablie therof due: So alwaies, that franchiſes and free cuſtomes, reaſonablie granted by vs and our auncеſtors, to the

Citie of London, & other cities, boroughs

London

and good townes of our Realme of England, be to thẽ ſaued. An.14.E.3.c.2.ſta.2.

Denizens

Cuſtomes

6 ¶ After the ſaid feaſt of S. Michael, euery marchãt of the realme & other, may freely ſel & buy and paſſe the ſea with their

Wools Cuſtomes

marchandiſes of wools, & al other things, paying the cuſtoms of old times vſed, according to the ſtatutes before this time made, at the laſt Parl. holden at Weſt. in middle Lent. An.15.E.3 cap.5.ſtat.3.

7 ¶ That the ſaid ſtatute, that is to ſay, of 9.E.3.ca.1, (before 4.) in al points & articles cõtained in the ſame, be holdẽ, kept and maintained, and that if any ſtatute, charter, letter patent, proclamation, or com-

commaundement, vſage, allowance or iudgement be made to the contrary, the ſame ſhall bee openly repealed, voide and holden for none. And moreouer that euery marchant and other, of what condition hee bee, alien or denizen, that bring wines, flesh, fish, or other vitailes, cloths, woolfells, auoier de pois, or any other maner Marchandiſes or chaffer, to the citie of London, or other cities, boroughs, and good townes of Englande, or ports of the Sea, may freely and without challenge or impeachment of any, ſel, ingroſſe, or at retaile or by parcels at his will, to all manner people that will buy the ſame notwithſtanding any franchiſes, grants, or cuſtomes, vſed, or any other thing done to the contrary, ſithence that ſuch vſages and franchiſes bee to the common preiudice of the king and his people. And that no Maior, bailif, catchpole, miniſter, nor none other, ſhall medle with the ſale of anie manner vitaile vendible, brought to cities, boroughs or townes, nor faire nor market, but only he to whome the vitailes be, and that Proclamation be therof made of new, in all Counties of England, and in the Citie of London, and in all other Cities, boroughs, good townes, ports of the ſea, and other places within the Realme of England, where néede ſhal be. And that the king thereupon do to bee aſſigned his Juſtices at all times that ſhal pleaſe him, and if néede be, to inquire of all thoſe that ſhall come againſt this ordinance, or doe any thing againſt the ſame, & to puniſh them, according to the paine contained in the ſame ſtatute the ſaid ir. yeere. And that euery perſon, that wil ſue any againſt ſuch, ſhal haue a writ in the Chãcery to attach him as a diſturber of the common profit to cauſe him to come, thereof to make aunſwere to the kings court. Anno 25. Ed. 3. cap. 2. ſtat. 4.

Wines
Victuals
London
Groſſe ſale
Retaile
Maior
Bailife
Catchpole
Proclamation
Juſtices
Writ

8 ¶ Whereas much people of the Realm which haue made contracts with Lombards that be named of the companies dwelling in the ſame realme, which Lombardes, after that they haue made their obligations to their creanſors, haue ſuddenly eſcaped out of the realme, without agréement made to their creanſors, in deceit and great damage of the people: It is accorded and aſſented, that if any marchant of the company knowledge himſelfe bound in that manner, that then the company ſhall aunſwere the debt: ſo that an other marchant, which is not of the company, ſhal not be thereby grieued nor impeached. An. 25. Ed. 3. ca. 23. ſtat. 5.

Lombards

9 ¶ All marchant ſtrangers, which be not of our ennitie, of what land or nation that they be, may ſafely and ſurely vnder our protection and ſafe conduct come and dwell in our ſaid realme and lands where they will, and thither to returne with their ſhips, wares, and all manner marchandiſes, and freely ſel their marchandiſes at the ſtaple and elſwhere within the ſame realme and lands, to any that will buy them, paying the cuſtomes therof due. And more, to aſſure the marchantes ſtrangers and other bringing goods and marchandiſes within the ſaid realme and lands: We wil and graunt for vs and for our heires and ſubiects, that nothing ſhal be taken ouer the cuſtomes aforeſaid, nor taken of them to our vſe by colour of ſale, nor in other maner againſt their will, nor by the miniſters of vs or of our heires: nor by the miniſters of any of the Prelates, Dukes, Earles, Barons, Lordes nor Ladies, nor of none other greate nor ſmall. And if any miniſter, or other by colour of his office, or in other manner take any thing of them againſt their agréement, he ſhall be, incontinently arreſted by the Maiors and bailifes of the place, if it bee out of the ſtaple, or by the Maior or miniſters of the ſtaple, if it bee within the ſtaple. And ſpeedy and ready proces ſhalbe made againſt him from day to day, & from hower to hower, according to the lawe of the ſtaple, and not at the common lawe, aſwel out of the ſtaple as within, at euery mans cõplaint that ſo ſhal be grieued. And if he be thereof attainted, he ſhal pay to the marchant the double of that he hath taken, and as much to vs. And that no commiſſion bee made to take ſuch prices of the ſaid marchant, and if any Commiſſion be made, it ſhall bee holden for none. An. 27. Ed. 3. cap. 2. ſtat. 2.

Staple
Cuſtomes
Officers
Arreſt
Proces
ii. damages

10 ¶ All Marchants aſwell aliens as denizẽs, may buy wools, leather, woolfels and lead, throughout our Realme and lands, without cõuin or colluſion, to abate the price of the ſaid marchandiſes, ſo alwaies that they bring the ſame to the ſtaples. And that no marchant Engliſh, Welſh nor Iriſh, ſhall cary any maner of wools, leather, woolfels or lead out of the ſaide realme and landes, vpon the paine of life and member, and of forfaiture of the ſaide marchandiſes, and of all their other goods and cattels againſt vs, and of forfaiture of

Denizens
Woolfels
Leather
Lead
Woolfels
Forf.

of all their lands and tenements against the chief Lords, and the chiefe Lords shal haue a writ of Escheat on the case. And ẏ no straunger marchants by couin betwixt them and English, Irish, or Welsh marchants, shall bring the said wares & marchandises of English, Irish, or Welsh marchants in part or in all. Nor that no marchant English, Irish nor Welsh, nor other, make couin or collusion with marchants straungers, to cary their wools, leather, woolfels, or leade, to the parties beyond the sea, out of the realme & lands aforesaide, vnder the name of Marchants straungers, nor shal send nor bold their seruants, or other their attorneis, in the parties beyond the sea, out of our said realme & lands, for to sell or to survey the sale of their saide wools, leather, woolfels & leade there, or to receiue the money comming of the sale of ẏ said wools, leather, woolfels & lead. Nor that no Englishman, Irishman, nor Welshman by himselfe, nor by other, take payment of gold nor of siluer, nor of other thing in recõpence or cõmutation, or in the name of payment in the parties beyond the Sea, out of the realme and lands aforesaid, of marchandises sold in England, Ireland, or in Wales, touching the staple, but all such paymẽt shalbe made in gold or in siluer or marchandises in Englande, Ireland, or Wales, where the contract was made, vpon the forfaitures & paines nett aforesaide. Nor that the marchants straungers nor denizens make betwixt them priuily nor apertly any company or confederacie in fraude or deceit of this ordinance, nor that none maintaine the same, for gaine, nor in other maner to do any such fraud or deceit vpon the same paines & forfaitures. And alwaies it is to be vnderstanded, that euery Englishman, Irishman, or Welshman may freely bring their owne Wools, leather, Woolfell & lead to the Staple to sell there, without being compelled to sell them in the coũtrey. And that euery marchant ẏ shal sel his woll at the Staple, be bounde to warrant the packing of the same Wools. Anno 27. Ed. 3. cap. 3. stat. 2.

Golde & siluer

Forf.

Packing

11 ¶ All Marchants aliens and denizens, and other, that do bring wines, and other wares or marchãdises, whatsoeuer they bee, to the staples, cities, boroughs & good townes, or to ports of the sea, within our said realme and lands, may safely and without chalenge & impeachment of any, sel them ingrosse or at retaile, or by parcels at their will, to al maner people that will buy the same. And that no marchant priuy nor straunger, nor other of what condition that he be, goe by land, nor by water against such wines, wares, or marchandises, comming into our said realme or lande, in sea or elswhere, to forestall or buy them, or in other maner to giue earnest vpon them, before that they come to the staple, or to the Port where they shall be discharged, nor enter in ẏ ships for such cause, til the marchandise be set to land to be sold, vpon the paines & forfaitures contained in the same third article aforesaid. An. 27. E. 3. cap. 11. stat. staple.

Aliens

Grosse Retaile

Forestall

Stollen goods

12 ¶ If any Marchant priuy or straunger, be robbed of his goods vpon the Sea, and the goodes so robbed come into anie parties within our Realme and landes, and will sue for to recouer the said goods, he shalbe receiued to proue the said goods to bee his owne by his markes, or by his chart or cocket, or by good & lawfull marchants priuie or straungers. And by such proues ẏ same goods shalbe delinered to the marchants, without making other suit at the common law. And in case that any ships going out of the said realme and lands, or comming to the same, by tempest or other misfortune breake vpon the Sea bankes, and the goodes come to the lande, which may not be said wreck, they shalbe forthwith without fraud or deceit delinered to the marchants, to whom the goods be, or to their seruãts, by such proofe as before is said, paying to them that haue saued and kept the same conenable for their trauaile, that is to saie, by the discretion of ẏ shirifs & bailifs, or other our ministers in the places guildable, wher other lords haue no franchise, and by the aduice & assent, of iiii. or vi. of ẏ best or most sufficiẽt discrete men of the coũtrey. And if that it be within the frãchise of other lords, then it shalbe done by the Stewards and Bailifes, or wardens of the same franchises, & by the aduice of iiii. or vi. discrete men of the countrey, as afore is saide, without any delay. Anno 27. E. 3. cap. 13. stat. 2.

Wrecks

Shirifes Bailifes

Stewards

13 ¶ No marchant straunger be impeached for an others trespas, or for an others debt, whereof he is not debtor, pledge nor maimpernour. Prouided alwaies, ẏ if our liege people marchãts or other, be indammaged by any lords of strange landes, or their subiects, & the said Lords (duely required) fayle of right to our said subiects, we shall haue the lawe of Wargue, and of taking

Wargue

taking them againe, as haue ben vsed in times past, without fraud or deceipt: And in case that debate doe rise (which God defend) betwixt vs & any Lords of strange lands, we will not that the people & marchants of the saide lands be suddenly subdued in our said Realme & landes because of such debate, but that they be warned, & proclamation therof published, that they shall void the saide realme & landes with their goodes freely within vi. dayes after the warning and proclamation so made. And that in the meane time, they bee not impeached nor let of their passage, or of making their profit of the same marchandises, if they will sel them. And in case that for default of winde, or of ship, or for sickties, or for other euident cause, they cannot auoide our said realme & lands within so short time, then they shal haue other fortie dayes or more if nede bee, within which they may passe conuenably with selling their marchandise, as afore is said. An. 27. E. 3. cap. 17. stat. 2.

Proclamation

vi. dayes warning

14 ¶ It is contained in the charter of our grādfather, granted to the marchāts strangers, & by vs cōfirmed, that of marchandises, which they shal bring into our said realme and lands, and wherof iii. li. of the pound ought to bo paied by the said marchants strāgers: according to ỳ same graunt, faith & credence shal bee giuen to them vpon the value of the said marchandises, by letters, which they may shew of the same goods of their Lords & companions. And if they haue no letters, they shal bee beleeued by their othe in this behalfe. And now of late it is done vs & our counsel to vnderstand, by the complaint of the said Marchāts, ỳ albeit they haue letters testifying the valure of their marchandises, the shirife, Maiors, bailifes, & Ministers of many places doe constraine them to sweare for ỳ said marchandises, against the forme of their saide charter, & neuertheles after the othe made, enseale their barrels, fardels, and bales for which they haue made their othe, & the same let lie iiii. or vi. dayes so ensealed, before ỳ they will se ỳ same, & so they take away from the said marchants the sale of their goods to their great damage: we not willing ỳ the marchants strangers, that come with their marchandises into our said realme & landes, for the common profite of ỳ same, shalbe in such maner grieued, will, grant, & establish, that the said charter be holde, & that the barrels, fardles, & bales, & the other goods of ỳ said marchants, for which they haue shewed their letters that be not suspicious, or made the othe as is contayned in the same charter, immediatly after ỳ othe made, or such letters shewed, their goods shall bee deliuered to them without delay, thereof to doe their profit, without any thing taking of them ouer ỳ custome of iii. d. of the pounde, so that the Shirifes, Maiors, bailifes, or other ministers, shall meddle no more of the same goodes, vpon paine of imprisonment, & to pay to ỳ partie grieued by this cause, his quatreple damages, & asmuch to vs, & vpō the same right shal bee done in our Chauncery at euerie mans complaint. Anno 27. Ed. 3. cap. 26.

Letters

Othe

Shirifes

Tuttomes Maior Bailife

Imprison

4. damages

15 ¶ An. 37. E. 3. ca. 5. An act was made ỳ marchants should vse but one marchādise, but it was repealed by 38. E. 3. cap. 2.

Repealed

16 ¶ All maner of Marchants aswel aliens as denizens, may sell and buy all manner of marchandises, and freely carie them out of this Realme paying the customes and subsidies thereof due, except that the English Marchants shall not passe out of this Realme with wooll or woolfels. Anno 38. E. 3. cap. 2.

Aliens Denizens

Wool Woolfels Aliens

17 ¶ All Marchants aliens of what Realmes, countries or seignories, that they come, which bee of the amitie of the king and of this realme, may from hencefoorth safely and surely come within the realme of England, & in all maner cities, boroughs, ports of the Sea, faires, markets or other places within the same realme within franchise & without, & abide with their goods & al maner marchandises, vnder the safegard & protection of the king, as long as shall please them, without disturbance or denying of any person. And that aswell those Marchants aliens & denizens, & euery of them, that will buy or sell corne, flesh, fish, and all manner other vitailes & instenance, & also all manner of spiceries, fruit, furre, & all maner of small wares, as silke, gold wier, or siluer wier, couerchiefs, & other such smal wares, may from hēcefoorth, freely & without denying, or any maner disturbance, aswel in ỳ city of Londō, as in al cities, boroughs, ports of the sea, faires, markets, & other places within the Realme, sell & buy in grosse & by parcels to whome, and of whom them pleas, denizen or forrein, except ỳ Kings enimies: Except that all maner of wines, aswell sweete as other, shall be solde by the said strangers in grosse, and by whole vessels, as they be brought into ỳ realme, and

Victailes Spices Furres Silke Gold wyre

London

Grosse Retaile

and not at retaile, by any in the ſaid cities, boroughs, & other townes franchiſed, but onely by the habitants and freemen in the ſame. And as to all other great wares as cloth of golde & ſiluer, ſilke, fendall, naperie, linnen cloth, canuas, and all other ſuch great wares, and alſo all maner of other great marchandiſes, not aboue expreſſed, whatſoeuer they be, from henceforth aſwel aliens as denizens, aſwel in the citie of London, as in other Cities, boroughs, portes of Sea, townes, faires, markets, & elſewhere throughe the ſaid realm, within franchiſe & without, may ſell the ſame in groſſe to euery perſon forreine or denizen, that will buy the ſame freely & without any denying (except to y kings enimies) aſwel by the bale, cloth, or by the whole peces, at their pleaſure, & not at retaile, vpon paine of forfaiture of the ſame marchandiſes, but only the citizens & burgeſſes in their owne citie & boroughs, and other good townes franchiſed, to whom (& to none other ſtrange marchant of their franchiſe) they may. And it ſhalbe lawful to them without impeachment, to vnfold, vndoe, and cut in the ſame their proper cities and boroughs, the great marchandiſes and other great wares aforeſaid, and aſwell the ſame, as wines and their marchandiſes, there to ſell in groſſe & at retaile, at their pleaſure, paying all the cuſtomes & ſubſidies due notwithſtanding any ſtatutes, ordinances, charters, iudgements, allowances, cuſtomes, & vſages, made or ſuffered to the contrary: which charters & franchiſes, if any ther be, they be vtterly repealed & annulled as a thing made, vſed or granted againſt the cõmon profit or oppreſſion of the people. Sauing alwaies to Prelats & lords of the realm, wholy their liberties and franchiſes, that they may make their puruetances & buyings of victuals, and of their neceſſaries, as they were wont to doe in olde time, & ſauing that the ordinances made before this time of the ſtaple of Caleis, be holden in their force and vertue. And if it is not the kings minde, that the marchants ſtrangers and denizens, that will buy and ſell their woolles, woolfels, wares, cloths, yrõ and other marchandiſes at faires & markets in the countrey, ſhould be reſtrained or diſturbed by this Statute, to ſel or buy freely, ingroſſe or at retaile, as they were wont to do heretofore. And if it ſo happen that from henceforth diſturbance be made to any marchãt, alien or denizen or other vpon the ſale of ſuch things, in Citie, borough, town, port of the ſea, or other place that hath franchiſe, againſt the forme of this ordinance, & the Maior, bailifes, or other that haue y keeping of ſuch frãchiſe, required by the ſaid marchant or other in their name, therof to make remedy, doe not the ſame, & therof be attainted, y franchiſe ſhalbe ſeiſed into the kings hãd. And neuertheleſs, they that haue done ſuch diſturbance againſt this ſtatute, ſhalbe holden to reſtore and yeld to the plaintfe his double damage y he hath ſuffered by this occaſion. And if ſuch diſturbãce be made to ſuch marchants, or to other in townes or places where no franchiſe is, and the lord if he be preſent, or his Bailiſe, conſtable, or other warden of the ſaid townes & plãces, in abſence of the Lords, therof required, to do right and do not, and therof be duely attainted, they ſhal yeld to y plaintife his double damage, as afore is ſaide, and the diſturbors in the one caſe & the other, aſwel within franchiſes as without, if they be attainted, ſhall haue one yeres impriſonment, & be ranſomed at the kings wil. And it is ordeined & eſtabliſhed, that the Chancellor, Treaſorer, and Juſtices aſſigned, to holde plees of the king, in the places where they come, ſhall diligentlie inquire of ſuch diſturbances and greuances, & doe puniſhment according as afore is ordained. And neuertheleſſe, the King ſhall aſſigne by commiſſion certaine people, where and when ſhall pleaſe him, to inquire of ſuch diſturbances and greuances, and to puniſh the offendors in this partie, as before is ſaide. An 2. R. 2. cap. 1.

18 All Marchants of Jene, Venice, Cateloigne, Aragon, and other Realmes, Lands and countreis towards the Weſt, being of the kings amitie, that wil bring to Hampton or elſe where within the Realmes, Caraks, ſhips, galeis, or other veſſels charged or diſcharged, may freely ſell their marchandiſes to whome pleaſe them, by y maner as afore is ſaid, & there recharge their veſſels of wols, leather, woolfels, tinne, & of other marchandiſes of the ſtaple, and freely bring them into their countrey towards the weſt, paying al the ports where they charge them, all maner of cuſtomes and ſubſidies, and other duties of calice, as much as they ſhould pay, if they ſhould bring the ſame marchandiſes to the ſtaple of Calice, ſo that they find ſufficient ſuertie, that they ſhall bring the ſame towardes the Weſt, and to no place

Freemen

Linnen cloth

Cities

Faires Markets

Groſſe

Forf.

Retaile Cuſtomes

Repealed

Staple

Woolles Woolf. Is Iron Faires

Maior Bailife

Franchiſes ſeiſed

ii. damages Diſturbãce

Conſtable

ii. Damages

Impriſ.

Chancelor Treaſorer Juſtices Inquire

Hampton

Wools Leather Woolfels Tinne

Cuſtome

Suertie

place elsewhere, towards the East, but to the staple of Calais, if percase they will goe, vpon paine of the forfaiture obtained before this time. An. 2. R. 2. cap. 3.

Forf.

29 ¶ All maner of marchants strangers, of whatsoeuer nation or countrey they bee, being of the amity of the king & of his realme, shalbee welcome, and freely may come within the realme of England, & elsewhere within the Kings power, aswel within franchise as without, & there to be conuersant, to marchandise, & tarie as long as them liketh, as those whome our said soueraigne Lord the king, by the tenour hereof taketh into his protection & safegard, with their goods, marchandises, and al maner familiars. And for so much the king wil & commandeth, that they & euery of them be wel, frendly, & marchātlike intreated and demeaned in all parties within his saide realme and power, with their marchandises, & al maner goods, and suffered to goe & come, into their proper Countrey peaceably to returne, without disturbance or impeachment of any. An. 5. R. 2. cap. 1. Stat.

R. Protection

Statutes

20 ¶ The saide statutes of An. 9. E. 3. cap. 1. 2. 3. (before 2. 3. 4.) and An. 25. E. 3. cap. 2. (before 7.) shall be from henceforth firmely holden, kept, maintained, and fully executed in all the points and articles of the same, notwithstanding any ordinance, statute, charter, letters patents, franchises, proclamation, commandement, vsage, allowance, or iudgement made or vsed to the contrary: and that if any statute, ordinãce, charter, letters patents, franchise, proclamation, commandement, vsage, allowance, or iudgement, be made or vsed to the contrary, it shal be vtterly repealed, auoyded and holden for none. An. 11. R. 2. cap. 7.

Repealed

21 ¶ Marchant strangers, repairing into the realme of England, shall be wel and courteously and rightfully intreated, and gouerned in the saide realme, to the intent that they shall haue the greater courage to repaire into the same. Anno 14. R. 2. capit. 9.

22 ¶ No marchant stranger, shal alien, sell at retaile, nor buy, nor marchandise within the realme, with another strange marchant alien, to sel againe, nor that no strange marchant alien, shal sel to retaile within the same realme, nor shall put to sale no maner of wares nor marchãdises (except victuings and vitailes) and also that al aliens shal sel wines by whole vessels,

Alien Retaile

Vitailes Wines

& spicery by whole vessels & bales, and in no other maner. And that no maner of spicery, after that it bee brought into the Realme, shall bee carted out of the same realm by alien nor by denizen, vpon paine of forfaiture of the same. And moreouer the king wil, that the said statutes of An. 9. E. 3. ca. 1. (before 1.) & An. 25. E. 3. ca. 2. (before 7.) & An. 11. R. 2. ca. 8. (before 20.) in all articles and points shal bee firmely holden and kept. An. 16. R. 2. cap. 1.

Spicerie

Forf.

Statutes

23 ¶ The saide statute of An. 2. Ed. 3. (which is in Staple 21.) shall be holden and kept in all points, and duly executed, notwithstanding anie ordinance or vsage to the contrarie. An. 20. R. 2. cap. 4.

24 ¶ All the marchant strangers & denizens, which bring marchandises into this realme of England, & the same doe sel within the realme, & receiue English money for the same: that they shal bestow the same money, vpon other marchandises of Englande: for to bring the same out of the realme of England, without carrying any gold or siluer in coyne, plate, or masse out of the said realme, vpon pain of forfaiture of the same: Sauing alwaies their reasonable costs. An. 4. H. 4. cap. 15.

Denizens

Money

Gold Siluer Forf.

25 ¶ All the Marchant strangers, of what estate or condition that they bee, comming, dwelling, or repayring within the Realme of England, shall bee intreated or demeaned within the same realme, in the manner, forme, and condition, as the marchants denizens be or shall be intreated or demeaned in the parties beyond the Sea, vpon paine of forfaiture to the king, all the goods and cattels of such marchants strangers, & vpon paine of imprisonment of the body of such Marchant strangers. An. 5. H. 4. cap. 7.

Imprif.

26 ¶ For the better keeping of golde and siluer within the Realme of England and for the encrease of the commodities of the saide Realme: It is ordeined and stablished, that the statutes thereof made at the last Parliament, shalbe holden & kept & put in due execution, ioyned to the same, that the customers & controllers of our soueraigne Lord the king, and all the ports of England shall take sufficient suerties for all maner marchandises, brought by the marchants aliens and strangers, comming and repairing to the said ports, to the intẽt that ỹ money taken for the said marchandises, shall be imployed vpon the commodities of the Realme, Sauing their reasonable costes, as in the same

Golde Siluer

Money

ſame ſtatute more fully is contained. And moreouer it is ordained & ſtabliſhed, that the ſaid marchants, aliens and ſtrangers, ſhal ſell the ſaid marchandiſes ſo brought within the ſaid realme, within a quarter of a yeere next after their comming into the ſame. And alſo that the money which ſhalbe deliuered by exchange in England, be imploied vpon the commodities of the realme, within the ſame realme, vpō paine of forfaiture of the ſame money. And that no marchant, alien or ſtranger, ſel no maner of marchandiſe to any other marchāt alien or ſtranger, vpon paine of forfaiture of the ſame marchandiſe. And alſo it is ordained and ſtabliſhed, that in euery citie, towne, & port of the ſea in England, where the ſaid marchāts, aliens or ſtrangers be, or ſhall be repairing ſufficient hoſts ſhall be aſſigned to the ſame marchants, by the Maior, ſhirifs, or bailifs, of the ſaid cities, townes, and ports of the ſea. And that the ſaid marchants, aliens & ſtrangers, ſhall dwel in none other place, but with their ſaid hoſts ſo to be aſſigned, and that the ſame hoſtes ſo to be aſſigned, ſhal take for their trauaile, in the maner as was accuſtomed in old time. An. 5. H. 4. cap. 9.

27 ¶ The ſaid ordinance of An. 5. H. 4. cap. 9. (before 26.) be vtterly voide & annulled for euer. And that the ſame marchants, aliens & ſtrangers, be at their liberal diſpoſition to ſel their marchandiſes in the manner as they did before the making of ỳ ſaid ordinance. Sauing alwaies the franchiſes and libertīes of the citie of London. And alſo prouided alwaies, that the ſaid marchants, aliens and ſtrangers, ſhall not carie, nor doe to be caried out of the realme, any marchandiſes brought within the realme by the marchants aliens and ſtrangers aforeſaid. An. 6. H. 4. cap. 4.

28 ¶ Whereas at the grieuous complaint made by the commōs it is ſhewed, how that in old time it was vſed and accuſtomed, that aſwell the clothmakers & clothſellers, of whatſoeuer place of the realme they were, repairing and hauing recourſe to the citie of London, as other marchants with diuers marchandiſes, as wine, iron, oyle, & ware, and other things pertaining to marchādiſes, exerciſing, repairing, & hauing recourſe to the ſaid Citie, haue bought and ſold in groſſe, aſwell with aliens as with denizēs, of the cloths and other marchandiſes aforeſaid, at their will and pleaſure, paying in this behalfe only the cuſtomes & other deuoires thereof reaſonably due, and neuer in al the ſaid time were diſturbed, or in any maner let to ſell or buy in groſſe with marchants aliens, or denizens, of ſuch clothes & marchandiſes at their will and pleaſure, but only to retaile: and now of late aſwel the ſame clothmakers, or other ỳ marchants aforeſaid, by the Maior, Shirifes, Aldermen, Drapers and marchants of Londō, be daily diſturbed and let to ſel and buy in the maner aforeſaid, aſwel in groſſe as in retaile, and grieuouſly & continually conſtrained to ſell their ſaid clothes and marchandiſes onely to the marchants and inhabitants of the ſaid citie, to the ſinguler profit and aduantage of them of Londō, aſwell to the dammage and loſſe of the Lordes ſpiritual and temporal, and the commons of this Realme, as of the ſayde clothmakers and marchants ſo grieued, an euident enſample, and occaſion to ſuch clothmakers and marchants ſo grieued, to withdraw themſelues from the ſaid citie from henceforth if remedie bee not rather prouided in this behalfe: It is ordained & ſtabliſhed, that aſwell the clothmakers & clothſellers, as other marchants, with their ſundry marchandiſes, as wine, iron, oyle, and ware, & other things pertaining to marchandiſe, ſhal be free to ſell in groſſe, their clothes, iron, oyle, and ware, and other their marchandiſes, as well to al the kings liege people, as to the citizens of London, notwithſtanding any franchiſe or libertie graunted to the contrarie. An. 7. H. 4. cap. 9.

29 ¶ Anno 4. H. 5. capit. 5. it is enacted that the ſtatute of Anno 5. H. 4. cap. 7. (before 25.) concerning the treating of marchant ſtrangers: And the ſtatute of An. 5. H. 4. cap. 9. (before 26.) concerning the hoſts of marchant ſtrangers, ſhalbe kept and put in execution.

30 ¶ No marchant alien ſhal conſtrain or bind any of the K. liege people, by promiſe, couenant, nor league, to make him payment in gold, for any manner of debt, which to him may be due, nor refuſe to receiue payment in ſiluer for any maner of ſuch duetie or debt, vpon the paine of double the value of the ſame. And alſo to eſchewe the great loſſes which diuers perſons of this realme of England haue had, and alſo be likely ſo for to haue, for their loanes made of their marchādiſes to marchants aliens, which haue fled with the ſame, and daily take ſanctuaries; It is ordained

pained that no Engliſhmã ſhal ſel with-
in this Realme, nor doe to bee ſolde from
henceforth to any marchant alien, any
maner of marchandiſes, but only for rea-
Readie pay-ment dy paiment in hand, or els in marchandi-
ſes for marchandiſes, to be paid and con-
Foyl. tented in hand; vpon pain of forfaiture of
the ſame. An. 8. H. 6. cap. 24.

31 ¶ An. 9. H. 6. cap. 2. it was enacted
to indure at the kings will, that Engliſh
marchants might ſell their clothes to
Lend 6. Moneths marchant ſtrangers vpon lending, from
ſixe moneths to 6. moneths, notwithſtã-
ding the ſtatute of An. 8. H. 6. cap. 24.

32 ¶ An. 18. H. 6. capit. 4. an act was
made to indure for ſeuen yeeres, concer-
ning marchant ſtrangers to haue hoſtes
Hoſtes and ſurtieſhips, & to ſel their wares within
Surtieſhips eight moneths, and to imploy the money
Money thereof vpon Engliſh goods &c. See Cu-
Cuſtomers ſtome. An. 20. H. 8. cap. 5. that cuſtomers
and other officers ſhall not occupie mar-
chandiſe.

33 ¶ Anno 27. H. 6. capit. 2. an act was
made to indure to the next Parliament,
againſt bringing of marchandiſes, made
or growing in the landes of the Duke of
Burgonie, except they reforme an ordi-
nance made againſt vttering of Engliſh
clothes in his countrey.

34 ¶ Anno 27. H. 6. cap. 3. an acte was
made to indure to the next Parliament,
for marchant ſtrangers bringing in of
Victailes victailes, to imploy the money vpon the
commodities of this realme, & not to carie
Money Golde Siluer out any mony, gold, or ſiluer, reeiued for
any ſuch victailes.

35 ¶ An. 28. H. 6 cap. 1. an acte was
made to indure for ſeuen yeeres, againſt
bringing in of marchãdiſe, made or gro-
wing in the Ilands of the Duke of Burgo-
nie, except he reforme an ordinance made
againſt vttering of Engliſh clothes in his
countrie.

36 ¶ See extortion 4. of Impoſitions
and taxes taken by officers of marchãts,
and of puniſhment for the ſame.

37 ¶ An. 4. E. 4. cap. 5. it was enacted,
that no marchandiſe made or growing in
the Duke of Burgonies lands, & in other
Countries beyond the ſea, there named,
Foyl. ſhould be ſolde, or brought into England,
vpon paine of forfaiture, vntill the Duke
of Burgonie ſhould make reformation of
an ordinance that he had made, for ba-
niſhing of Engliſh clothes out of his coun-
tries: This act to indure at ỳ kings will:
Stillyard hauing the liberties of the Stillyard.

38 ¶ An. 4. E. 4. cap. 6. an act was made
to indure to the next parliament concer-
ning cuſtomers & controllers, to take in- Cuſtomers Controllers Surety Money
certie of marchant ſtrangers, for imploy-
ing of the money that they ſhould receiue
for their marchandiſes vpõ Engliſh com-
modities.

39 ¶ No marchãt borne ſubiect of our
ſaid ſouereign Lord the king, denizen nor Aliens Denizens
ſtranger, nor other perſon after the feaſt
of S. Michael the archangell next come
ing, ſhal bring, ſend, nor conney, nor do
to be brought, ſent, nor conueied into this
realme of England, & ſeignior of Wales, Wares made beyond sea
any of theſe chaffers, or wares vnder
written, that is to ſay, any woollen caps,
woollen clothes, laces, corſes, riband, frin-
ges of ſilke & of thred, laces of thred, ſilk
twined, ſilke in any wiſe embrodered, la-
ces of golde, of ſilke or gold, ſaddles, ſtir-
rops, or any harneis pertaining to ſad-
dles, ſpurres, boſſes for bridles, and iron
gredirons, any manner of lockes, ham-
mers, pinſors, firetongs, dripping pans,
dice, tenice balles, points, purſes, gloves,
girdles, harneis for girdles of iron, latten,
ſteele, tinne, or of alcumine, any thing
wrought of any tawed leather, any taw-
ed furres, buſkins, ſhoes, galoches, or
corkes, lunines, daggers, woodknines,
bodkins, theres for tailors, ciſors, raſers,
cheſſemen, playing cardes, combes, pat-
tins, packneedles, and painted ware, for-
cers, caſkets, rings of copper, or of latten
gilt, chafingdiſhes, hanging candleſticks,
chafingbals, ſacring bels, rings for cur-
tains, ladles, ſcommers, counterfeit ba-
ſons, & wers, hats, brushes, cards for wool,
or any white wier, or any of thoſe wares
or chaffers, to be vttered & ſold within the
ſame realme of England, or in the coun-
trey of Wales, by the way of marchan- Wales Foyl.
diſe, vpon pain to forf. the ſame marchan-
diſes at euery time, & as often as they may
be found in the hands of any perſon or per- Moitie
ſons to be ſold. The one halfe of the ſame
forfaiture to be paid to the vſe of our So-
neraigne Lord the king, & the other halfe
to him which will firſt ſeiſe the ſame for
the king: The ſame halfe ſo ſeiſed for our
ſouereigne Lord the king, to be deliuered
by the ſaid ſeiſor thereof to the Eſchetor
of the countrey or place where the ſame
ſeiſin ſhal be, by indenture betwixt them
made, duely tranſwere thereof in his ac-
compt. Prouided alwaies, ỳ if any of the
ſaid wares or chaffers, made out of this
land, be taken vpon the ſea wout fraud or
colluſion,

collusion, or commeth into this realme of England, or in the countrie of Wales, by wate of wrecke, that those be in no wise taken within this ordinance or statute, but that they may be sold within this realme of England or Wales, this ordinance or statute notwithstanding. Prouided also, that al wares & chaffers, made & wrought in the land of Ireland or Wales, may be brought & sold in this realme of England, as they were wont before the making of this statute, this ordinance or statute notwithstanding. Also our soueraigne Lord the K. hath ordained & established by the assent & authoritie aforesaid, that the maisters & Wardens for the time being, of euery craft and mysterie, in euery citie, borough, towne, & village, where any such craft or mysterie is vsed or occupied, shall haue sufficient power & authoritie, in euery such citie, towne, borough, and village where they for the time being shall bee Wardens or maisters of any such craft or misterie. And the Maior of such citie, borough, towne or village for the time being, if any Maior be, or the bailifes or bailife of any such citie, borough, town or village for the time being, if any Bailifes or bailife there bee, and no Maior or Seriant: or any other officer to them assigned by the said Maior, Bailifes or bailife, in euery such citie, borough, towne, and village where any such craft or mysterie is vsed or occupied, where no such maisters nor wardens of any such craft or mystery be, that the Maisters or Wardens of the crafts & mysteries of the citie, towne, borough or village next adioining to ỹ same, and the Constable of such citie, borough, towne or village, shall haue power & authoritie, to search in their owne crafts & mysteries, as in all other crafts & mysteries, vttering by wate of sale any such chaffers, aswell within cities, boroughs, townes, and villages of the same realme of England, & of the countrey of Wales, as within the liberties and franchises of the same cities, boroughs, townes & villages, at al times reasonable by their discretion, at faires & markets, shops open, and warehouses, al maner of wares, chaffers, and marchandises, pertaining to euery of their proper crafts and mysteries which shalbe made by anie alien artificer, man or woman, or any other person or persons within the same realme of England or Wales, or which at any time shal be occupied by anie of the said crafts or mysteries in whose handes soeuer they may be found. Prouided also, that the said maisters, wardēs, and other named in the said ordinance to be searchers, shal not enter in any place, exempt by priuiledge, franchise or custome, to make in the same anie search as is aforesaid, but by the surueying of some officer of euery such place so exempte, where any such search shall happen to be made. And if the said searchers by the said search doe finde that such chaffers, ware or marchandises, or anie part thereof, be not pure, lawful, and able chaffers, wares or marchandises, & rightfully wrought & made as they ought to be, and that duely proued: that then it shall be lawfull to such searchers, to take and seise al such chaffers, wares and marchādises which shal so be foūd not good, pure, lawful or able, not rightfully wrought, as a thing forfait. The one halfe of the same forfait to be paid to the vse of our said Soueraigne Lord the K. and the other halfe thereof to such maisters or wardēs, which so shall make search, and finde the same. And that this present ordinance or statute cōcerning the said artificers stand and be in his force, as long as shal please our Soueraigne Lord the king.

Wrecke

Ireland

Wardens

Maior

Bailike

Officer

Faires Markets

Searchers Places priuiledged

Seise

Forf. Poitie

Prouided alwaies that this ordinance and act, nor none other ordinance or acte, made or to be made in this present parliament, shall not extend nor in any wise be preiudiciall or hurtfull to Robert Stilington clerke, Deane of the free chappell of our soueraigne Lord the king of Saint Martin the graund of London, nor to his successors of the said chappell hereafter for the time being in any maner, nor to ỹ said Robert, Deane & chapter of the same chappel, as in & for al maner priuiledges, liberties, franchises, rights & customes, in anie manner pertaining to them before this Parliament. Nor to anie person or persons dwelling or inhabiting, or which shall hereafter inhabite and dwell within the sanctuarie and precinct of the same chappell, and specially within the lane, commonly called Saint Martines lane. An. 3. Ed. 4. cap. 6.

S. Martin

Franchilds

Sanctuary

40 ¶ Euery marchant alien, & euery vitailer & other stranger not being denizē which shal resort into any place or port of this realme or Wales, after the said feast of Easter, shall duely imploye all the money to bee receiued by him within anie parte of the same Realme or Wales, vpon the marchandises or other commodi-

Alien Vitailer

Money

ties of this realme, or without any fraud he shal put the same in due paiment to the K. liege people within this Realme, the same imploiment in paiment duely to be proued by the marchant alien, vitailer or other straūger before his departing out of the same port, by writing to such marchāt or marchants, to whom the said marchāt alien, vitailer, or other stranger hath imploied or paid his money by him receiued for his marchandises brought into this land, witnessing that hee hath so done by such persons as shal seeme reasonable to ỳ custumer or comptroller of the same port, & Maior, baillife, or other chiefe gouernor of any such citie, borough or towne, where such port shalbe, vpon paine of forfaiture of all his goods being within this realme, and to haue one yeres imprisonment. Sauing alwaies to euery such marchant vitailer, and stranger, his reasonable costs, by the ouersight of the said chiefe gouernor of the Port or place where such marchant vitailer, or stranger shall arriue. The same forfaiture to be deemed, iudged, executed, & departed in like maner & form, by like actions, proces & execution, as is limited of other forfaitures in this act before declared. And because that many forfaitures touching the aforesaide statutes made before this time, haue fallen before the said feast of Easter, and by likelyhood wil more fal by persons doubting to offend and breake the law, which persons ought by reason to be punished in discouraging of other hereafter to offend: It is ordained by the authoritie aforesaid, that the Justices of peace shal haue power to hear and determine all maner defaults & forfaitures touching euery of the premisses had or done before the feast of Easter next ensuing, to bee had and done against the form of any statute before this time therof made. The same forfaiture and euery of thē to be iudged, deemed and departed in like manner and forme by like action, proces, and execution, as before is limited and declared, of and for the said forfaitures before rehearsed in this present acte & ordinance. Prouided alwaies that this acte extend not to any Embassadour or other straunger, commen or to come into this realm, or to passe out of ỳ same by the K. licence, as for any money of gold & siluer, plate or vessel or iewel, or any ornament of siluer or golde concerning his person, brought by him into this realme, or to any Embassadour of the kings Herauld, Pursuāt or Messenger, which shal passe out of this realm beyond ỳ sea by ỳ kings licence, or to any marchant going ouer the sea to buy any wine to be brought into this realm, as for to carie with him only a little cup called a tasser for wine. Prouided also, that this acte extend not to any of the inhabitants, denizens or straungers to come or go to and from the towne of Calleis or the marches of the same, nor to the dwellers & trauailers of the same, for any money by them or any of them to be conueied or caried to any place or coūtrey out of the said towne and marches, other then the money of this realme, or money of other countries to be caried out of this realme. And to the intent ỳ due notice may be hereof had to the K. liege people in this partie, letters of proclamation vnder the K. seale vpon this ordināce shal bee made to euery countie of this realme, & other places necessarily in all good hast. This ordinance to indure from the saide feast of Easter, til the end of 7. yeres then next following. Prouided also ỳ this acte as for the part of any forfaiture contained in the same, which may pertain to the K. shal not extend to giue him any such part of such forf. to be had or made within the principality of Wales, ỳ Duchy of Cornwal, nor the Earldome & counties palantines of Chester & Flint, nor of any of thē. Also it is ordained by the authority aforesaid, that the noble and excellent prince Edward the K. first begotten Son, prince of Wales, Duke of Cornewall, & Earle of Chester, shall haue, perceiue & enioye, & to his heires princes of Wales, Dukes of Cornewall, and Earles of Chester being the first begotten sonnes of the king of England, all and euery such part of forfaitures which shall be made or forfaited within ỳ said principalitie, Duchy, Earldome, counties palantines, or anie parcel of any of them, in as ample & large forme as the king ought or may haue such parte of forfaiture, in anie other place by reason of any other act made in this parliament: any act made or to be made in this present parliament to the contrary notwithstanding. Prouided also that this acte for the diuision and partition of any forfeiture therin contained, shal not extend to or for any forfaiture to bee had or made within the liberties or franchises of Willia Bishop of Durham. And it is ordained by the said authoritie, ỳ William B. of Durham and his successors Bishops of Durham,

Certifie

Forf.

Impris.

Iust. of P. Dier & ter.

Iudgement

Embass.

Money Plate Iewels

Herauld

Calcis

Proclamation

Wales Cornewal Chester

Prince of Wales

Forf.

Durham

ham, ſhal haue al ſuch partitions and forfaitures which ſhal happen within ỳ ſaid liberties and franchiſes, in as ample and large forme as the K. ſhould or ought to haue in any other place by force of this act. Prouided alwaies, that this acte, nor none other acte or ſtatute made or to bee made in this preſent parliament, ſhal extend to be preiudicial or hurtfull to ỳ Abbot of the Monaſtery of Weſtminſter for the time being, or to the Abbot & couẽt of the ſame Monaſterie for the time being, nor to any perſon for ỳ time dwelling, reſiãt or being within the ſame Monaſtery, or within any place pertaining to ỳ ſame Monaſtery, or ẅin any place within the precinct, fee or franchiſe of the ſaid Abbot, or of ỳ ſaid couẽt, or to any of the rights, priuiledges, liberties, franchiſes, immunities, or other things grãted by the K. or by any of his progenitors or poſſeſſors of the royal eſtate & crown of Englãd to the Abbot & couent of the ſaide Monaſterie & their ſucceſſors ſeuerally or ſeuerally in any maner heretofore pertaining. Prouided alſo, ỳ the Abbot of the ſaid Monaſtery & couent of the ſaid monaſterie, & their ſucceſſours, ſhal haue, hold, & inioy freely and effectually, all the ſaid rights, liberties, priuiledges & franchiſes, immunities and al other things in the fourme aforeſaid to them graunted, by whatſoeuer name or names they be named or called, iointly or ſeuerally in any letters or writing thereupon made: any act or ordinance made or to be made, in other maner or thing to the contrary notwithſtanding. Prouided alwaies that this act nor none other act, ordinance or ſtatute made or to be made in this parliamẽt, ſhalbe in any wiſe preiudiciall or hurtfull to the Deane for ỳ time being of the K. free chappel of S. Martins le graund in London, nor to the Deane & chapter for the time being of ỳ ſame chappell, nor to any perſon or perſons for the time dwelling, reſiant or being ẅin the ſame chappel, or within any place or places within the precinct, fee or franchiſe of the ſaid Deane or Deane & chapter: Nor to any of the ſaid rightes, priuiledges, liberties, franchiſes, immunities or other things by the K. or by any of his progenitors, predeceſſors, or poſſeſſors of the roial eſtate & crowne of Eng. to the Deane & chapter of the ſaide chappell & their ſucceſſors, ioyntly & ſeuerally in any maner granted, or in any maner heretofore pertaining. And alſo prouided that the Dean of the ſaid chappel, & Deane and chapter of the ſaid chappel, haue, hold, & enioy, entirely, freely and effectually, al the rights, priuiledges, liberties, franchiſes, immunities & al other things in fourme aforeſaid to thẽ granted by whatſoeuer name or names they be named or called, ioyntly or ſeuerally in any letters or writing therupon made, any act, ordinance or ſtatute, made or to be made in any other maner or thing, to the contrary notwithſtãding. An. 17. Ed. 4. cap. 1.

Abbot of Weſtminſt.

Liberties

S. Martins

41 ¶ Anno 1. R. 3. cap. 9. an act was made that marchants of Italie ſhould ſell their marchandiſes within 8. moneths & employ the money vpon Engliſh marchandiſes, & that no Marchant ſtranger ſhould hoſt or ſotourne with any ſtranger of another countrey &c. vpon a penalty, & there is articles againſt buying of ẅoll and cloth &c. And Anno. 1. R. 3. cap. 8. is a part of an act againſt ſtraungers for buying of ẅolles, but as much of theſe two acts, as concerne thoſe matters, be repealed by 1. H. 7. cap. 10.

Italians

Money

Woolles

42 ¶ No marchant ſtrãger, after the feaſt of Eaſter nert comming, ſhall bring into this realme of England to be ſold, any maner girdles, nor no harneis wrought for girdles, points, leather laſes, purſes, pouches, pins, gloues, kniues, bangers, tailors ſheares, ſciſſors, andirons, cobbards, tongs, firefors, greedirons, ſtocklockes, keies, bindges & garnets, ſpurres, painted glaſſes, painted papers, painted forcers, painted images, painted clothes, beaten gold, or beaten ſiluer wrought in papers for painters, ſaddles, ſaddletrees, horſeharneis, bootes, bittes, ſtirrops, buckles, chains, latonmailes ẅ yron chaũks, turnets, hanging cãdleſticks, holy water ſtops, chafingdiſhes, hanging lauers, curtein rings, cardes for ẅoll, Roan cardes, claſpes for garments, ſheares, buckles for ſhoes, brooches, belles, haukes belles, except tinnen & leaden ſpones, ẅier of laton & iron, iron candleſtickes, grates, hornes for lanternes, or any of the ſaide wares made & wrought pertaining to the crafts aboue ſpecified, or any of them, vpon pain to forfeit all the ſaid wares ſo brought into this realme contrarie to this act, or the value of the ſame, in whoſe hands they or any of them ſhal be found. The one halfe of ſuch fines and forfaitures to bee to the K. and the other halfe to him or them that ſhall ſeiſe or purſue for the ſame by action of debt, by writ, or bill at the cõmon law,

Forreine wares

Forf.

Writs

or by bil or plaint after the cuſtom of the city or towne where any ſuch fines, forfeitures & penalties ſhall hereafter happen to be or fall: And ỳ the defendant in ſuch action be not admitted to wage his law: Nor that any protection or eſſoine in the kings ſeruice ſhal be allowed in the ſame for any ſuch defendant. An.1.R.2.cap.12.

Forf.

43 ¶ Except reſerued only to the king to be at libertie, to haue & inioy all maner ſeiſors, forfaits and penalties in the ſaid acts (S.An.1.R.2.cap.8.9.before 41.) ſpecified. And that it ſhalbe lawfull to the K. to grant to the ſaid beſeechers, marchants of Italie, his letters of ſafe conduct, & letters patẽts, ſurely to be inioied according to the tenors therof, the aboueſaid act and acts notwithſtanding, in as ample wiſe as though they had neuer bẽne had nor made An.1.H.7.cap.10.

Safeconduct

44 ¶ The ſaid act made in the 17. yere of King Edward the 4. (See cap.1. before 40.) with al things comprized in the ſame touching the premiſſes (See in the ſaid act of 17.Edw.4.cap.1.before 40.) and euery prouiſion made in the ſame, be good, effectual and to endure for euer. Alſo it is enacted by the ſaide authoritie, that euery marchant of Ireland, Jeneſſa, & Garneſa, that bringeth any marchandiſe into this Realme, ſhall imploie the money receiued for the ſame marchandiſe (his reaſonable expences deducted) vpon the commodities of this land, or els without fraud put the ſame monie in due paiment within this realme. The ſaide imploiment or paiment to be proued as is afore (S.in the ſaid acte of 17.Edw.4.capit.1.before 40) vpon paine of forfaiture of the value of the marchãdiſe ſo brought into this land. And it is ordained by the ſaid authoritie, that euery cuſtomer or comptroller ſhall take ſufficient ſuertie, for euery of the ſaid marchants, vitailer or other ſtrãger, to imploy the value of the ſame marchandiſe, or to put the ſame money for ỳ marchandiſes receiued in due paimẽt (his reaſonable expences alway deducted) vpon pain of forfaiture of the value of the ſame marchandiſes, the one half of the ſaid forfaiture to the K. the other half to the partie that will ſue. This to begin and take effect at the feaſt of Chriſtmas next comming. An.3.H.7.cap.8

Money

Forf.

Cuſtomer

Forf. Moitie

45 ¶ Euery Engliſhman being the K. true liege man from henceforth haue free paſſage, reſort, courſe, & recourſe into the ſaid coaſts of Flanders, Holland, Zeland, Brabãt, or other places therto nigh adioining, vnder the obeiſance of the ſaid Archduke, to the martes there, hereafter to be holden, with his or their marchandiſes, goods & wares, there to buy and ſell & make their exchãges freely at his or their pleaſure without exaction, fine, impoſition, extortion or contribution to be had, leuied, taken or perceiued of them, or of any of them to, for or by anie Engliſh perſon or perſons, to his or their own vſe, or to the vſe of ỳ ſaid fraternity or fellowſhip, or of any other like, except only x. markes ſterling. And that no perſon Engliſh as is afore rehearſed, hereafter take to his owne vſe, or the vſe of the ſaid fraternitie or fellowſhip therof, of any other Engliſh perſon, of what eſtate, degree or conditiõ that he be of (ſo alway that hee be the K. true liege man) any fine, exaction, impoſition or contributiõ for his libertie or freedome to buy and ſell any goods, wares or Marchandiſes, in or at any of the ſaide martes more or aboue the ſumme of ten markes ſterling only, vpon pain of forfaiture to our ſaid ſoueraign Lord for euery time that he doth the contrary of this acte xx.li. and alſo to forfeit to the party grieued in this behalfe ten times ſo much as he contrarie to this preſent acte taketh of him. And that the ſaid parties ſo grieued ſhal haue in this behelfe an action of debt for the ſaid forf. of x. times, in any of the kings courts within this realm, by writ, bill, plaint or information. And ſuch proces to be made in the ſame, as is or ought to be made in or vpon an action of debt, at the common law, and the trial therof to be had in ſuch ſhire, citie, towne or place, where the ſaid action is commenced or ſued. And that the def. in any ſuch action be not admitted to wage his lawe, nor none eſſoine or protection be for ſuch defendãt admitted or allowed in that behalfe. An. 12.H.7.cap.6.

Martes

10. Markes

Felowſhip

Fine

Forf.

Action of debt

Proces

46 ¶ An.26.H.8.cap.10. it is enacted ỳ the K. during his life might by proclamation by his letters P. aſwell repeale the act made. An.23.H.8.ca.7. for the bringing in of wines, and al ſtatutes made ſince the beginning of the Parliament for the reſtraint of Engliſh marchãdiſes to be carried out of this realme, & for the reſtraint of outward marchãdiſes to be brought into this realm, as alſo reuiue thoſe ſtat. &c.

Proclamation Letters P.

47 ¶ That it ſhal not be lawful to or for any perſon or perſons whatſoeuer, from, & after the firſt day of Septẽb next comming,

Lading and vnlading of marchandiſes

cõming, to lade or put, or cauſe to be laden or put, of or frõ any wharfe, key, or other place on ẏ land into any ſhip, veſſell, craier, lighter, or bottom, any goods, wares or marchandiſes whatſoeuer, (fiſh taken by your highnes ſubiects only excepted) to be tranſported into any place of the partes beyond the ſea, or into the realm of Scotland, or to take vp, diſcharge and lay on land, or cauſe or procure to be taken vp or diſcharged, out of any lighter, ſhip, craier, veſſel or bottome (being not in a leake or wrack, & laid on land) any goods, wares or marchandiſes whatſoeuer (fiſh taken by any of your highnes ſubiects, & ſalt onely excepted) to be brought frõ any the parts beyond the ſea, or the realme of Scotland by way of marchandiſes, but onely in the

Day light March September

day light, that is to ſay, from the firſt day of March, vntill the laſt of September, betwixt the ſun riſing and the ſun ſetting, and from the laſt of September, vntil the firſt of March, betwẽn the hours of 7. in the morning, and 4. at the afternoon, and in, and vpon ſome ſuch open place, keye,

Wharfes Keies

wharfe, places, keies or wharfes, as your highnes, your heires or ſucceſſors ſhal on this ſide the ſaid firſt day of September, therfore aſſigne and appoint by vertue of your highnes commiſſion or commiſſiõs,

London

within your Graces portes of London, Southhãp. Briſtow, Weſtchester, Newcaſtle, & the ſuburbes of the ſame & euerie of them, and in ſome open place, key or wharfe, places, keies, or wharfs, in all other portes, crẽkes, hauens, or roads (Hull only excepted) where a cuſtomer, comptroller & ſearcher of ſuch portes, hauens,

Cuſtomer

crẽkes, or roades, & euery of them, or the ſeruants of any of them haue by the ſpace of x yeres laſt paſt bin accuſtomably reſident, or hereafter ſhall be reſident, vpon

Forf.

pain of forfaiture of al ſuch goods, wares, or marchandiſes ſo laden or diſcharged contrarie to the true meaning of this act, or the value thereof. And be it &c. that no perſon or perſons after the ſaid day ſhall

Ship

receiue or take into any ſhip, craier, or other veſſel, any goods, wares or marchãdiſes (except before excepted) to bee tranſported into any place beyond ẏ ſea, or into the realme of Scotland, by way of marchandiſe, nor ſhal diſcharge & lay on lande

Scotland

out of any ſhip, craier or other veſſel, any goods, wares, or marchandiſes (except before excepted) being brought frõ any place beyond the ſea, or out of ẏ realme of Scotland, by way of marchandiſe in any other place or places, or at anie other houres, or times then is before limited & appointed, vpon paine ẏ the owner or owners, maſter or maſters or other perſon or perſons which ſhall take charge or guiding of any ſuch ſhip, craier, or veſſell, or of the marchants goods during & for the voiage, ſhal forfait and loſe for euerie ſuch offence a Forf. C.li. of lawful monie of England. And be it &c. that no maſter, ſhipper, or purſer, or other perſon or perſons taking charge of the voiage, or of ẏ marchants goods, ſhall after the ſaid day, receiue or take into any ſhippe, craier, or other veſſell, any goods, wares, or marchandiſe (except before excepted) to be caried or tranſported into any of the parts beyond the ſea, or into the realme of Scotland, before he ſhall haue ſignified to ẏ cuſtomer of the port where he ladeth, & other officers there, in the opẽ cuſtome houſe (if any ſuch be there) or els, where the ſaid officers, their deputies or ſeruants, or any of thẽ be or ſhalbe vſually reſident, ẏ he intendeth to lade, and to what place he intendeth to paſſe, nor ſhal after his or their full lading, depart out of the port, crẽks or ſtream where he ſhal ſo lade, before he doe in like manner ſignifie vnto the cuſtomer, & other officer as is aforeſaid, of his lading, & what marchãts & other perſons ſhal haue lading wõ him, or in his ſhip, craier, veſſel, or bottome: And further truly do anſwere to ſuch queſtiõs as ſhalbe miniſtred to him or them by the cuſtomer or other officers cõcerning ſuch wares or marchãdiſes as he ſhal haue laden, being eramined vpõ his or their oth, Tramins Othe or otherwiſe in the open cuſtome houſe, or otherwiſe as is aforeſaid, vpõ pain to forf. for euery ſuch default not truely aduertiſing nor anſwering as is aforeſaid, a C.li. Forf. And be it further enacted &c. that no owner, maſter, purſer, or other perſõ taking Maſter of ſhips charge of anie ſhip, craier, veſſell, or bottome, wherin any goods, wares, or marchandiſes (except before excepted) ſhall be laden and brought into the parts beyond the ſea, or the realme of Scotland, ſhall after the ſaide day diſcharge into anie lighter or botttome, and laie on land or procure, cauſe, or willingly ſuffer to bee diſcharged, into any lighter or bottome, and to be laid on land, out of ſuch ſhippe, craier, veſſel or bottom, anie goods, wares or marchandiſe whatſoeuer, before ſuch owner, maſter, or purſer, or other perſon or perſons, taking charge of the ſhip, craier, bottome or veſſell, or the marchants

gwds for the voyage, ſhal haue ſignified & declared to the cuſtomer or other officer of ẏ port, hauen or creek where he arriueth, the names of euery of the marchaunts or laders, & ſhal haue truly anſwered to ſuch queſtions & interrogatories, touching, or concerning ſuch gwds, wares or marchãdiſe, as ſhalbe then laden in any ſuch ſhip, veſſel, or bottome, as ſhall be to him miniſtred by ſuch cuſtomer or other officer, openly in the cuſtome houſe, or in ſuch other places as is aforeſaid, vpon his or their oth, if need ſo require: vpon paine ẏ euery ſuch Maſter, purſer, or other perſon or perſons taking charge of ſuch ſhippe, crater, or other veſſel, for ẏ viage, ſhal forfait & loſe for euery ſuch default not truly aduertiſing nor anſwering as is aforſaid, an C.li. And be it &c. that from & after the ſaid day, no perſon, denizen ne ſtranger do take vpõ him to enter, or do or cauſe to be entred into bookes of any cuſtomer or other officer or officers, of any port or hauẽ wẏn this realme, or his or their deputy or deputies, ſeruant or ſeruants, any maner gwds, wares or marchãdiſes whatſoeuer, comming or brought into your highneſſe realm, frõ any ẏ parts beyond the ſea, or from the realme of Scotland, or going, or to be tranſported out of the ſame your H. realme, into any the partes beyond ẏ ſea, or into the realm of Scotl. in the name or names of any other perſon or perſons thẽ ẏ verie true owner or owners of the ſame gwds, wares, or marchandiſes, being not ſold, bargained, or contracted, for, to or wẏ any other perſon or perſons, before ſuch entrie, or before ẏ arrival of gwds, wares or marchãdiſe in the parts beyõd the ſea, vpon pain of forfaiture of the value of the gwds ſo entred. And bee it &c. that if any wharfinger, crane keeper, ſearcher, lighter man, weighter, or other officer pertaining to ẏ ſubſidy, cuſtom or cuſtom houſe, do at any time after the ſaid day, cõſent or know any offence or thing to be committed or done cõtrary to the true meaning of this act, or any article therein contained, & doe not within one moneth nexte after knowledge thereof had, diſcloſe ẏ ſame to the chiefe cuſtomer or other officer of the Porte, where, or within whoſe office or charge, any ſuch offence ſhal be cõmitted or done, or elſe to the L. Treaſurer, Chãcelor, vnder Treaſorer, or one of the Barons of the Eſchequer, or the Atturney general for the time being: ſhal for euery ſuch concealement, or not diſcloſing ſuch offence as is aforeſaid, forfait & loſe a C.li. of gwd & lawful money of England. Fork.

And be it &c. that the Cuſtomer of Hull ſhall haue a ſeruãt or deputy continually reſidẽt at the citie of Yorke, & euery other Cuſtomer, comptroller & ſearcher of euery port ſhal from and after the day aforeſaid, aſſigne & appoint, to & in euery of the places aboue mentioned, and in all & euery port, creke or road, where the ſeruant or any of them haue bin continually reſident by the ſpace of x. yeeres, or hereafter ſhall be as is aforeſaid, one able & ſufficiẽt deputy or ſeruãt at the leaſt, & that aſweil al & euery of the cuſtomers, comptrollers and ſearchers, as all & euerie his or their deputie or deputies, ſeruant & ſeruants, ſhal from time to time do his & their diligent attendance, at the houres, tymes and places afore appointed, aſwell in the cuſtom houſe, or elſwhere, as it ſhalbe moſt expedient & conuenient for the ſpeedy diſpatch of the marchant & his gwds, wares, and marchandiſe, and for the due execution of this acte, in ſuch things as to him or them ſhall appertaine without concealement or cõſenting to any thing or things which may bee to the hurte or damage of your highneſſe, your heires or ſucceſſors, in the iuſt anſwering of your highnes due cuſtomes and ſubſidies: vpon paine that euery ſuch cuſtomer, comptroller & ſearcher, ſhall forfaite & loſe for euery offence by him or them committed or done in his or their ſeueral office or offices an C.li. of lawful money of Englãd, the mottie of al which forfaitures ſhalbe to your highnes, your heires & ſucceſſors, & the other moitie to him or thẽ that wil ſue for the ſame in any of your highnes courts, wherin no eſſoine, protection, wager of lawe or iniunction ſhalbe admitted & allowed. And where of late yeres there hath bin much greater quantity of ſweet wines brought into this realme then in times paſt hath bin accuſtomed, which been alſo brought from the ſame place, where the wine cõmonly called Malneſey is brought, & is of the ſame nature of grape. And neuertheles either by negligence, ignorance, or corruption of the officers, there hath not bin ſuch cuſtome & ſubſidy receiued for the ſame, to the vſe of your highnes and your progenitors, as is due and ought of very right to be paid for ſuch ſweet wines comming through the ſtraights, cõmonly called the ſtraights of Marrocke, otherwiſe Malegay, to the great loſſe & hinderance.

Dthe

Fork.

Denizen

Fork.

Wharfinger
Officers of the cuſtome houſe

L. Treaſor. Chancelor Barons of the Eſcheq. K. Atturnie

Deputy

Fork.

Pottie

Sweets wines

Marrocke

to

to your highneſſe, & the burden of vs your louing ſubiectes: For the auoiding of all ambiguitie & doubts, and to the intent the officers may more certainely know what they ought to receiue for ſuch kinde & nature of marchandiſe: Be it enacted & declared by this preſent acte, & by authoritie aforeſaid, the like cuſtome & ſubſidie is of very right to be paid, & ſhal frō henceforth be paid for ſuch ſweet wine as is aforeſaid, as is and hath bene accuſtomed to be paid for Malueſeis: any negligence, non payment, blage, or cuſtome, to the cōtrary in any wiſe notwithſtāding. Sauing to all & euery Lord Marcher and other perſon or perſōs, whatſoeuer, body politike or corporate, al & euery ſuch right, title, & intereſt, as they or any of them, haue & of right ought to haue, in the paimēt, or hauing of any franchiſe, libertie, cuſtome, & ſubſidie or any of thē, any thing in this acte to the contrary notwithſtanding. Prouided alwaies & be it &c. that it ſhalbe lawfull to ſhip, lade & tranſport into the partes beyond the ſea, al maner of corne and graine out of the counties of Norf. & Suff. and either of them at ſuch places as hereto fore hath bin accuſtomed, & betwene the hours in this act appointed, whē the ſame corne and graine ſhall not exceede the ſeuerall prices mentioned in the ſtatute made in the fift & firſt yeere of our late Soueraigne Lord king Edward the firſt, intituled, An Act againſt regrators, foreſtallers, & ingroſſers, the cuſtomes and ſubſidies therof due, being well & truely paid, any thing in this acte, or any other acte or ſtatute to the contrary notwithſtanding.

Cuſtome

Malueſeis

L. Marcher

Bodies politike

Corne

Cuſtome

Prouided alwaies, that this act, nor any thing therein cōtained, be not preiudiciall or hurtful to ỹ Ile of Angleſey, the ſhires of Canaruan and Flint in North wales, But that the inhabitants thereof & euery of them, may receiue, lade, & diſcharge according to their old ancient vſe, cuſtomes or liberties granted to thē or any of their predeceſſors, by the late K. of famous memorie, king Henrie the 8. or anie other his progenitors, So that they & euerie of them pay the cuſtomes and ſubſidies that ſhal be due, diſcharge, and lade within the times and houres before mentioned, any thing in this preſent acte to the contrarie notwithſtanding. An. 1. El. cap. 11.

48 ¶ It may be enacted &c. that it ſhal not be lawful to or for any maner perſon or perſons whatſoener, frō and after the firſt day of May next comming, to make any peltes, that is to ſay, to pull, ſheare, clip, or take away the woll of anie ſheepe ſkinne or lambeſkin, or to buy any ſkinne of any Stag, Hinde, Bucke, Doe, Goat, Fawne, or Kid, or the pelts or ſkins of any of them, vnleſſe ſuch perſon or perſons ſo making any pelts, or buying ſuch ſkinnes as is aforeſaide, doe make or cauſe to bee made thereof, tawed or lawfully tanned leather or parchmēt, or otherwiſe cōuert the ſame into ſeimettes, panels, or other their owne neceſſarie vſes, vpon paine ỹ euery perſon ſo making pelts, or buying any of the ſkins or pelts aforeſaid, contrary to the meaning of this act, ſhal forfait & loſe the value of all ſuch pelts, or ſkins ſo made and bought, and ỹ. s. vj. d. for euery ſkin or pelt ſo bought, or pelt ſo made as is aforeſaid. And be it further enacted, ỹ it ſhall not be lawfull to or for any perſon or perſons whatſoeuer, from & after the feaſt aforeſaid, to ſhip or conney, or cauſe or procure to be ſhipped or conueied, in or to anie ſhip, boate, or veſſel, in or vpon the ſea, or in or vpon anie hauen, riuer, creke or place, within this realme of England and Wales, or either of them, any māner of ſheepe ſkins, woolles, ſhorelings, morelings, or the ſkinnes of any Stag, Hinde, Bucke, Doe, Goate, Fawne or Kid, or the pelts or ſkins of any of thē, or the leather made of them or any of them, to the intent to tranſport or carie the ſame into anie ỹ partes beyond the Seas, there to be vttered, bartred, or ſolde, by way of marchandiſe or otherwiſe, vpon paine of forfaiture of al ſuch ſkins or pelts, bought, ladē, ſhipped, or tranſported contrarie to the true meaning of this act, or the value of them, & alſo ỹ. s. vj. d. of lawfull money of England, for euerie fell, ſhorling, morling, pelt, or ſkin aforeſaid, bought, laden, ſhipped, or tranſported, contrarie to the true meaning of this preſent Act, the moitie of all which forfaitures ſhalbe to our Soueraigne Ladie the Quenes Maieſtie, her heires and ſucceſſors, & the other moitie to him or them that will ſue for the ſame, by action, bill, plaint, information, or otherwiſe in anie of the Q. Maieſties Courtes: In which action no eſſoine, protection or iniunction ſhalbe admitted or allowed. Prouided alway, that it ſhall and may be lawfull to the Marchants of the Staple, the marchants of Newcaſtle vpon Tine, Hartipole, & Barwicke, their ſeruants, factors, & atturneis, and euerie of them, to carie & tranſport all ſuch lawful wares as hereto-

Pelts

Skinnes

Leather Parchment

Forf.

Shippe

Skinnes Woolles

Leather

Tranſport

Forf.

Moitie

Staple

Newcaſtle Hartipoole Barwicke

heretofore they haue bin accuſtomed and lawfully might, any thing in this act to ỹ cõtrary notwithſtanding. An 5. El. cap. 2.

Statute

49 ¶ Be it declared & enacted &c. that the ſaid firſt branch of the ſaid ſtat. (s. 5. El. cap. 2. for the making of pelts) being not againſt the ſaid entercourſe, ſhal frõ henceforth be put in due executiõ. And &c. Be it &c. that ſo much of the ſaid ſtatute as concerneth the trãſporting of tawed leather, to be made of ſhæpeſkins & lambeſkins, ſhall from henceforth as touching onely the trãſporting of ſuch tawed leather, be repealed and void: anie thing in the ſaide ſtatute to the contrary notwithſtanding. An. 8. Eliz. cap. 14.

Tawed leather

Repealed

¶ Meſne.

Diſtreine

WHen chiefe lords diſtraine in their fée for Cuſtomes and ſeruices to them due, & there is a meane which ought to acquite the tenãt, ſithence it lieth not in the mouth of the tenãt, after that he hath repleuied the diſtreſſe, to denie the demãd of the chiefe Lorde, which auoweth in the kings court, that the diſtreſſe is lawfully taken vpõ his tenant, which is vpon the meane, and many haue bene ſore grieued by ſuch diſtreſſes, in ſo much as the meane (notwithſtanding that he hath ſufficient, whereby he may be diſtrained) doth make long delaies, before he will come into the Court to anſwere for his tenant, vnto the writ of meane, & moſt hard of al when the meane had nothing: In caſe alſo when the tenant was ready to do his ſeruices & cuſtomes vnto his Lord, and the chiefe lord would refuſe to take ſuch ſeruice and Cuſtomes by the hands of any other then of his next tenant, & ſo ſuch tenaunts in demaund loſt ſome whiles ỹ profits of their landes for a time, & ſome whiles for their whole time, and hitherto no remedie hath bene prouided in this caſe: A remedie is prouided & ordeined in this forme, that ſo ſone as the tenant in demeane (hauing a meane betweene him and the chiefe lord) is diſtrained, incontinent the tenant ſhall purchaſe his writ of Meane. And if the meane hauing land in the ſame Countie, abſent himſelfe vntil the great diſtreſſe be awarded, the plaintife ſhall haue ſuch day giuen him in his writ of great diſtreſſe, afore the cõming whereof 2. counties may be holden, & the ſhirife ſhalbe commanded to diſtraine the Meane by ỹ great diſtres, like as it is cõteined in the writ. And neuertheleſſe the ſhirife in two full Cõties ſhall cauſe to bée proclaimed ſolemnely, that the Meane do come at a daie contayned in the writ, for to anſwere his tenãt, at which day if he come, the plæ ſhal paſſe betwæne them after the common vſage. And if he doe not come, then he ſhall leſe the ſeruices of his tenant, & from thencefwrth the tenant ſhal not anſwere him in anie thing, but the ſame meane being excluded, hee ſhall anſwere vnto the chiefe Lord for ſuch ſeruices & Cuſtomes as the Meane vſed to doe before that time. Neither ſhall the chiefe Lorde haue power to diſtraine, ſo long as the aforeſaid tenãt do offer him the ſeruices and cuſtomes due. And if the chiefe Lord exact more then the Meane ought to doe, the tenaunt in ſuch caſe ſhal haue againſt him all ſuch exceptions as the Meane ſhould, & if the Meane haue nothing within the kings dominiõ, the tenant ſhal neuertheleſſe purchaſe his writ of Meſne, to the Shirife of the ſame ſhire, wherein he is diſtrained, & if the ſhirife returne, that he hath nothing wherby he may be ſummoned, then ſhall the tenãt ſue his writ of attachment, and if the ſhirife returne, that he hath nothing to be attached by, hee ſhall neuertheleſſe ſue his writ of great diſtres, & proclamation ſhal be made in forme aboueſaid. And if the meane haue no lãd in the ſhire, where the diſtreſſe is taken, but hath land in ſome other ſhire, then a writ original ſhall iſſue to ſummon the meane vnto the ſhirife of the ſame ſhire (where the diſtres is takẽ) and whẽ it is returned by the ſhirife, that he hath nothing in his ſhire, a writ iudiciall ſhall iſſue to ſummon the meane, vnto the ſhirife of ỹ ſame ſhire, in which it ſhall be teſtified that hee hath land, & ſuit ſhall be made in the ſame ſhire vntill they haue paſſed vnto the great diſtres, & proclamation as aboue is ſaide, where the Meane hath land in the ſame ſhire, in which the diſtres is takẽ. And neuertheles ſuit ſhall be made in the ſame ſhire, where he hath nothing as aboue is ſaid, of the Meane, ỹ hath nothing vntil the proces come to the great diſtreſſe & proclamatiõ, and ſo after proclamation made in both counties, the Meane ſhalbe foriudged of his fée and ſeruice. And where it happeth many times, that the tenant in demeane is infeoffed to hold by leſſe ſeruice, thẽ the meane ought to doe vnto the chiefe Lorde, when after ſuch proclamation the tenant hath attorned to the chiefe Lord, & the Meane being excluded,

Tenant

Diſtreine

Proclamation

Chiefe Lord

Forfeiture

excluded, the tenant must of necessitie answere to the chiefe Lord, for al such seruices & customes as the Meane was wont to do to him. And after that the Meane is come into the court, and hath confessed, that he ought to acquite his tenant, or be cõpelled by iudgement to acquite, if after such cõfession or iudgement it is cõplained, that the Meane doth not acquite his tenant, then shall issue a writ iudiciall, that the shirife shal distraine the Meane to acquite the tenant, & to be at a certaine day before the Iusticers, for to shew why he hath not acquited him before, and when they haue procéded vnto ỹ great distres, the plaintife shalbe heard. And if the plaintife can proue, ỹ he hath not acquited him, he shall yéld damages, & by award of the court, ỹ tenant shall goe quite frõ the Meane, and shal attourne vnto the chiefe Lord. And if he come not at the first distres, a writ shal goe forth to distrain him againe, and proclamation shalbe made, & as soone as it is returned, they shall procéd in iudgement as before is said. And it is to be vnderstãd, that by this statute tenãts are not excluded, but they shal haue a warrantie of the Meane & their heirs, if they be impleaded for their tenements, as they haue had before: nor also the tenants be excluded, but that they may sue against their Meanes, as they vsed heretofore, if they sée ỹ their proces may be more auailable by the old custome, thẽ by this statute. And it is to wéete, that by this statute, no remedy is prouided to any Meanes, but only in case where there is but one onely Meane betweene the Lord that distraineth, & the tenant, & but in such case where the Meane is of full age, & but in such case where the tenant may attorne vnto the chiefe Lord without preiudice of an other then of his Meane, which is spoken for women, holding in dower, & tenãts by the curteſie or otherwise for terme of life or in fée taile, vnto whom for certaine causes, remedie is not yet prouided, but (God willing) there shalbe at another time. W.2.cap.9. An.13.E.1.

Distraine

Iudgement

Full age

¶ Monasteries, Abbeis, Priories, Colledges, Free chappels, Hospitals, Chaũtries, and their Abbots, Priors, & Gouernors, and the landes, possessions, and goods of the premisses, and religious persons.

Wrongs Extortions

IF any wrongs or extortions be done to Abbots or other Prelates of the Church & they haue sued their right for such extortions, and be preuented with death before iudgement be giuen therein, their successors shal haue actions to demaũd the goods of their Church, out of the handes of such trespassers. Moreouer the successors shall haue like action for such thinges as were lately withdrawen by such violence from their house and Church, before the death of their predecessors, though it so be, that the saide predecessors did not pursue their right during their liues. And if anie intrude into the lands or tenements of such religious persons in time of vacation, of which lands their predecessors died seised, as in the right of their Church, their successors shall haue a writ to recouer their seisin, & dãmages shall be awarded them, as in assise of Nouel disseisin is wont to be. Marlb.cap.28. An.52.H.3.

Successors

Intrude Lands Vacation Predecessors

¶ Where by an act of Parliament, made the 31. yéere of king H.8. for and cõcerning the enablement of professed & religious persons, to purchase to them & to their heirs in fée simple, fée taile, for terme of life, for yéres, or at will, mãnors, lãds &c. and other hereditaments, and things whatsoeuer, &c. Since which time there hath bene certaine ambiguities & doubts growen & risen, & are like to grow, whether the saide religious persons might or should as heires, be inheritable to their ancestors, of all & euery things descended vnto thẽ after their departing out of religiõ, yea or no: Be it therfore &c. that all & euerie of the same late religious & professed person & persons, shal & may by authoritie of this Act, be enabled to all intents, constructions and purposes, at all time & times hereafter to be taken, dẽmed, and iudged, as heire or heires, and enheritable to all and euery their auncestor or auncestors, and to haue, challenge, or enioy, receiue, & take all mannors, landes, tenements, and hereditaments, and euerie other thing and thinges, to them or anie of them fallen, come, growen, or discended from any their auncestors, by any manner of wayes, since the time of their seuerall deraignementes, or departing out of their religion, in as ample and large maner, forme, and condition, as they had neuer bene professed nor entred into religion, the same profession or religion, or any law, custome, or vse within this realme, to the contrarie notwithstanding. Prouided &c. that none of the said religious persons shall or may by vertue of this act, at

Religious

Heire

Purchase

any

Heire

anie time hereafter, be taken, deemed, or iudged for heire or heirs, or inheritable to any perſon or perſons, to any cõſtructiõ or intent in the law, by reaſon of any former right, title, intereſt, matter or cauſe had, made, done, diſcẽded or growen to anie reſpect, or purpoſe before their ſaid ſeuerall deraignmẽts or departing out of their religiõ, any thing before this act, or in ỳ ſaid former act, cõteined to the cõtrary hereof in any wiſe notwithſtãding. An. 5. E. 6. c. 13.

2 ¶ The king willeth & cõmaundeth, that the peace of holy church & of the land, be well kept & maintained in all points. And that cõmon right be done to al, aſwel powre as rich, without reſpect of perſons: & becauſe the Abbots, & the religious of the land, haue bin ouercharged & ſore grieued by the reſort of great men & others, ſo that their goods haue not bin ſufficient for thẽſelues, whereby they haue bẽne greatly hindred & impouerished, that they cannot maintaine thẽſelues, nor ſuch charitie, as they haue bin accuſtomed to do: It is prouided, that none ſhal come to eat or lodge in anie houſe of religion of anie other foũdation then of his owne, at the coſts of the houſe, vnles he be required by ỳ gouernor of the houſe before his comming thither. And ỳ none, of his owne coſts, ſhall enter & come to lie there againſt the wil of them that be of the houſe. And by this ſtatute ỳ king entẽdeth not, that the grace of hoſpitalitie ſhould be withdrawen frõ ſuch as nẽd, nor that ỳ founders of ſuch monaſteries ſhould ouercharge, or grieue them by their oftẽ cõming: it is prouided alſo, that none, high nor low, by color of kinred, affinitie or alliance, or by anie other occaſiõ, ſhall courſe in anie parke, nor fiſh in ame pond, nor come to eate, or to lodge in the houſe or manor of a prelate, or anie other religious perſon, againſt the will of ỳ lord or his bailife, neither at ỳ coſt of the lord, nor at his owne. And if he come in, or enter with the good wil, or againſt the wil of ỳ lord or his bailife, he ſhall cauſe no dore, locke, nor window, nor nothing ỳ is ſhut, to be opened or broken by himſelf nor any other, nor no maner of victuall, nor other thing ſhal take by colour of buying nor otherwiſe. And that none ſhal threſh corne nor take corne, nor anie maner of victual, nor other goods of prelate, mã of religion, or anie other clerke, or lay perſon, by colour of buying nor otherwiſe, againſt the will & licence of him, to whom the thing belongeth, or of the keper, be it within market towne or without. And that none ſhall take Horſes, Oxen, ploughs, cartes, ſhips, nor barges, to make cariage without the aſſent of him to whom ſuch things belong. And if he do it by the aſſent of the partie, then incõtinent he ſhall pay according to the couenant made betweene thẽ. And they that offend againſt theſe acts, & thereof be attainted, ſhal be committed to the kings priſon, & after ſhall make fine, and be puniſhed according to the quãtitie and manner of the treſpaſſe, & after as the king in his court ſhal thinke conuenient. And it is to be knowen, ỳ if they, to whom ſuch treſpaſſe was done, will ſue for dammages, they ſhall be thereto receiued, and ſhall be awarded and reſtored to the double. And they that haue done the treſpaſſe ſhalbe likewiſe puniſhed in the manner aboueſaid. And if none will ſue, ỳ king ſhal haue the ſuit, as for a thing committed againſt his cõmandement, and againſt his peace. And the king ſhall make inquirie from yere to yere, what perſons do ſuch treſpaſſes, after as he ſhal thinke neceſſarie & conuenient. And they that be indicted by ſuch inqueſts, ſhall be attached and cõſtrained by the great diſtres, to come at a certaine day cõtaining the ſpace of a moneth, in the kings court, or where it ſhall pleaſe the king. And if they come not at the day, they ſhall be diſtrained againe of new by the ſame diſtreſſe, for to come at another date, containing the ſpace of fiue weekes at the leaſt: and if they come not then, they ſhalbe iudged as attainted, and ſhal yeld double dammages (at the kings ſuit) to ſuch as haue takẽ hurt or dãmage, and ſhall make a grieuous fine after the manner of the treſpaſſe. And the king forbiddeth and commandeth that none from henceforth do hurt, dãmage, or grieuance to anie religious man, or perſon of the Church, or anie other, becauſe they haue denied meat or lodging vnto them, or becauſe that anie complaineth in the kings court, that he hath bene grieued in anie of the things aboue mentioned: And if anie do, & thereof be attainted, he ſhall incurre the paine aforeſaid. And it is further prouided, that ỳ points aforeſaid ſhal as well bind our cõſellors, Iuſticers of forreſts, & other our Iuſticers, as anie other perſõs, & that the foreſaid points be maintained, obſerued & kept. Likewiſe ỳ king forbiddeth vpon grieuous forf. that no prelate, abbot, man of religiõ, or bailife of any of them, or of other, receiue any mã cõtrarie

Lodge

Hunting Fiſhing

Purueiors

Impriſon

2. dãmages

Inquirie

Indict Inqueſts

Diſtraine

2. dãmages

Attaint

trarie to ỹ forme aforesaid. And that none shal send to the house or manor of a mã of religion, or of any other person, his men, horse, or dogs to soiorne, nor none shal the receiue, & he that doth (seing the king hath cõmanded the contrary) shal be grieuously punished. Yet it is further prouided, that shirifes frõ henceforth shal not lodge with any person, with any moe then iii. or vi. horses, And that they shall not griene religious men nor other by often cõming or lodging, neither at their houses, nor their manors. W. 1. cap. 1. An. 13. E. 1.

Shirifes Lodge

3 ¶ It is desired that our Soueraigne Lord the king, and the great men of the Realme do not charge religious houses & spiritual persons for corrodies, pẽsions or soiorning in religious houses & other places of the Church, or with taking vp horse & carts, whereby such houses are impouerished, and Gods seruice diminished: & by reason of such charges, priestes and other ministers of the Church deputed vnto diuine seruice, are oftentimes compelled to depart from the place abouesaid. The answere. The kings pleasure is, that vpon the contents in their petition, from henceforth they shall not be vnduely charged. And if the contrary be done by great men or other, they shal haue remedie after the forme of the statutes made in the time of king Edw. father to the king that now is. And like remedie shall be done for corrodies and pensions erected by compulsion, whereof mention is made in the said statute. Articuli cleri cap. 11. An. 9. E. 2.

Corrodies Pensions

Pensions

4 ¶ An. 35. E. 1. a stat. was made, intituled stat. De asportat. religiosorũ edit. An. 35. E. 1. apud Carlielen. In which is enacted ỹ no paiment or tare should be paid or sent by any religious house to any superior out of England, nor that any religious should go out to a visitation, nor that any religious out of England, should set anie tare or paine vpon any religious house in Englãd, vpon forfaiture of al ỹ they may forfeit, sauing to religious aliẽs their visitations in Englãd &c. And in that act, is matter concerning the seales of Abbots of Cistercienses and Premonstratenſis.

Tare

Visitation

Forf.

Seales

5 ¶ Whereas Archb. bishops, abbots, priors, abbesses, & prioresses, haue bin before this time sore grieued by the kings desires & his progenitors, which hath desired thẽ by great threats for their clerks & other seruants, for great pensions, prebends, churches, & corrodies, so that they might nothing giue or doe to such as had done them seruice, nor to their friends, to their great charge & damnage: The king granteth that from henceforth he will no more such thinges desire, but where he ought. An. 1. E. 3. stat. 2. cap. 10.

Corrodies

6 ¶ This statute late made & affirmed at Carlile (that is to say, An. 35. E. 1. before 4.) that religious persõs should make no cariage beyond the sea, shall be maintained, kepte and obserued in all points. An. 4. E. 3. cap. 16.

Cariage

7 ¶ The stat. made at Carlile in the time of the same king (that is to say, An. 35. E. 1. before 4.) wherin is cõtained that religious men shall make no cariage out of the realme, shalbe holden, kept, & maintained in all points. An. 5. E. 3. cap. 3.

Cariage

8 ¶ An. 4. H. 5. cap. vi. it is enacted, that the king shall haue the possessions of Priors aliens, if they be no counturels.

9 ¶ His Maiesty shall haue & enioy to him & to his heires for euer, all & singuler such monasteries, priories, & other religious houses of monks, canons, and nũnes, of what kindes of diuersities of habites, rules, or order soeuer they be called or named, which haue not in lands, tenements, rents, tithes, portiõs, and other hereditamentes, aboue the cleere yeerely value of 200. li. And in like maner shal haue & enioy al the sites and circuites, of euery such religious houses, and all and singuler the manours, granges, meses, landes, tenements, rents, reuersions, seruices, tithes, pensions, Churches, Chappels, aduowsons, patronages, annuities, rightes, conditions, and other hereditaments, appertayning or belonging to euerie such Monasterie, Priorie or Religious house, not hauing as is aforesaid, aboue ỹ said cleere yeerely value of CC. li. in as large & ample maner, as the abbots, priors, abbesses, and other gouernors of such monasteries, priories, and other religious houses now haue or ought to haue the same, in the right of their houses, And that also his highnesse shal haue to him & to his heires, all and singuler such Monasteries, Abbeis, and Priories, which at anie time within one yeere next before the making of this act, hath bene giuen and graunted to his Maieſtie, by any Abbot, Prior, Abbesse, or priorese, vnder their couẽt seale, or that otherwise hath bene suppressed or dissolued, and al and singuler the manors, landes, tenementes, rentes, reuersions, tithes, pensions, portions, churches, chappels, aduowsons, patronages, rights, entries,

200. pounds

Giuen

Couẽt seale Suppressed

entries, conditions, & all other interests & hereditaments to the same Monasteries, Abbeis, & Priories, or to any of them appertaining or belonging: To haue and to hold al and singuler the premises, with al their rights, profits, iurisdictions and cõmodities, vnto the kings Maiestie & his heires and assignes for euer, to do and vse therewith his and their owne wills to the pleasure of almightie God, and to the honor and profite of this Realme.

Bodies politike

And be it &c. that all and euery person & persons and bodies politique, which now haue or hereafter shall haue anie letters patents of the kings highnesse of any of the sites, circuites, manors, landes, tenemẽts, reuersions, seruices, tithes, pensiõs, portions, churches, chappels, aduowsons, patronages, tithes, entries, cõditions, interests, or other hereditamẽts, which apperteined to any Monasteries, Abbeis, or priories heretofore giuen or grãted to the kings highnes, or otherwise suppressed or dissolued, or which appertaineth to any of the monasteries, abbeis, priories, or other religious houses ỳ shal be suppressed or dissolued by ỳ authority of this act, shall haue and enioy the said sites, circuits, manors, lãds, tenements, rents, reuersions, seruices, tithes, pensions, portions, churches, chappels, aduowsons, patronages, tithes, entries, cõditions, interests, & al other hereditaments, cõtained & expressed in their letter patents now being thereof made, & to be cõtained and specified in any letters patẽts hereafter to be made, according to the tenor, purport, & effect of any such letters patents: And shall also haue all such actions, suits, entries, and remedies, to all intẽts & purposes, for any thing or things contained in euery such letters Patentes now made, or to be contained in such letters hereafter to be made, in like manner, fourme and conditions, as the Abbots, priors, abbesses, prioresses, or other chiefe gouernors of any religious houses, which had the same, might or ought to haue had, if they had not bin suppressed or dissolued. Hauing to euery person and persons, and bodies politique, their heires and successors, (other then the Abbots, Priors, Abbesses, Prioresses, or other chiefe gouernours of the said religious houses specified in this Act, and the couents of the same and their successours, and such as pretend to be Founders, Patrons, or donours of such Religious houses, of any lands, tenementes, or hereditamentes belonging to the same, and their heires and successors) all such right, title, interest, possessions, leases for yeres, rents, seruices, annuities, cõmodities, fees, liberties & liuings, pensions, portions, corrodies, stipendies, priories, & al other profites, as they or any of them hath, ought or might haue had, in or to any of the said Monasteries, Abbeis, priories, or other religious houses, or in, or to any mãnors, lands, tenements, rents, reuersions, tithes, pensions, portions, or other hereditaments, appertaining or belonging, or that appertained to any of the said Monasteries, Priories, or other Religious houses, as if ỳ same Monasteries, Priories, and other religious houses, had not bene suppressed by this Acte, but had continued in their essentiall bodies and states that they now be or were in.

Collusion Feoffments Gifts Leases

Prouided alwaies & be it enacted, that forasmuch as diuers of the chiefe gouernours of such Religious houses, &c. haue lately fraudulently and craftily made feoffments, estates, gifts, grants and leases, vnder their couent seales, or suffered recoueries of their manors, lands, tenements, and hereditaments, in fee simple, fee taile, for terme of life or liues, or for yeres, or charged the same with rẽts, or corrodies, to the great decay and diminution of the houses: that al such craftie and fraudulent recoueries, feoffements, estates, giftes, grants, and leases, & euery of them made by any of the said chiefe gouernors of such religious houses vnder their couẽt seales, within one yeere next before the making of this act, shalbe vtterly void and of none effect.

Rents Corrodies

One yeere

Void

Prouided alwaies, that such person and person as haue leases for terme of life or yeres, whereupõ is reserued the old rents and farmes accustomed, and such as haue any offices, fees or corrodies, that haue bin accustomed or vsed in such religious houses, and haue bought any linery or liuing in any such houses, shall haue and enioy their said leases, offices, fees, corrodies, liberties, liueries, and liuings, as if this act had neuer bene made.

Leases Offices Fees Corrodies

Ornaments Jewels Goods Cattels Debts

And it is &c. that the kings highnes shal haue and enioy to his owne proper vse, all such ornaments, iewels, goods, cattels, & debts, which appertained or belõged to any of ỳ chief gouernors of ỳ said Monasteries or religious houses in ỳ right of their said Monasteries, or houses at the 1. day of March, in ỳ yeere of our Lord God 1535. or any time sithen, wheresoeuer, or to whose

L. Patents

whose possession soeuer they shall come or be found, except onely such beasts, graine, & woods, & such other like cattell and reuenues as they haue sold before the said first day of March, or sithen, for the necessarie or reasonable expences or charges of anie of the said Monasteries or houses, &c.

Cattell

And be it &c. that the kings highnes shal haue & enioy according to this act, the actuall and reall possession of all & singuler such Monasteries, priories, and other religious houses, as shall appeare by the said certificate remaining in the kings Eschequer, not to haue in lãds, tenemẽts, rents, tithes, portions, & other hereditaments, aboue the said cleere yerely value of two hundred pounds: so that his highnesse may lawfully giue, grant & dispose them, or any of them at his will and pleasure to the honour of God and the wealth of this realme, without further inquisitions or offices to be had or found for the same.

Possession

Certificate

200. li.

Prouided alwaies that this Act or anie thing therin cõtained, shall not extend nor be preiudiciall to any abbats, or priors of any monasteries or priories being certified into the kings eschequer, to haue in possessions & profits spirituall & temporall aboue the said cleere yerely value of CC. li. for or concerning such celles of religious houses, appertaining or belonging to their Monasteries or priories, in which celles the priors or other chiefe gouernors thereof be vnder the obedience of the abbats or priors, to whom such celles belõg. as the monkes or chanõs of the conuent of their monasteries or priories, & cã not sue nor be sued by the lawes of this realme, or by their owne proper names, for ỹ possession or other things appertaining to such celles, whereof they be priors and gouernors, but must sue and be sued in & by the names of the Abbots or Priors, to whom they be now obedienciers, & to whom such celles belong. And also the priors or gouernours, native or remoueable frõ time to time, and accoũts of the profits of such celles at the onely pleasure and will of the abbots and priors to whom such celles belong. But that euery such cell shal be, and remaine vndissolued in the same estate, qualitie and condition, as if this acte had neuer bene made, anie thing in this act to the contrary hereof notwithstanding.

Celles

Profits

Sauing alwaies and reserving vnto euery person or persons, being founders, patrons or donors of any abbeis, priories, or other religious houses that shal be suppressed by this act, their heires, and successors, all such right, title, interest, possessiõ, rents, annuities, fees, offices, leases, commons, & all other profits whatsoeuer they be, which any of them haue or should haue had without fraud or couin by any maner of means, otherwise then by reason or occasion of the dissolution of the said abbies, priories, or other religious houses, into or vpon any of the said abbies, priories, or other religious houses, whereof they be founders, patrons, or donors, or into or vpõ any lands, tenements, or other hereditaments, appertaining or belonging to the same, in like maner, forme & condition as other persons or bodies politike be saued by this act, as is afore rehearsed, and as if the said abbies, priories, or other religious houses had not bene suppressed & dissolued by this acte, but had continued still in their essentiall bodies and estates as they be now, any thing in this acte to the contrary hereof notwithstanding.

Founders Patrons

Right

And further be it &c. that all & singuler persons & bodies politike and corporate, to whom the kings Maiestie, his heires or successors hereafter shal giue, graunt, let, or demise any site, or precinct, with ỹ houses thereupon builded, together with the demeanes of any monasterie, Priories or other religious houses that shall be dissolued or giuen to the kings highnes by this act, his heirs, successors or assignes, euery such person, body politike, and corporate, shalbe bounden by authoritie of this acte vnder the penalties hereafter, to kepe or cause to be kept, an honest cõtinuall house & household in the same site or precinct, & to occupy yerely as much of the demeanes in plowing & tilling of husbandrie, that is to say, as much of the said demeanes, which hath bene cõmonly vsed to be kept in tillage by the gouernours, abbots, or priors of the same houses, monasteries, priories, or by their farmer or farmers, occupying the same within the time of xx. yeres next before this act. And if anie person or persons, bodies politike or corporate, ỹ shall be bounden by this act, do not kepe an honest household of husbandrie and tillage, in maner & forme as is aforesaid, that thẽ he or they so offending, shal forfeit to ỹ kings highnesse for euery moneth offending vj. li. xiij. s. iiij. d. to be recouered to his vse in anie of his courts of record. And ouer that it is &c. that al Iustices of P. in euery shire, where any such offence shalbe committed and done, cõtrary to the true meaning and

Dd

Demeanes

Household

Husbandry

Tillage Fork.

Iust. of P.

and intēt of this present act, shall in euery quarter & general Sessions within the limit of their cōmission, inquire of the premisses, & shall haue full power and authoritie to heare and determine the same, and to tax and assesse no lesse fine for euerie of the said offences, then is afore limitted for the same offence, and estreats thereof to be made & certified into the kings Exchequer, according & at such time & forme, as other estreates of fines, issues & amerciaments bin made by the same Justices. Anno 27. H. 8. in an act by it selfe not printed. See Husbandrie 7.

Generall sessions
Enquire
Diet & ter.
Estreates
Exchequer

And in this act be certaine articles, that the abbots & priors &c. of those houses and their sureties, bee discharged of their first fruits. And that the king will prouide pēsiōs for them, & that the couents shall haue capacities, or bee put into great houses. And that the B. & other chargeable for the collectiō of the tenths of spiritualties shal be discharged of collectiō of the tenths for the houses. And that ỹ king shal pay al the true debts of these houses, & that the king may declare by letters patents which of their houses shall continue, &c. And other matters be in this act, which I leaue out, because the time of this is past, or els they concerne certaine particular persons.

First fruits
Pay debts
L. patents

10 ¶ Upon al & singuler L. patents to be made vnder the great seale of Englād of any manors, lands, tenements, & hereditamēts, belonging or appertaining to any of the said houses cōprised in the said act (S. An. 27. H. 8. before 9.) & committed to the survey of the said court (S. Augmentations) to any person or persons, or body politique for any estate of inheritance, there shalbe alwaies reserued to ỹ kings highnes, his heires and successors, a tenure by knights seruice in Capite, & a yerely rent of the tēth part of the yerely value of the lands to be cōprised in euery such letters patēts, according to such rate, as the same manors, lands, & tenements giuen shalbe expressed to be of yerely value in the same letters patents, any thing or clause cōteined in warrant to the cōtrary thereof notwithstāding. And that the said rent so reserued vpon any such estate, shalbe cōtented & paid to the officers of ỹ said Court to ỹ kings vse, according as other reuenues there shall be paide. And that none auerment shall be made or admitted by or for the king, or any other person, that ỹ same manors, lāds, tenements be of more yerely value, then in the same letters patents shall be declared. Anno 27. H. 8. cap. 27. Nota.

L. patents
Survey Court of augmentation
Knights seruice
Rent
Rent
Auerment

11 ¶ Where diuers sundry abbots, Priors, Abbesses, Prioresses, & other ecclesiastical gouernors and gouernesses of diuers monasteries, Abbaties, Priories, nunries, colledges, hospitals, houses of friers, and other religious & ecclesiastical houses and places, within this our soueraigne Lord the kings realme of Englād and Wales, of their owne free and voluntarie minds, good wils, & assents, without constraint, coaction or compulsion of any maner of person or persons sithen the 4. day of Februarie, the 27. yere of the reigne of our now most dread soueraigne Lord, by the due order and course of the cōmon lawes of this realme of England, and by their sufficient writings of record vnder their conuent & common seales, haue seuerally giuen, grāted, and by the same their writings seuerally cōfirmed all their said monasteries, abbaties, priories, nunries, colledges, hospitals, houses of friers, and other religious and Ecclesiastical houses and places, and all their sites, circuites, & precincts of the same, and all and singuler their manors, lordships, granges, meses, landes, tenementes, medowes, pastures, rents, reuersions, seruices, woods, tithes, pensions, portions, churches, chappels, aduowsōs, patronages, annuities, rights, entries, conditions, commons, leetes, courtes, liberties, priuiledges and franchises, appertaining, or in any wise belōging to anie such monasterie, abbatie, priorie, nunrie, colledge, hospitall, house of friers, and other Religious and Ecclesiastical houses & places, or to any of them, by whatsoeuer name or corporation, they or any of thē were then named or called, & of what order, habite, religion, or other kind of quality soeuer, they or any of them then were reputed, knowen, or taken: To haue and to hold all the said monasteries, Abbaties, Priories, Nunries, Colledges, hospitals, houses of Friers, and other religious & Ecclesiasticall houses & places, sites, circuits, precincts, manors, landes, tenemēts, medowes, pastures, rents, reuersiōs, seruices & al other the premisses, to our said soueraigne lord, his heires and successors for euer: and the same their said monasteries, abbaties, priories, nunries, colledges, hospitals, houses of Friers, and all other Religious and Ecclesiasticall houses & places, sites, circuits, precincts, manors, lordships, granges, meases, lāds, tenementes, medowes, pastures, rentes, reuer-

Given
Granted

reuersions, seruices, & other the premisses voluntarily, as is aforesaide, haue renounced, left and forsaken, and euery of them hath renounced, left and forsaken.

Be it therefore &c. that the king our soueraigne lord shal haue, hold, possesse & enioy, to him, his heires & successors for euer, al & singular such late monasteries, abbathies, priories, nunries, colledges, hospitals, houses of friers, & other religious & ecclesiastical houses and places, of what kindes, natures, qualities, or diuersities of habites, rules, professions or orders, they or any of them were named, knowē or called, which sith the said iiii. day of February the xxvii. yere of ỳ reigne of our said soueraigne lord haue bin dissolued suppressed, renoūced, relinquished, forfeited, giuen vp, or by any other meane come to his highnesse, & by the same authority, & in like maner shall haue, hold, possesse, & enioy al the sites, circuits, precincts, manors, lordships, grāges, meases, landes, tenemēts, medowes, pastures, rents reuersions, seruices, woods, tithes, pensions, portiōs, parsonages appropried, vicarages, churches, chapels, aduowsons, nominations, patronages, annuities, rights, interests, conditiōs, cōmons, lāets, courts, liberties, priuiledges, franchises, & other whatsoeuer hereditamēts which apperteined or belonged to the said monasteries, abbathies, priories, nunries, colleges, hospitals, houses of friers, & other religious or ecclesiasticall houses & places, or to any of them, in as large & ample maner & forme, as the late abbats, priors, abbesses, priores, & other ecclesiastical gouernors & gouernesses of such late monasteries, abbathies, priories, nunries, colledges, hospitals houses of friers, & other religious and ecclesiasticall houses & places, had, held, or occupied, or of right ought to haue had, holden or occupied in the right of their said late monasteries, abbathies, priories, nunries, colledges, hospitals, houses of friers, and other religious or ecclesiasticall houses or places, at the time of the saide dissolution, suppression, renouncing, relinquishing, forfaiting, giuing vp, or by any other maner of meane, comming of the same to ỳ kings highnesse, sithen the iiii. day of Februarye aboue specified. And it is &c. that not only al the saide monasteries, abbathies, priories, nunries, colleges, hospitals, houses of friers, & other religious & ecclesiasticall houses & places, sites, circuits, precincts, manors, lordships, granges, meases, landes, tenemēts, medowes, pastures, rents, reuer-

Dissolued suppressed

sions, seruices, & al other premisses, forthwith immediatly & presently, but also al other monasteries, abbathies, priories, nunries, colledges, hospitals, houses of friers, & al other religious & ecclesiastical houses & places, which hereafter shal happen to be dissolued, suppressed, renounced, relinquished, forfeited, giuen vp, or by any other meanes come vnto the kings highnes, and also al ỳ sites, circuits, precincts, manors, lordships, granges, meases, landes, tenements, medowes, pastures, rēts, reuersiōs, seruices, woods, tithes, pensions, portions, parsonages appropriate, vicarages, churches, chapels, aduowsons, nominatiōs, patronages, annuities, rights, interests, entries, conditions, cōmons, lāets, courts, liberties, priuileges, frāchises, & other hereditamēts whatsoeuer they be, belonging or appertaining to ỳ same, or to any of them, whensoeuer & assoone as they shalbe so dissolued, suppressed, renounced, relinquished, forfaited, giuen vp, or by any other meane come vnto the kings highnes, shalbe vested, deemed & aiudged by authoritie of this present Parliamēt, in the very actuall and real seison & possession of the king our soueraigne lord, his heires & successors for euer, in the state & condition as they nowe be, & as though al the said late monasteries, abbathies, or priories, nunries, colleges, hospitals, houses of friers, & other religious & ecclesiastical houses & places, so dissolued, suppressed, renounced, relinquished, forfeited, giuen vp, or come to the kings highnes, as is aforesaid, as also the saide monasteries, abbathies, priories, nunries, colleges, hospitals, houses of friers, & other religious & ecclesiasticall houses and places, which hereafter shal happē to be dissolued, suppressed, renounced, relinquished, forfeited, giuē vp, or come vnto the kings highnes, sites, circuits, precincts manors lordships, granges, lands, tenements, & other the premisses whatsoeuer they be, & euery of them, were in this present act specially & particularly rehearsed, named & expressed by expresse wordes, names, titles & faculties, & in their natures, kindes & qualities. And be it &c. that al the saide late monasteries, abbathies, priories, nunries, colledges, hospitals, houses of friers, or other religious and ecclesiasticall houses & places, which bin dissolued, suppressed, renounced, relinquished, giuen vp, or come to ỳ kings highnes by any maner of meanes, as is aforesaide, and all the manors, lordships, granges, lands, tenemēts, & other the pre-

Possession

Attainder Treason

missis (except such thereof as be come to ỹ kings hands by attainder, or attainders of treason) And all the said monasteries, abbathies, priories, nunries, colledges, hospitals, houses of friers, & other religious and ecclesiastical houses & places, which hereafter shal happē to be dissolued, suppressed, renoūced, relinquished, forfeited, giuen vp, or come vnto the kings highnesse, & all the manors, lordships, granges, landes, tenemēts, medowes, pastures, rents, reuersiōs, seruices, woods, tithes, portiōs, pensions, parsonages appropried, vicarages, churches, chapels, aduowsons, nominations, patronages, annuities, rights, interestes, entries, conditiōs, cōmons, leets, courts,

Leetes Courts

liberties, priuiledges, franchises, & other hereditamēts whatsoeuer they be, belonging to the same, or to any of them (except such thereof which shal happen to come to the kings highnes by attainder or attainders of treason) shalbe in the order, surney & gouernance of our said soueraigne Lorde the kings court of augmentations of the reuenues of his crowne, & of the Chauncellour, officers & ministers of the same. And al the fermes, issues, reuenues, & profits, cōming & growing of the premisses, & of euery part thereof (except before excepted) shalbe ordered, taken & receiued to ỹ kings

Augmentation

Chancellor

vse by the said Chancellor, ministers & officers of the same court, in such & like maner & forme, as the monasteries, priories, sites, circuites, manors, granges, meases, lands, tenemēts, rents, reuersions, seruices, tithes, pensions, portions, aduowsons, patronages, rights, entries, conditions, & other hereditaments, late appertaining or belonging vnto the monasteries, abbathies, priories, or other religious houses, late by authoritie of Parliament suppressed, bene ordered, surueyed and gouerned. Sauing to all & euery person or persons, &

Bodies politik

bodies politike, and their heires & successors, & the heires & successors of all & euery of them, other then ỹ said late abbats, priors, abbesses, prioresses, & other ecclesiasticell gouernours & gouernesses of the saide late monasteries, abbathies, priories, nunries, colledges, hospitals, houses of friers, & other religious & ecclesiasticall houses & places, & their successors, & the successors of euery of them, and such as pretend to be

Founders Patrons

foūders, patrons, or donors of such monasteries, abbathies, priories, nunries, colledges, hospitals, houses of friers, & other ecclesiasticall houses & places, or of any manors, measuages, landes, tenements, or other hereditamēts belonging to the same, or to any of them, their heires & successors, and the heires & successors of euery such founder, patron or donour, and the nowe abbats, priors, abbesses, prioresses, & other ecclesiasticall gouernors and gouernesses of such monasteries, abbathies, priories, nunries, colledges, hospitals, houses of friers, & other religious & ecclesiasticall houses & places, which hereafter shall happen to be dissolued, suppressed, renounced, relinquished, forfeited, giuen vp, or to come to the kings highnes, and such as pretende to be founders, patrons, or donours of such monasteries, abbathies, priories, nunries, colledges, hospitals, houses of friers, and other ecclesiasticall houses & places, of any manors, messuages, landes, tenements, or other hereditamentes to the same belonging, or to any of them, their heires & successors, and the heires and successors of euery of them, all such right, title, claime, interest, possessions, rēts, charges, annuities, leases, fermes, offices, fees, liueries & liuings, portions, pensions, corodies, commons, synodies, priories, and other profits, which they or any of them, haue, claime, ought, may or might haue had, in or to the premisses, or to any part or parcell thereof, in such like maner, forme and condition to all intents, respectes, constructions & purposes, as if this acte had neuer bene had ne made, rents seruices, rents secke, and al other seruices and suites onely except.

Right

Rents seruices

Prouided alwaies, and be it &c. that if any late Abbat, Prior, abbesse, prioresse, or other ecclesiasticall gouernour or gouernesse aboue saide within one peere next before the dissolution, suppression, renouncing, relinquishing, forfaiting, giuing vp, or comming to the kings highnesse of his late monasterie, abbathie, priorie, nunrie, colledge, hospitall, house of friers, or other religious, or ecclesiasticall house or place, hath made any lease or graunt, vnder his couent or common seale, or otherwise for terme of life, or for terme of yeeres, of the site, circuit, and precinct of his sayde late monasterie, abbathie, priorie, nunrie, colledge, hospital, house of friers, or other religious or ecclesiasticall house or place, or of any parte thereof, or of any manors, messuages, granges, lands, tenementes, parsonages appropriate, tithes, pensions, portions, or other hereditamentes, which belonged or appertained to his saide late monasterie, abbathie, priorie, nunrie, colledge, hospitall, house

One yere

Lease graunt

of

ffriers, or other religious or ecclesiasti-
call house or place, which manors, mesua-
ges, granges, lands, tenements, parso-
ges appropriate, tithes, pensions, portions
or other hereditamẽts, were not before the
same lease cõmonly vsed to be set nor let to
ferme, but kept & reserued in the manu-
rance, tillage, or occupation of the said go-
uernour or gouernelle for the maintenãce
of hospitalitie and good house keeping, or
One yere Leas within one yere as is aboue said: hath made
any lease or graunt for terme of life, or for
terme of yeres of any manors, mesuages,
landes, tenements, medowes, pastures,
woods, parsonages appropriat, tithes, pen-
sions, portions, churches, chappels, or o-
ther hereditaments, whatsoeuer they be,
whereof, or in the which any estate or in-
terest for terme of life, yere or yeres, at the
time of making of any such grant or lease,
that had his being or cõtinuance, and then
was not determined, finished or expired:
Or within the time of one yeere, as is a-
boue said, hath made any lease or grant for
terme of life, or for terme of yeres, of any
manors, mesuages, lands, tenements, me-
dowes, pastures, woods, parsonages appro-
priat, tithes, pensions, portions, churches,
chappels or other hereditaments whatso-
euer they be, vpõ ẏ which leases & graũts,
Old rents the vsual & old rents & fermes accustomed
to be yelden, & reserued by the space of xx.
yeres next before the first daye of this pre-
sent Parliament, is & be not therupon re-
serued & holden. Or if any such gouernour
or gouernelle, hath made any bargaine or
Woodsale sale of his woods within one yere, as is a-
fore limitted, which woods be yet grow-
ing & standing: that then all & euery such
lease, graunts, bargaines and sale of wood
or woods, shalbe vtterly void and of none
Voide Feoffmẽts Fines Recoueries effect. And it is &c. that al feoffemẽts, fines
& recoueries had, made, knowledged or suf-
fered by any gouernor or gouernelle, with-
out the kings licẽce vnder his great seale,
within one yere next before the dissolutiõ,
renouncing, relinquishing, forfeiting, gi-
uing vp, or comming to the kings highnes
of his saide monastery, abbathie, priory,
nunry, colledge, hospital, house of friers, or
other religious or ecclesiasticall house or
place, of any manors, meases, lands, tene-
ments, or other hereditamẽts, whatsoeuer
they be, which the said late abbat, prior, ab-
besse, prioresse, and other ecclesiastical go-
uernour or gouernelle, or any of them, or
any of their predecessors had or held of the
gift, graunt, or confirmation of our saide
soueraigne lord, or of any of his highnesse
progenitors, or of the which monasteries,
abbathies, priories, nunries, colledges, hos-
pitals, houses of friers, or other religious &
ecclesiasticall houses or places, our said so-
ueraigne lord was founder or patron: or
which manors, meases, lãds, tenementes,
or other hereditaments were of the aunci-
ent or old foundation or possession of ẏ said
late monasteries, abbathies, priories, nun-
ries, colledges, hospitals, houses of friers,
or other religious or ecclesiasticall houses
or places: shalbe vtterly void & of none ef-
fect. And it is &c. that if any abbat, prior, Voide
abbesse, prioresse, or other ecclesiastical go-
uernor or gouernelle of any monasterie,
abbathie, priorie, nunrie, colledge, hospital,
house of friers, or other religious or eccle-
siasticall house or place, which hereafter
shal happen to be dissolued, suppressed, re-
nounced, relinquished, forfeited, giuen vp,
or come to the kings highnes within one
yere, next before the first day of this pre-
sent parliament, haue made, or hereafter doe
make any lease or graunt, vnder his coũt Leas Graunt
or common seale, or otherwise for terme of
yeeres, or life, or lines, of the site, circuite,
& precinct of his said monasterie, abbathie,
priorie, nunrie, colledge, hospitall, house of
friers, or other religious or ecclesiasticall
house or place, or of any part thereof, or of
any manors, messuages, lands, tenemẽts,
parsonages appropriate, tithes, pensions,
portions, or other hereditamẽts belõging
or appertaining to his said monasterie, ab-
bathy, priorie, nunrie, colledge, hospitall,
house of friers, or other religious or eccle-
siasticall house or place, which manors,
meases, granges, lãds, tenements, parso-
nages appropriate, tithes, pensions, porti-
ons, or other hereditaments, whatsoeuer
they be, were not before ẏ same lease com-
monly vsed to be set nor let to ferme, but
kept & reserued in ẏ manurance, tillage, or
occupation of the said gouernor or gouer-
nelle for ẏ maintenance of hospitalitie and
good house keeping, or now be in ẏ manu-
rance, tillage or occupatiõ of ẏ said gouer-
nour or gouernelle, for the maintenance of
hospitality & good house keeping, or wiin
One yere one yere next before ẏ first day of this pre-
sent parliament, hath made, or hereafter
shal make any lease or graũt for terme of Leas
life, or for terme of yeres, of any manors,
meases, lands, tenements, medowes, pa-
stures, woodes, parsonages appropriate,
tithes, pensions, portions, churches, chap-
pels, or other hereditaments whatsoeuer

they be, whereof, & in the which any estate or interest for term of life, yere or yeres, at the time of making of any such graunt, or lease then had his being or cõtinuance, or hereafter shal haue his being or cõtinuãce & then was not determined, finished or expired, or ẏ the time of any such lease to bee made, shall not be determined, finished or expired. Or wõin one yere nert before ẏ first day of this presẽt parliamẽt hath made, or hereafter shal make any lease or graunt for terme of life, or for terme of yeres, of any manors, mesuages, landes, tenements, medows, pastures, woods, parsonages appropriate, tithes, pensions, portions, churches, chapels, or other hereditamẽts, what soeuer they be, vpon the which leases and grants, the vsual & olde rents, & fermes accustomed to be yeldẽ & reserued by ẏ space of xx. yeres nert before the said first day of this presẽt parliamẽt, is or be not, or hereafter shal not be therupon reserued & yelden. Or if any such gouernor or gouernesse of any such monastery, abbathie, priory, nunry, colledge hospital, house of friers, or other religious or ecclesiasticall house or place, which hereafter shal happẽ to be dissolued, suppressed, renounced, relinquished, forfeited, giuen vp, or come to the kinges highnes, within one yere nert before ẏ first day of this presẽt parliamẽt, hath made or hereafter shall make any bargaine or sale of his woods, which woods be yet growing & standing: that then all & euery such lease, graunt, bargaine & sale of wood or woods, shalbe vtterly void & of none effect. And it is &c. that all feoffemẽts, fines and recoueries, had, made, knowledged, or suffered within one yere nert before the first day of this presẽt parliamẽt, or hereafter to bee had, made, knowledged, or suffered by any gouernor or gouernesse of any monasterie, abbathie, priorie, nunrie, colledge, hospital, house of friers, nor other religious or ecclesiasticall house or place which hereafter shal happen to be dissolued, suppressed, renounced, relinquished, forfeited, giuẽ vp, or come to ẏ kings highnes, without ẏ kings licence vnder his great seale, of any manors, meases, lands, tenemẽts, or other hereditamẽts, whatsoeuer they be, which the said abbats, priors, abbesses, prioresses, & other ecclesiastical gouernors or gouernesses, which hereafter shal happẽ to be dissolued, suppressed, relinquished, forfeited, giuẽ vp, or come vnto the kings highnesse, as is aforesaide, or any of them, or any of their predecessors, had or held, or haue and holde of the gift, graunt or confirmation of our said soueraigne lord, or of any of his highnesse progenitors, or of ẏ which monasteries, abbathies, priories, nunries, colleges, hospitals, houses of friers, or other religious or ecclesiasticall houses or places, our said soueraigne lord is founder or patron, or which manors, meases, lands, tenemẽts or other hereditaments, were or be of the auncient or old foundation or possessiõ of ẏ said monasteries, abbathies, priories, nunries, colledges, hospitals, houses of friers, or other religious or ecclesiasticall houses or places, shalbe vtterly void & of none effect.

Prouided alway &c. ẏ if any abbat, prior, abbesse, prioresse, or other gouernor or gouernesse abouesaid, within one yere nert before the first daye of this present parliament, or if any late abbat, prior, abbesse, prioresse, or other late gouernor or gouernesse abouesaid, within one yere nert before any such dissolution, suppression, renouncing, relinquishing, forfeiting, giuing vp, or cõming to the kings highnes of the premisses, or of any parcel thereof, as is aforesaide, haue made any demise, lease or grant to any persõ or persõs, for terme of yeres, of any manors, meases, lands, tenemẽts, parsonages appropriate, tithes, pensions, portiõs, or other hereditamẽts aforesaide, which person or persõs at the time of the said demise, lease, or grant had & held ẏ same to ferme for terme of yeres then not expired: ẏ then the said person or persõs to whom any such demise, lease or grant hath bin so made, shal haue & holde the same for terme of xxi. yeres, only from the time of ẏ making of the said demise, lease, or grant, if so many yeres be by ẏ same demise, lease, or graunt specified, limitted & expressed, or else for so many yeeres as in such demise, lease, or grant bin expressed, so ẏ the old rẽt be therupon reserued, and so that the same lease or leases exceede not xxi. yeres. This acte or any thing therein conteined to the contrary not withstanding.

Prouided also &c. that if any abbat, prior, abbesse, prioresse, or other late gouernor or gouernesse, wõin one yeere nert before any such dissolutiõ, suppressiõ, renoũcing, relinquishing, forfeitting, giuing vp, or cõming vnto the kings highnes of the premisses, or of any parcel thereof, as is aforesaide, haue made any demise, lease, or grant to any person or persons for terme of life or liues, of any manors, meases, lãds, tenemẽts, parsonages appropriat, tithes, pensions, portions, or other hereditamẽts aforesaid, which

person

One yere — Lease Grant — Old rents — One yere — Wood sales — Voyd Feffemẽts Fines Recoueries One yere — K. licence — Founder Patron — Old foundation — Voide — One yere — Dissolued — Lease Graunt — xxi. yeres — Old rent — One yere — Lease Graunt

person or persons, or any of them at ỳ time of the said demise, lease, or graunt, had and holde the same for terme of life or lines, or for terme of yeeres then not expired: that then the said person or persons, to whome any such lease or graunt hath bin so made, shall haue and holde the same for terme of their life or lines, so that the olde rent bee thereupon reserued. This act or any other thing therein conteined to the contrarie thereof notwithstanding.

Lines
Old rent

Prouided also &c. that all & singular leases & graunts, made by copie to any person or persons of any of ỳ said messuages, lãds, tenemẽts, parsonages appropriate, tithes, pensions, portions, or other hereditamẽts aforesaid, for terme of life or lines, which by the custome of the countrey hath bẽne vsed to be demised, letten or graunted by copy of court roll, shalbe good & effectual in the law, so that the old rent be reserued by and vpon euery such lease and leases, this act or any thing therein conteined to the contrarie in any wise notwithstanding.

Leases
Graunts
Copyholds
Custome
Old rent

Prouided alwaies &c. that al leases heretofore made of any the premisses by authoritie of our soueraigne lord the kings court of augmentations of the reuenues of his crowne, & all such leases, feoffements, and woodsales made by the said gouernours & gouernelles, or any of them, vnder their couent seales, or vnder their couent or cõmon seale, or any of them, within one yere next before the dissolution, suppression, renouncing, relinquishing, forfetting, giuing vp, or comming to the kings highnes, of ỳ said monasteries, abbathies, priories, nunries, colledges, hospitals, houses of friers, or other religious or ecclesiasticall houses or places, which said leases, graunts, feoffements, & woodsales haue bin examined, enrolled, decreed, or affirmed in our said soueraigne lord the kings court of augmentations, and the decree of the same put in writing, sealed with the seale of the saide court of augmentations, shalbe good & effectuall, according to the same decree: any clause or act heretofore in this present act, to the contrarie not withstanding.

Leases
Augmentation
Woodsales
Examined
Enrolled
Decreed

Prouided alway &c. that if any person or persons haue iustly & truly without fraud or couin, paid or giuen any thing or summes of money to any ỳ said late gouernours or gouernelles, for the bargaines & sales of any woods, being & growing in, or vpõ any mannours, landes, tenementes, or hereditamẽts, which appertained or belonged to ỳ said late monasteries, abbathies, priories, nunries, colledges, hospitals, houses of friers, or other religious or ecclesiastical places, or vnto any of them, which bargaine & sale by authoritie of this act is made void & of none effect, & by meane therof, the kings highnesse may haue & take the commoditie & profite of such woods so bargained & sold: that then the Chauncellour & other officers of our said soueraigne lorde the kings court of augmentations, or three of them, wherof the Chauncellour for the time being shalbe one, of our said soueraigne lorde the kings treasure, remaining in the treasurie of the same court, shal satisfie and recompence euery such person & persons such summe of money, or other recompence, as the same Chauncellour & officers, or three of them, wherof the said Chauncellour shal be one, shal thinke mete & cõuenient. And if any other person or persons shall happen to take profite & commoditie, by reason of auoiding of such woodsales by authority of this act: that then euery person or persons which may or shall take any such profite, shalbe ordered for satisfaction to be made to the parties that shal happen to be grieued by this act, by the said Chauncellor, & other the officers of the same court.

Chancellor
Recompẽce

Prouided also &c. that all and euery person and persons, their heires and assignes, which sith the said fourth day of February, by licence, pardon, confirmation, release, assent or cõsent of our said soueraigne lord the king, vnder his great seale heretofore giuen, had or made, or hereafter to be had or made, haue obteined or purchased, by indenture fine, feoffememẽt, recouery or otherwise, of the said late abbots, priors, abbesses, prioresses, or other gouernors, or gouernelles, of any such monasteries, abbathies, priories, nunries, colleges, hospitals, houses of friers, or other religious or ecclesiasticall houses or places, any monasteries, priories, colledges, hospitals, manors, landes, tenementes, meadowes, pastures, woods, churches, chappels, parsonages, tithes, pensions, portions, or other hereditamẽts, shal haue & enioy the same, according to such writings & assurances, as ben thereof before ỳ day of this present Parliament, or hereafter shalbe had or made: Saluing to all & euery person or persons, & bodies politike, their heires & successors, & to the heires & successors of euery of them (other then ỳ said late abbots, abbesses, priors, prioresses, & other gouernors & gouernelles, & their successors, & ỳ successors of euery of them, & such as pretend to be founders,

Licẽce
Purchase
Bodies politike

Founders Patrons

bers, patrons, or donors of ỳ said monasteries, abbathies, priories nunries, colleges, hospitals, & other religious or ecclesiastical houses or places, or any of them, or of any manors, messuages, landes, tenements, or other hereditaments, late belonging to the same, or to any of them, & their heires, successors, and the heires & successors of euery

Heires

founder, patron or donor) all such right, title, interest, possession, rentes, annuities, cõmodities, offices, fees, liueries & liuings, portions, pensions, corodies, synodes, priories, and other profits, which they or any of them haue, ought, or mought haue had, in or to any ỳ said monasteries, abbathies, priories, colledges, hospitals, manors, lãds, tenementes, rentes, seruices, reuersions, tithes, pensions, portions, or other hereditaments, at any time before any such purchase, indentures, fines, feoffemẽts, recoueries, or other lawfull meane betweene any such parties, had or made, as is aboue said: this act or any thing therin conteyned to the contrary notwithstanding. And where our saide Soueraigne lorde, sith the fourth day of February, the said xxvii. yere of the reigne of our saide soueraigne lorde, hath obtained & purchased, aswel by exchãges, as by giftes, bargaines, fines, feoffements, recoueries, dedes inrolled, and otherwise, of diuers & sundrie persons, many sundrie & diuers honors, castels, manors, lands, tenements, meadowes, pastures, woods, rents, reuersions, seruices, & other hereditaments, and hath not only paied diuers and sundrie great summes of money for the same, but also hath giuen & graũted for the same, vnto diuers and sundry persons, diuers and sundrie manors, lands, tenements, & hereditaments, and other recõpences, in & for full satisfaction of all such honors, castels, manors, landes, tenements, rents, reuersions, seruices, and other his hereditaments, by his highnes obtained or had, as is aboue said: Be it therefore ẽacted that our said soueraigne lorde the king, his heires and successors, shal haue, holde, possesse, and enioy al such honors, castels, manors, lands, tenements, and other hereditamentes, as his highnesse sith the saide fourth day of Februarie, the xxvii. yere aboue said, hath obtained and had, by way of exchãge bargain, purchase, or other whatsoeuer meane or meanes, according to the true meaning and intent of his highnesse bargaine, exchange, or purchase, misrecitall, misnamyng, or non recitall, or not naming of the said honors, castels, manors, lands, tenemẽts, and other hereditamẽts, comprised or mentioned in the bargaines, or writings made betweẽ the kings highnesse and any other partie or parties, or of the townes or counties where the saide honors, castels, manours, lands, tenements, and hereditaments, lie and bin, or any other matter or cause whatsoeuer it be, in any wise not withstanding.

King

Misrecitall Misnamyng Nonrecitall

Sauing to all & euery person & persons, and to their heires, bodies politike & corporate, and to their successors, and to euery of them, other then such person and persons, and their heires, and their wiues, and the wiues of euery of them, bodies politike & corporate, and their successors, and euery of them, of whome the kings highnes hath obtained by exchange, gift, bargaine, fine, feoffement recouery, dede enrolled, or otherwise, any such honors, castels, manors lands, tenements, & other hereditaments, as is aforesaid, all such right, title, use, interest, possession, rents, charges, annuities, commodities, fees and other profits (rents seruices, and rents seckes onely except) which they or any of them haue, might or ought to haue had, in or to the premisses so obtained and had, or in or to any parcell thereof, if this act had neuer biene had nor made: this present act or any thing therein contained to the contrary notwithstanding. And where it hath pleased the kings highnesse of his most abundant grace and goodnesse, aswell vpon diuers and sundry considerations, his Maiesty specially moning, as also otherwise, to haue bargained, sold, changed, or giuen and graunted by his graces seuerall letters patents, indẽtures, or other writings, aswell vnder his highnesse Duchie of Lancaster, and the seale of the office of ỳ augmẽtations of his crowne, vnto diuers & sundry of his louing & obedient subiects, diuers and sundry honors, castels, manors, monasteries, abbathies, priories, lands, tenemẽts, rents, reuersions, seruices, parsonages appropriated, aduowsons, liberties, tithes, oblations, portions, pensions, franchises, priuiledges, liberties & other hereditamẽts, commodities & profits, in fee simple, fee taile, for terme of life, or for terme of yeeres. For auoiding of which said letters patẽts, & of the cõtents of ỳ same, diuers, sundry, & many ambiguities, doubts & questions might hereafter arise, be moued & stirred, aswell for misrecitall or non recitall, as for diuers other matters, things, or causes to be alleaged, obiected or inuented, against ỳ said letters

L. patents

Lancaster

Fee simple

Doubts Misrecitall Nonrecitall

patents:

Offices Inquisitiõs

Leases Vaine Misnaming

Right

L. patents Indentures

3. yeres

Parsonages appropriate

Tithes

patents: as also for lack of finding offices or inquisitions, wherby ỳ title of his highnesse therein, ought to haue bin found, before the making of ỳ same letters patents, or for misrecitall or non recitall of leases, aswel of record as not of record, or for lack of the certeintie of the values, or by reason of misnaming of the honors, castels, manours, monasteries, abbathies, priories, lands, tenements, & other hereditaments, comprised & mẽtioned within the same letters patents, or of the townes & counties where the same honors, castels, manours, monasteries, abbathies, priories, lands, tenements, rents, & other hereditamẽts, lien & bin, as for diuers & sundry other suggestions and surmises, which hereafter might happen to be moued, surmised & procured against the same letters patents, albeit ỳ words in effect cõteined in the said letters patents, be according to the true intent & meaning of his most royall Maiestie. Be it therefore enacted &c. that aswell all and euery the said letters patents, indentures, or other writings, and euery of them, vnder the seale or seales aboue saide, or any of them made or granted by the kings highnes, sithen the saide iiii. day of Februarie, the said xxvii. yere of his most noble reigne, as al and singular other his graces letters patents, indentures, or other writings to be had, made or graunted, to any person or persons, within three yeres next after the making of this present acte, of any honors, castels, manours, monasteries, abbathies, priories, nunries, colleges, hospitals, houses of friers, or of other religious or ecclesiasticall houses or places, sites, circuites, precincts, lands, tenementes, parsonages, tithes, pensions, portions, aduowsons, nominations, and all other hereditaments & possessions, of what kinde, nature, or quantie soeuer they be, or by whatsoeuer name or names they or any of them be named, knowen or reputed, shall stand, & be good, effectuall and available in the lawe of this Realme, to al respects, purposes, constructions, and intents, against his maiesty, his heires or successors, without any other licence, dispensation or tolerance of ỳ kings highnes, his heires or successors, or of any other person or persons whatsoeuer they bee, for any thing or things conteined or hereafter to be conteined in any such letters patents, indentures, or other writings: any cause, consideration, or thing material to the contrarie in any wise notwithstanding. Sauing to all and singuler persons, bodies politike & corporate, their heires & successors, and the heires & successors of euery of them, other then his highnes, his heires & successors, & the said gouernors & gouernelles, & their successors, donors, founders, & patrons aforenamed, and their heires & successors, and all other persons claiming in their rightes, or to their vse, or in the right or to the vse of any of them, in all such right, title, claime, interest, possession, reuersion, remainder, offices, annuities, rents charges, & commons, which they or any of them haue, ought, or mought haue had, in, or to any of the saide honors, castels, manours, monasteries, abbathies, priories, lands, tenements, & other hereditaments in the saide letters patents made, or hereafter to bee made, comprised at any time before the making of the saide, or such letters patentes: this acte or any thing therin contained to the cõtrary notwithstanding. And where diuers and sundrie abbots, priors, abbesses, prioresses, and other ecclesiastical gouernours and gouernesses of the saide late monasteries, abbathies priories, nunries, colledges, hospitals, houses of friers, and other religious & ecclesiastical houses and places, haue had, possessed, and enioyed diuers and sundry parsonages appropriated, tithes, pensions and portions, and also were acquited and discharged, of and for the payment or payments of tythes, to bee payed out, or for their saide monasteries, abbathies, priories, nunries, colledges, hospitals, houses of friers, and other religious and ecclesiastical houses and places, manours, mesuages, lands, tenements and hereditamẽts: Be it &c. that as well the king our Soueraigne lord, his heires and successors, as all and euery such person and persons, their heires and assignes, which haue, or hereafter shal haue, any monasteries, abbathies, priories, nunries, colledges, hospitals, houses of Friers, or other Ecclesiasticall houses or places, sites, circuits, or precincts of the same, or of any of them, or any manors, mesuages, parsonages appropriate, tithes, pensions, portions, or hereditamẽts whatsoeuer they bee, which belonged or appertained, or which nowe belong or appertaine vnto the saide monasteries, abbathies, priories, nunries, colledges, hospitals, houses of friers, or other religious and ecclesiasticall houses or places, or vnto any of them: shal haue, hold, retaine, kepe & enioy aswell the saide parsonages appropriate, tithes, pensions, and portions, as

the ſaid monaſteries, abbathies, p̄iorꝛies, nunries, colleges, hoſpitals, houſes of fryers, and other religious and eccleſiaſticall houſes & places, ſites, circuites, p̄recints, manoꝛs, meaſes, lands, tenemēts, & other hereditaments, whatſoeuer they bee, and euery of them, accoꝛding to their eſtates and titles, diſcharged and acquited of payment of tithes, as freely, and in as large & ample maner, as the ſaid late abbats, p̄iors, abbeſſes, p̄rioreſſes, and other eccleſiaſticall gouernoꝛs and gouerneſſes, oꝛ any of them had, held, occupied, poſſeſſed, vſed, retained, oꝛ enioyed the ſame oꝛ any parcel therof, at the daies of their diſſolutiō, ſuppꝛeſſion, renouncing, relinquiſhing, foꝛfeiting, giuing vp, oꝛ comming to the kings highneſſe of ſuch monaſteries, abbathies, p̄iorꝛies, nunries, colleges, hoſpitals, houſes of friers, & other religious oꝛ eccleſiaſticall houſes oꝛ places, oꝛ at the day of the diſſolution, ſuppꝛeſſion, renouncing, relinquiſhing, giuing vp, oꝛ comming to the kings highneſſe of any of them: this act oꝛ any thing therein contained to the contrary notwithſtanding. Sauing to the kings highnes, his heires & ſucceſſoꝛs, all and all maner of rents, ſeruices, and other duities whatſoeuer they be, as if this acte had neuer bēne had noꝛ made. And be it &c. that ſuch of ẏ ſaid late monaſteries, abbathies, p̄iorꝛies, nunries, colleges, hoſpitals, houſes of friers, oꝛ other religious and eccleſiaſticall houſes oꝛ places, and all churches and chappels, to them oꝛ any of them belonging, which befoꝛe the diſſolution, ſuppꝛeſſion, renouncing, relinquiſhing, foꝛfaiting, giuing vp, oꝛ cōming into the kings hāds, were exēpted frō the viſitatiō oꝛ viſitatiōs & all other iuriſdiction of the Oꝛdinarie oꝛ oꝛdinaries wīn whoſe dioces they were ſituat oꝛ ſet, ſhal from henceforth be within the iuriſdiction and viſitation of the Oꝛdinaries, within whoſe dioceſſe they oꝛ any of them be ſituate and ſet, oꝛ within ẏ iuriſdiction and viſitation of ſuch perſons, as by the kings highnes ſhalbe limitted oꝛ appointed: this acte oꝛ any other exemption, libertie oꝛ iuriſdiction to the contrary notwithſtanding. And where beforе this time it hath pleaſed the kings Maieſtie, at the contemplation & humble petition of ẏ right noble, Thomas duke of Noꝛf. to giue his royall aſſent and licence by his graces woꝛd, wout any maner of letters patents, oꝛ other wꝛitings, to purchaſe & receiue to him & to his heires, foꝛ euer, of William Flatbury, late Abbat of the Monaſtery of Sipton in the County of Suff. & Couent of the ſame late monaſtery now being diſſolued, all the ſame monaſteries together with all and ſingular manours, loꝛdſhips, lands, tenemēts, woods, waters, cōmons, courts, lætes, aduowſons, patronages, parſonages, vicarages, chauntries, free chappels, tythes, poꝛtions of tythes, penſions, annuities, rents, ſuites, ſeruices, reuerſions, remainders, and all other things which were the hereditaments, oꝛ the poſſeſſions of the ſaid late monaſterie whereſoeuer they lay oꝛ were within the realme of England. And in likewiſe our ſaid ſouereigne loꝛd gaue like licence by his graces woꝛd, vnto the right honourable Geoꝛge loꝛd Cobham, to purchaſe & receiue to his heires foꝛ euer, of the late maſter and bꝛethren of the colledge oꝛ chauntry of Cobham, in the county of Kent, now being vtterly diſſolued, the ſite of the ſame colledge oꝛ chauntry, and all and ſinguler their hereditaments and poſſeſſions, aſwell temporall as eccleſiaſticall, whereſoeuer they lay, oꝛ were within the Realme of England. Be it thereforе enacted by the authoritie of this preſent Parliament, that the act aboue wꝛitten oꝛ any thing therin contained, ſhal not in any wiſe be p̄reiudiciall oꝛ hurtfull to the ſaide Duke & Loꝛd Cobham oꝛ to either of them, oꝛ to the heirs oꝛ aſſignes of either of them, but that ẏ ſame Duke & Loꝛd Cobham, and either of them ſunderly, and the heires & aſſignes of either of them, ſhal & may haue, hold, receiue & enioy the p̄remiſſes by them ſūderly purchaſed oꝛ receiued, accoꝛding to the purpoꝛtes and effects of ſuch euidences, wꝛitings, and conueyances, as they oꝛ any of them ſunderly haue cauſed to be deuiſed and made to them, oꝛ to their vſes foꝛ the ſame. Sauing alwayes & reſeruing to all & ſingular perſons & bodies politike, and to their heires and ſucceſſoꝛs, other then the ſaid late Abbat and couent, and their ſucceſſoꝛs, & the ſaid late maſter & bꝛethren, and their ſucceſſoꝛs, & the founders of ẏ ſame monaſterie, oꝛ the ſaid colledge oꝛ chauntrie, & the heires of either of them, and all donours, graunteoꝛs oꝛ augmentoꝛs of them, oꝛ of either of them, and the heires, and aſſignes of either of them, all ſuch rightes, titles, poſſeſſions, rents, ſeruices, fées, annuities, coꝛodies, liueries, leaſes, and al other their ſuch intereſſes, p̄ofites, and commodities, as they oꝛ any of them had, ſhould oꝛ ought to haue, of, to, oꝛ in any of the p̄remiſſes ſunderly purchaſed oꝛ receiued by the ſaide

Duke

Tithes

Rents Seruices

Viſitations

Oꝛdinaries

Duke of Noꝛf.

Licence

L. Cobham

Rights Rents Seruices

Duke or lord Cobham, if this present acte had neuer ben had ne made: Any thing in this same act to the contrary being in any wise notwithstanding. An. 31. H. 8. ca. 13.

Colledges Chantries Free chapels

12 ¶ Anno 37. H. 8. cap. 4. An acte was made, that all colleges, chanteries, frée chappels, &c. shal be in the kings disposition during his life, in which act bee diuers articles, concerning those chanteries, &c. But king Henrie during his life, did not much by force of that act, therefore I doe not put that acte here.

Colleges Free chapels Thantries v. Peres

13 ¶ All manner of colleges, frée chapels & chantries, hauing being or in esse, within fiue yeeres next before the first daye of this present Parliament, which were not in actuall and reall possession of the said late king, nor in the actual and reall possession of the king our Soueraigne Lord that now is, nor excepted in the said former act, in forme aforesaid, (See 37. H. 8. cap. 4. before 12.) other then such as by the kings cõmissions in forme hereafter mentioned shalbe altered, transported or changed, and all manors, lands, tenements, rents, tithes, pentions, portions, and other hereditaments, and things aboue mentioned, belonging to them, or any of them: and also all manors, landes, tenements, rents, and other hereditaments, & things aboue mentioned by any manner of assurance, conueyance, will, deuise, or otherwise, had, made, suffered, knowledged, or declared, giuen, assigned, limited, or appointed, to ỳ finding of any priest to haue continuance for euer, and wherewith, or whereby any priest was susteined, maintened, or found, within fiue yeres next before the first daye of this present Parliament, which were not in the actuall & reall possession of the saide late king, nor in the actuall & reall possession of our soueraigne lord the king that now is: And also al annual rents, profits, and emoluments, at any time within fiue yeres next before the beginning of this present parliament employed, payed, or bestowed toward, or for the maintenance, supportation, or finding of any stipendary priest, intended by any act or writing to haue continuance for euer, shall by the authority of this present Parliament immediatly after the feast of Easter next comming, bee adiudged, & deemed, and also be, in the very actuall & reall possession, and seisin of the king our Soueraigne Lorde and his heires and successors for euer, without anie office or other inquisition thereof to bee had or found, and in as large and ample manner and forme, as the priests, wardens, masters, ministers, gouernours, rulers, or other incumbents of them, or any of them, at any time within fiue yeres next before ỳ beginning of this present Parliament, had, occupied, or enioyed, or nowe hath, occupieth, or enioyeth the same, and as though all and singuler the saide Colledges, Frœchappels, Chantries, stipends, salaries of priestes, and the said manors, lands, tenements, hereditaments, and other the premisses whatsoeuer they be, & euery of them, were in this present act specially, particularly, and certainly rehearsed, named and expressed by expressed words, names, surnames, corporations, titles, and faculties, and in their natures and qualities.

v. Peres

Altered

Mill

Priest

Rents Profits

King Possession

Office Inquisition

Lands

Priest

Expiration

Liuerie Ouster le main Petition

And ouer that bee it &c. that where anie manors, landes, tenements, tithes, pensions, portions, rents, profites or other hereditaments, by any maner of assurance, conueyance, will, demise, or otherwise at any time heretofore hade, made, suffered, knowledged, or declared, were giuen, assigned, or appointed, to or for the maintenance, sustentatiõ, or finding of one priest, or of diuers priests, for terme of certayne yéres, yet continuing, and that any priest hath bene maintained, sustained or founde with the same, or with ỳ reuenues or profits thereof, within fiue yéres last past: that the king from the said feast of Easter next comming, shal haue and enioy in euery behalfe, for, and during all such time to come, euery such & like things, tenemẽts, hereditaments, profits, and emoluments, as the Priest or Priests ought or shoulde haue had, for, or toward his or their maintenance, sustenance, or finding, and for no longer or further time, nor for any other profit, aduantage, or commodity therof to be taken.

Prouided alwaies &c. that when and as sone as the time assigned for the maintenance, sustentatiõ or finding of ỳ priest or priests, shall bee expired & run, that then it shalbee lawfull to euery person & persons, to whome any manors, lands, tenements, tithes, portions, pensions, rents, and other hereditaments, or any of them should haue belonged or appertained, if the said former act & this act had neuer had or made, to enter into, take, or perceiue, haue and enioye the same without any manner of Liuerie, Ouster le maine, petition or other sute to be made to the king, in like maner, forme, and condition, to al intents, constructions,

and

and purposes, as though the saide former acte & this acte had neuer bin had or made, and as though the king had neuer had any seison or possession thereof: Any thing in this act to ẏ contrary in any wise notwithstanding. And bee it &c. that the king our Soueraigne Lord, his heires & successors, from the said feast of Easter next cõming shall haue, holde, perceiue and enioy for euer, all landes, tenements, rents, or other hereditaments, which by any maner of assurance, conueyance, willes, will, deuise, or otherwise, at any time heretofore had, made, suffered, knowledged, or declared, were giuen, assigned, or appointed to go or be imployed wholly to the finding or maintenance of any anniuersarie, or obite, or other like thing, intent or purpose, or of any light or lampe, in any Church or Chappell to haue continuance for euer, which hath bene kept or maintained within fiue yeeres next before the saide first daye of this present Parliament. And also that where but parte of the issues or reuenues of any manours, lands, tenements, rents, or other hereditaments, hath by any of the wayes or meanes, aboue saide bene giuen, assigned, or appointed to bee bestowed or imployed to the finding or maintenance of any anniuersarie, or obite, or other like thing, intent or purpose, or of any light or lampe in any Church or Chappell, and to haue continuance for euer: That then our Soueraigne Lord the King shall from the saide feast of Easter next comming, for euer haue, perceiue and enioye euerie such summes of money, that in any one yeere within fiue yeeres next before the first day of this present parliament hath bin expended & bestowed about the finding or maintenance of any such anniuersary, or obite, or other like thing, intent or purpose of any light or lampe to him, his heires, and successours for euer, as a rent charge to bee payd yerely at the feasts of S. Michael the Archangell, and the Annunciation of our Lady S. Mary the virgin, by euen portions, in the Kings Courte of the Augmentations and reuenues of his Crown, or in any other Courte or Courtes, as the King hereafter shall appoint.

And that it shal be lawful to our said Soueraigne Lord the king, his heires and successors for non paiment of any such summe or summes of money, to distreine in the saide manors, lands, and tenements, of the issues, and reuenues, whereof the saide anniuersary or obite, or other like thing, or any such light or lampe was founde, sustained, or maintained. And that for lacke of sufficient distres, in, or vpon any of ẏ premisses, whereof any of the said yearely rents or summes of money shall bee paied by the space of one moneth nert after that any of the said rents should bee paied, and bee not paied, within the said moneth: that then it shal be lawfull to and for our Soueraigne Lord the king, his heires and successours, by vertue of this present act, to enter into, and to haue & posseed as much of the landes, tenements, and hereditaments, whereof the said rent or rentes should bee leuied or paied out of the same, doth or shal amount, or come to in yearely value, and the same lands, tenements, & hereditamẽts, to hold and keepe, & to haue to our said soueraigne Lord the king, his heires and assignes for euer, or for such estate as our Soueraigne Lord the king, his heires or successors, had, or ought to haue had, of, or in the said rent or rents. And it is also, &c. that our Soueraigne Lord the king, shall from the saide feast of Easter nert comming, haue, perceiue, and enioye all and singular such summes of money, profites, commodities, and emoluments, which by vertue of anie maner of assurance, conueyance, composition, will, deuise, or otherwise heretofore haue beene giuen, assigned, limited, or appointed to haue cõtinuance for euer, which in one yeere within fiue yeeres nert before the beginning of this present Parliament, haue beene paied, bestowed, or employed, by any maner of corporatiõs, guilds fraternities, companies, or felowships of Misteries or crafts or any of them being in England, Wales, and other the kings dominions, or by the Maisters and Wardens, Gouernours, or other Officers or Ministers, or by the Maister, Warden, gouernour, or other officer or Ministers of them, or any of them, towarde, or aboue the finding, maintenãce, or sustentation, of anie priest or priests, of any anniuersary, or obit, lampe, light, or lights or other like thing as is afore said, to our said Soueraigne lord the King, his heires and successors for euer, to be paied yerely as a rent charge, at the feast of Saint Michael the Archangell, and the Annunciation of our Lady, by euen portions, in the kings Courte of Augmentations, and reuenues of his crowne, or in any other court or Courts, as the king hereafter shall appoint. And that it shall bee lawefull to our sayde Soueraigne Lord the King, his heires and successours for

Anniuersarie
Obite
Lampe
Light

v. Yeres

King

Rentcharge

Distreine

Posseed lands

Rents

King

Profits

v. Yeres

Corporatis
Guildes
Fraternities
Companies
Crafts
Males
Wardens

Priest
Anniuersary
Obite
Lampe
Light

Rent charge

Non payment

for non paiment of any such sum or sumes of money, profit, commoditie, or emolument, or for non paiment of any of them, to

Distreine

distreine in all the manors, lands, & tenements, of every such craftes, corporatiõs, guildes, fraternities, cõpanies, or fellowships, of misteries, or crafts, or any of the, by whom, or by the maisters, wardens, gouernours, or other officers or ministers, or master, warden, gouernour, or minister, of the which any such summes or summe of money, profit, commoditie, or emolument, haue or hath bene payed, bestowed, or employed. And that all and euery of the sayde summes of money, profits, commodities, and emolumẽts, shal from the feast of Easter nert comming, without any maner of

Inquisicion Office

inquisition, or office to be had or found, bee iudged and deemed to bee in the actuall and reall possession of our said soueraigne lord the king, in like maner and forme, to al intents, constructions and purposes, as if the same had beene particularly and specially mentioned in this present act. And furthermore be it &c. that the king our souereigne Lorde, shall from the sayde feast of Easter nert comming, haue and enioy to him, his heires and successors for euer, all fraternities, brotherheads, & guildes, being within this Realme of Englande, and Wales, and other the kings dominions, and all the manors, lands, tenements and other hereditaments, belonging to them, or to any of them, other then such corporatiõs, guilds, fraternities, companies, and fellowships of mysteries or crafts, and the mannours, lands, tenements, and other hereditamẽts perteining to the said corporatiõs, guilds, fraternities, companies, and fellowships of mysteries or craftes, aboue mentioned, and shall by vertue of this acte, be iudged and deemed in actuall and reall possession of our saide Soueraigne Lord the king, his heires and successors, from the sayde feast of Easter nert comming, for euer, without inquisition or office thereof to be had or found. And also be it &c. that our

King

said Souereigne Lord the king, his heires and successors, at his and their will and pleasure may direct his and their commission and commissions vnder the greate

Commission

Seale of England, to such persons as it shall please him. And that the same Commissioners, or two of them at the least,

Commissioners

shall haue full power and authoritie by vertue of this act, and of the saide commission, as well to survey all and singuler lay corporatiõs, guildes, fraternities, companies, and fellowships of mysteries or craftes incorporate, and euery of them, as all other the saide fraternities, brotherheades and guildes, within the limits of their commission to them directed: And all the euidences, compositions, bookes,

Euidences

and accounts or other writings of euerie

Accompts

of them, to the intent thereby to knowe, what money and other things was payed or bestowed to the finding or maintenance of any priest or priestes, anniuersarie, or

Priests

obit, or other like thing, light, or lampe, by them or any of them, as also to enquire,

Inquire

search, and trie by al such waies & meanes, as to them shal be thought mete and conuenient, what mannours, landes, tenements, rents, and other hereditaments, profits, commodities, emoluments, and other things be giuen, limited and appointed to our saide Souereigne Lord the king by this acte, within the lymites of their commission.

Commissioners

And also that the same Commissioners, or two of them at the least, by vertue of this acte, and of the Commission to them directed, shall haue full power and authoritie to assigne, and shall appoint (in euerie such place, where guilde, fraternitie, the Priest or incumbent of any Chanterie in esse, the first daye of this present Parliament, by the foundation, ordinance, or first institution thereof, should or ought to haue kept a Grammer schoole,

Grammer schoole Preacher

or a Preacher, and so hath done sithen the feast of Saint Michael the Archangel last past) lands, tenements, and other hereditaments, of euery such chantrie, guild, and fraternitie, to remaine and continue in succession to a Schoolemaster or Preacher for euer, for, and towarde the keeping of a

Schoolemaster

Grammer schoole or Preaching, and for such godlie intents and purposes, and in such manner and forme, as the same commissioners, or two of them at the least, shall assigne or appoint. And also to make

Vicar

and ordeine a Vicar to haue perpetuitie for euer, in euery parish Church the first daye of this present parliament being a college, free chappell, or chantrie, or appropriate, annexed, or united to any college, free chappell, or chantrie, that shall come to the kings hands by vertue of this acte, and

Endow

to endow euery such Vicar sufficient liuing respect to his cure and charge: the same endowment to bee to euerie such Vicar, and to his successours for euer, without any other licence or grant of the king, the Bishop, or other officers of the diocese,

Survey

And also the said commissioners, or two of them at the least, shall have authoritie by force of this acte, to assigne in every greate towne or parish where they shal think necessarie to have mo priests then one, for the ministring of the Sacraments within the same towne or parish, lands, & tenements belonging to any chanterie, chapell, or stipendarie priests, being within the same towne or parish, the first daye of this present parliamẽt, to be to such person or persons, as the said commissioners or two of them at the least shal assigne or appoint to continue in succession for ever, for, & towards the sufficient finding & maintenãce of one or mo priests within the same towne or parish, as by the said commissioners or two of them shalbe thought necessary or conuenient. And also to make ordinances and rules, cõcerning the seruice, vses and demeanour of euery such priest & schoolemaster, as is aforesaid, to be appointed, as also by what name or names hee & they shal from henceforth be named & called. And also that the said commissioners, or two of them at the least, shall have full power & authoritie by vertue of this act, & of the said commission to them directed, to assigne as well to euery deane, master, warden, provost, and other incumbent, & minister of any of the said colledges, free chappels or chantries, being within the limits of their commission, which hereafter shall bee dissolued or determined by vertue of this act, and to euerie stipendary priest and other priest, whose salarie the king shall be intituled vnto by this acte, as to euery fellow and poore person, having yerely relefe out of any of the saide colledges, free chappels, or chantries, being within the limits of their commission, such seuerall yerely annuities, pensions, or other recompence, during their seuerall lives, as to the same commissioners or two of them, shall be thought meet and conuenient. And ouer that the said commissioners, or two of them at the least, shall have full power and authoritie by vertue of this acte, and of the commission to them directed, to inquire & trie by such waies & meanes as they shall thinke meet and conuenient, what money, profit, and benefit any poore person or persons by vertue of any conueyance, assurance, compositiõ, will, deuise, or otherwise heretofore had or made, intended, or meant to have continuance for euer, had or enioyed within fiue yeres next before the beginning of this present parliament, out of any College, free chappel, or chanterie, and other the premisses, giuen, limited, or appointed to the King by this acte, being within the limits of their commission. And thereupon to make assignements and orders in such manner and forme, as all and singuler such saide money, profit, and commoditie shall be payed to poore people for euer, according to such saide assurance, composition, will, deuise, or other thing had or made for the same, and to assigne and appoint landes, tenements, or other hereditaments, parcell of the premisses, for the maintenance and continuance of the same for euer, and also to appoint to fraternities, brotherheads, and guildes, landes, reuenewes, and hereditaments, parcell of the premisses, toward, & for the maintenance of piers, cawtes, walles, banks, against the rages of the Sea, hauens and crekes. And that all and singuler annuities, pensions, and other recompences, shall bee halfe yerelie payed to the persons, to whome the same ought to bee payed by the kings receiuer, for the time being, of his lands, commonly called the suppressed landes, or other his reuenues, lying in the cõtie or city where such college, free chappell or chantrie, or other the premisses, giuen, limited or appointed to the king by this act, the first day of this present parliament, were or remained, without any fee or reward therefore to be payed. The first paiment to beginne at the feast of S. Michael the Archangell next comming. And that euery such receiuer, vpon his account shall haue full & due allowance of all such annuities, pensions, and other recompences by him payed, by vertue of any such assignemẽt to be made by the said commissioners or two of them at the least.

And it is &c. that the saide commissioners and euery of them that shal take vpon him the execution of any of the saide commissions, shalbe bound as he wil answere before God to execute the commission to him and other directed, beneficially towards the deanes, masters, wardens, provosts, and other incumbents and ministers aforesaid, and towards the poore people concerning the said assignements, and also toward the maintenance of piers, cawtes, walles or banks, against y rages of the Sea, hauens and creeks. And that all maner of assignements & ordinances to be made by the said commissioners, or two of them at the least, & certified vnder their seales, or the seales of

Ministration of sacraments

Rules

Commissioners

Deane Warden Provost

Stipendary Priest Salarie Poore person

Annuities Pencions

Inquire

v. Yeres

Colledge Free chapels Chantrie

Fraternities Brotherheads Guildes Sea banks Hauens Creeks

R. receiuer

Accompt Allowance

Bound

Deanes Wardens Provost Poore people

Sea banks Hauens Creeke Ordinance

of two of them at the least. into the Kings court of the augmentations and reuenues of his Crowne, or to any other Court or Courts, by the Kings maiestie to bee made or assigned, shall by vertue of this Acte, and of the saide commissions, bee good and effectuall in the Lawe to all intentes, constructions and purposes, as though the same had beene assigned and ordeyned by authoritie of this present Parliament, by expresse and apt wordes, termes and sentences.

Annuities Pensions

Prouided also that such annuities, pensions, and other recompences, that the saide commissioners, or any of them, shall assigne or appoint to bee payed yerely to any such deane, master, warden, gouernour, or other incumbent, fellow, or minister, shall not extend to any more clere yerely value, then such deane, master, warden, prouost, gouernor, or other incumbent, fellow, or minister, or his predecessor lawfully had or enioyed in money, meate, drinke, liuerie, or allowance of the same yerelie, within fiue yeres next before the beginning of this present parliament.

Allowance Fiue yeres

Masters Wardens Prouost

Prouided also, that if any of the said maisters, wardens, prouosts, gouernours, or other incumbents, fellow or minister shall at any time hereafter during his life, be promoted by the king to any benefice, or other spiritual promotion, being of a better clere yeerely value then his said annuitie or pension, or other recompence shalbe of, that then the annuitie, pension or recompense that any such deane, master, warden, gouernour, prouost, or other incumbent, fellowe or minister, that so shall be promoted, shall haue: shall immediatly after such promotion had, cease, and vtterly determine. And bee it &c. that the said commissioners, or two of them at the least, to whome any commission by vertue or meane of this act, shall be directed and deliuered, shalbe bound vpon the forfeiture euery of them of a hundred pound, to make certificate vnder their seales, or the seales of two of them at the least, into the said court of the augmentations and reuenues of the kings crowne, or into any other court as is aforesaide, within one yeere next after the commission to them directed, of all mannors, lands, tenements, rents, tithes, portions, pensions, hereditaments, and recompenses, by the same commissioners, or two of them assigned or appointed, to anie of the vses, intents, or purposes aboue mentioned. And also be it &c. that our soueraigne Lord the king, shall haue and enioy all such

Promoted

Determine

Commissioners

Forf.

Certificate

goodes, cattels, Jewels, plate, ornamentes, and other moueables as were, or be the cõmon goodes of euerie such College, Chantrie, Frēchapels, or stipendarie Priest, belonging or annexed to the furniture or seruice of their seuerall foundations, or abused to any of the saide corporations in the abuses aforesaide: the propertie whereof was not altered nor changed before the eight daye of December, in the yeere of our Lord God 1547. And it is &c. that all such debts and summes of money as ought or should without fraud or couin hereafter bee payde of the moneie or goodes of anie of the sayde Colleges, due or payable by reason of anie contract, specialtie, or promise had or made before the same eight daye, shall truely and fullie be payde by ỳ Treasurer of the kings Courte of the augmentations and reuenues of his Crown, or by the Treasurer or receiuer of any other Courte, to which anie of the premisses shall bee appointed of the Kinges Treasure, being in his or their hands, with as conuenient spēde as the same may be payed.

Goods Cattels Jewels Plate

Debts

Treasurer

Prouided alwayes, that this act, or anie article, clause or matter conteined in the same, shall not in anie wise extende to anie college, hostell, or hall, being within anie of the Vniuersities of Oxford & Cambridge, nor to any Chantrie founded in any of the Colleges, Hostels, or Halles, being in the same Vniuersities, nor to the Frē Chapell of S. George the martyr, situate in the Castle of Windsor, nor to the College called S. Marie College of Winchester besides Winchester: of the foundation of Bishoppe Wickam, nor to the colledge of Eaton, nor to the parish Church, commonlie called the chappell, in the Sea of Newton, within the Isle of Elie, in the countie of Cambridge, nor to any manors, lands, tenements, or hereditaments, to them or to any of them perteining or belonging, nor to any Chappell made or ordeined for the ease of the people dwelling distant from the parish church or such like chapel, whereunto no more landes or tenements then the churchyard or a litle house or close booth belong or apperteyne, nor to any cathedrall Church or College, where a bishops see is, within this realm of England, or in Wales, nor to the mannors, lands, tenements, or other hereditaments, of any of them, other then to such chātries, obits, lights, and lamps, or any of them, as at any time within fiue yeres, next before the beginning of this present Parlyament, haue bene had, vsed or maintayned within the

Oxford Cambridge

Windsor

Winchester

Eaton

Isle of Elie

Chappels of ease

Cathedrall church Bishops see

Fiue yeres

the said cathedrall churches, or within any of them, or the issues, reuenues, or profits of any of the said cathedral churches, to which chantries, obits, lights and lamps, it is enacted by the authoritie aforesaide, that this act shall extend. And it is &c. that our Soueraigne Lord the king, at any time during his life, (which God long preserue) may at his will and pleasure, alter and change the name or names of all and singuler chantries, and the foundations of the same, being in any of the colleges, hostels or halles of any of the said Universities, according as to his godly wisdome shall be thought meet and conuenient. Sauing to all and euerie person or persons, bodies politike and corporate, their heires and successors, and the heires and successors of euerie of them, other then the maisters, wardens, ministers, gouernours, rulers, priests, incumbents, fellowes, and brethren of the said colledges chantries, fræchappels, & other the premisses, giuen, limited or appointed to the king by this acte, and the successors of them, and other then such as be or pretend to be founders, patrons, or donors of the premisses, or any of them, or of any part or parcel therof, & the heires, successors & assignes of euery or any of them, and other then such as bee or were feoffées, recouerées, consées, grantées or deuisées, to or of any the premisses, to or for any of the vses, purposes, or intents aboue mentioned, or to the vse of any of the said colledges, fræchappels, chantries, or other the premisses, giuẽ, limited, or appointed by this acte to the king, or to the intent to imploy the rents or profites thereof to the vse of maisters, rulers, incumbents, or ministers of them, or any of them, and other then such person and persons, and bodies politike and corporat, their heires, successors & assignes, as claime or pretẽd to haue estate, right, title, interest, vse, possession or condition, of, in or to the premisses, or any part or parcel thereof, by reason of any feoffment, fine, bargeine & sale, or by any other wayes, meanes or conueyance to them made, of any estate of inheritance, without the saide late kings licence, assent, consent or agrément, and without the licence, assent or agrément of the kings maiestie that now is, by any of the saide Deanes, maisters, wardens, ministers, gouernours, rulers, priests or incumbents, or by the founders, donors, or patrõs of them, or of any of them: al such right, title, claime, possession, interest, rents, annuities, commodities, commons, offices, fées, leases, liueries, linings, pensions, debts, duties, and other profits, which they or any of them lawfully haue, or of right ought to haue, or might haue had, in, of, or to any the premisses or, in, of, or to any part or parcel thereof, in such like maner, forme and condition, to all intents, respects, constructions and purposes, as if this acte had neuer bene had or made, and as though the saide Chantries, Colleges, and other the saide promotions had still continued and remained in their full being, and sauing to all and euery patron, donour, founder or gouernour of any such College, Chantrie, fræchappell, stipendary priests, and other the premisses, giuen, limited or appointed to the king by this acte, and the donor, feoffer and giuer of the foresaid lands, tenements, or hereditaments, to them, or any of them, or to any vses or purposes before inẽtioned, all such rents, seruices, rents secke, rents charge, fées, annuities, profits, and offices, and also leases for terme of life, liues, and yeres, whereupõ the accustomed rent or more is reserued, as they or any of them lawfully had, perceiued, and inioyed in, out, or of any the said promotions, or out of any the saide lands, tenements, or hereditaments before the first day of this present parliament. And ouer that it is &c. that all and euery person and persons being in life, which haue or hath, for any sum of money to him or them payd, bargeyned, or solde any manors, lands, tenements, or other hereditaments aforesaid, whereunto the king our Soueraigne Lord is intituled by vertue of this acte, shall repay to such person as so bought any of the saide manors, lands, tenements, or other hereditaments, or to his executors or assignes, vpon a request therof made, or within three moneths then next ensuing the same request, as much money as hee or they receiued for the sale of ante thing so by him or them solde. And for non payment therof, such person and persons as purchased or bought the saide landes, tenements, and other the premisses, or any parcell thereof, and their executors and administrators shal be enabled by the authoritie of this present parliament, to sue and mainteine an action of debt at the common lawes of this Realme against such person or persons as so bargeyned or solde to him or them, or to their Testator, anie of the premisses belonging to any college, chantrie, fræchappell, or other promotion spirituall, in which action of debt, none essoine, protection, or wager of law shall be admitted or allowed.

Alter names

Colleges Chantries Freechapels

Founders Patrons

Feoffes Recouerers

Rents

Right

Feoffement Sale

Licence

Patron Founder

Rents

Leases

Olde rent

Sold lands

Repay

Three moneths

Executors Administrators

Any

And be it &c. that all and euery of the said chantries, colleges, and frēchapels, and other the p̄emisses, giuen, limited, or appointed to the king by this acte, and all the mansion houses, manors, lands, tenemēts, possessions & hereditaments, and other the p̄emisses, whatsoeuer they be, giuen, limited, & appointed to the king by this act, and euery parte and parcell of them, which by authoritie and vertue of this acte, bene vested, adiudged, and deemed, or shall be in the kings maiesties possession and handes, or which the king shall bee intituled vnto by vertue of this act, shall be in the order, suruey, and gouernance of our souereigne lord the kings court of the augmentations and reuenues of the Crowne, or in such other court, as the king at any time hereafter shall assigne, name or appoint, and so shall and may bee graunted, letten, and set to ferme by the chanceller, officers and ministers of the same court, or of any other court so to be appointed: in such maner and forme as other manors, lands, tenements appointed to the same Courte of augmentations and reuenues of his graces crown, or other court to be appoynted, bin to be granted or letten. And that all the fermes, issues, reuenues and p̄ofits comming and growing of the same p̄emisses, and of euerie parte thereof, shall bee taken and receiued to the kings vse, by the officers & ministers of the same courte or courts, in such manner and forme, as is vsed and had of other manors, lands & tenements, and of the issues, reuenues, and p̄ofits of the same committed to the order, rule, suruey, & gouernance of the said court of the augmētations & reuenues of the kings crowne, or any other courte so to be appointed: any act, statute, ordinance, custome or vse heretofore had, made or vsed to the contrary not withstanding. And it is &c. that if any of the said maister, wardens, ministers, rulers, gouernors, p̄iests, incūbents, or owners of any such college, chantrie, frēchapel or of any ỹ p̄emisses giuē, limited, or appointed to the king by this act or of any of them, sithence the xviii. day of Nouember in the xxvii. yeere of the reigne of the saide late king, haue made any lease vnder his or their common seale, or otherwise for terme of yeeres, life or lines, of the said colleges, chantries, frēchapels, or other the same p̄emisses, or of any manors, lands, tenements, possessions, or hereditaments, whatsoeuer they bee, to them or to anie of them vnited or annexed, belonging or appertaining, vpon the which leases, the vsuall and olde rentes and fermes accustomed to bee yelden and reserued, or more by the space of xx. yeres next before the saide xviii. daye of Nouember, not to bee reserued and yelden, shall be vtterly voide and of none effect, and that all other leases and graunts heeretofore made of anie the p̄emisses, giuen, limited or appointed to the king by this act, shalbe as good, anailable, and effectual in the law, to all intents, constructions and purposes, as if this acte had neuer bene had or made, any thing in this acte, or any other act heretofore had or made, to the contrarie thereof in any wise notwithstanding.

Augmentation

Profits

Olde rents

20. yeres

Voide

Lease

Prouided alwayes, and be it &c. that this said act or any thing therein conteined, shal not extēd to any manors, lands, tenemēts, possessions or hereditaments, which the said maisters, wardens, ministers, chantrie p̄iests, incumbēts, or other the said gouernors, officers, ministers, or rulers of ỹ p̄emisses, or of any of them, hath or is, or hereafter shal haue or be possessed or seised in fee simple, fee taile, generall or speciall, for terme of life, terme of yeeres, or otherwise to his or their owne p̄oper vses, inheritance or purchase, & not being at anie time vnited or annexed to his or their saide Colleges, frēchappels, chantries, or other the p̄emisses giuen, limited, or appointed to ỹ king by this act, nor shal extend to any manors, lands, tenements, possessions, rents, annuities, and yerely pension or pensions, or to anie yerely summe or summes of mony, being not vnited, or parcel of any ỹ saide colleges, & other the p̄emisses aforesayde, or of any of them heretofore giuen or granted by the saide late king, or giuen or granted, or hereafter to be giuen or granted by the king our souereigne lord, to any of the said deanes, masters, wardens, ministers, chanterie p̄iests, incumbents, gouernors, or rulers of the p̄emisses, or of any of them for terme of life only, vnder his great seale of England, vnder the seale of the courte of the augmētations & reuenues of the kings crowne, or any other of the kings seales, of any of his courtes, any thing contayned in this acte to the contrarie, in any wise notwithstanding.

Deanes Wardens

K. seales

Prouided alway &c. that aswell al & euery patron, donor, founder and giuer of anie of the saide p̄emotions or p̄emisses, or giuer, donor or profer, of any their lāds, tenements, possessions, or other hereditamēts, as all & euery person & persons, bodies politike & corporate, which before the making

Founders Patrons

of

of this acte, lawfully without fraude or couin, had or inioyed any maner of rent, or other yerely profits to be taken, perceiued or had of any chātries, colledges, frēchapels, or other the premiſſes giuen, limited, or appointed to the king by this act, or out of any manors, lands, tenements, or other poſſeſſions of them, or any of them: ſhall haue & inioy the ſame in like maner and forme as they ſhould and ought to haue done, if the ſaide colleges, chantries, frēchappels, and other the premiſſes giuen, limited, or appointed to the king by this act, had ſtill remained and cōtinued in eſſe, and full being: any thing in this act mentioned to the contrary in any wiſe notwithſtanding. Prouided alſo &c. that if any ſuch gouernor, ruler, warden, maſter, incumbent, miniſter, or other, hauing any of the ſaide ſpirituall promotions, or incumbents, haue or ſhal compound for the firſt fruits of any ſuch ſpirituall promotions, according to the lawes and ſtatutes of this Realme, and the dayes of payment of any parte thereof, not expired before the firſt day of this parliament, that all ſummes of money ſo to be due and payable ſithence the ſaid firſt day of this Parliament, ſhall ceaſe and be not payd, aſked or demanded, any bond, recogniſance, ſuretie, or other thing had or made to the contrarie notwithſtanding.

First fruits

Prouided alwaies, and be it &c. that all ſuch rents, ſeruices, iſſues, profits, & other ſummes of money, payable out of, or for any of the premiſſes, or any of them in the kings court of his Eſchequer, ſhal continue and be continually and yerely leuied, charged, or payed in the ſame court, in ſuch maner & forme as heretofore hath bene vſed, any, law, cuſtome, vnity of poſſeſſion in the kings highneſſe, or other thing to the contrary notwithſtanding: and as though the ſaid promotions, manors, lands, tenemēts, and other the premiſſes had not come to the kings hands and poſſeſſion.

Rents Seruices Profits

Eſchequer

And bee it &c. that all and euery letters patents made by the ſaid late king Henrie the viii. or by the kings maieſtie that now is, or hereafter to be made by his highneſſe to any perſon or perſons, or to any Archbiſhop or biſhops of any of the ſaid colleges, chantries, frēchapels, or other the premiſſes, or any part or parcel of them, or of any lands tenements or hereditaments, belonging or apperteining, or that did belong or apperteine to them or to any of them. And all fines, gifts, graunts, feoffments, recoueries, and all other aſſurances and conueyances therof had or made by the aſſent, conſent or licence vnder the greate Seale of Englande, of the ſaid late king Henrie the eight, or of the kings maieſtie that now is, to any perſon or perſons, bodies politike or corporate, by anie chantrie prieſt, maſter, warden, miniſter, ruler, gouernour, or other hauing any of the ſaide promotions of anie of the ſaid colleges, chantries, frēchapels, or other the premiſſes, or any of them, or of anie part or parcell, or member of the ſame: ſhall ſtand and be in their forces and effects, and ſhall bee good and effectuall in the lawe, for all ſuch eſtates and intereſts giuen, granted, lymitted or appoynted in any of the giftes, graunts, aſſurances, or conueyances thereof had or made, according to their purports, forme and matter, & according to the true intent and meaning of the ſame aſſurances: and ſhall bee by authoritie of this act, good, perfect, and auailable, aſwel againſt the king, his heires and Succeſſors, as againſt the ſaide chantrie prieſts, wardens, maſters, rulers, gouernours, and other, hauing anie of the ſaide promotions, and their ſucceſſours, and the ſucceſſors of euery of them, as alſo againſt the founders, donors, and patrons of the ſame, and the ordinarie of them, and euerie of them, and the heires and ſucceſſors of euery of them: any law, ſtatute, ordinance, or other thing to the contrary thereof notwithſtanding. And where diuers & ſundrie biſhops, deanes, archdeacons, treaſurers, prebendaries, chanterie prieſtes, maſters, pronoſts, rulers, gouernours of any deanries, archdeacouries, treaſurerſhips, prebends, frēchapels, chantries, or colleges within this Realme of England, or other the kings maieſties dominions, or anie of the patrons, founders, donors, of any of the biſhoprikes, treaſurerſhips, deanries, chantries, frēchapels, or other the ſaid ſpirituall promotions, of their voluntarie willes or mindes, for diuers good and reaſonable cauſes and conſiderations, by deed or deeds inrolled, or by other writings or conueyances heretofore giuen and graunted to the late king of famous memorie Henrie the eight, late king of Englande, and to his heires, or to our ſouereigne Lord the king that nowe is, and to his heires, diuers of their deanries, archdeāries, treaſurerſhips, prebends, chapels, chantries, and colleges, or any other eccleſiaſticall or ſpirituall promotions laſt before remembred and all or ſome parts of the manors, lands, tenements, tithes, penſions, annuities, rents,

L. patents

Archbiſhops Biſhops

Fines Gifts Feoffments

Chantrie prieſts

Biſhops Deanes Archdeacons

Patrons Founders

Deanries Archdeacrits

rents, reuersions, & other reuenues, hereditaments, possessions, emolumēts & profits to ỹ same bishoprikes, deanries, archdeacōries, treasurerships, prebends, chapels, chantries, colledges, and other like promotions, benefices, offices & dignities or to any of thē belonging, appertaining, vnited and annexed, or which the said Bishops, deanes, archdeacons, treasurers, chātry priests, maisters, prouosts, rulers, gouernors, & other ecclesiasticall or spirituall officers or ministers of any of the said patrons, owners or foūders of any of thē, had or enioied in the right, or by reason of any of the same promotiōs, offices or dignities. Be it, &c. that all and euery gifts & graunts heretofore made to the saide late king, & to his heires, or to our soueraigne Lord the king that now is, & to his heires, by any Archbishop, Bishop, deane, archdeacon, treasurer, prebendarie, maister, prouost, gouernour, or other the said ecclesiastical or spirituall person or persons, or by any patrons, donors, or foūders of any of the said deanries, chantries, or other of the said spirituall or ecclesiastical promotions, or of all, or of any of the mannors, lāds, tenements, tithes, rents, reuenues, pensions, portions, annuities, or other hereditamēts, reuenues, emoluments, profits or commodities, to anie of the said benefices, offices, prebends, promotions, or dignities, belōging, appertaining, vnited or annexed, or which any of the same archbishops, bishops, deans, archdeacōs, treasurers, maisters, prouosts, prebendaries, rulers, gouernors, officers, or ministers, patrons, founders, donors, had or enioied, or haue or enioy, or ought to haue or enioy, in the right, or by reason or meanes of any of the same promotiōs, offices or dignities, shal be good & effectuall in the law, to all intents and purposes: Sauing to all and euery person and persons, and bodies politike and corporate, their heirs, successours, & assignes, & the heires, successours & assignes of euery of them (other then the archbishops, bishops, deanes, archdeacōs, treasurers, prebendaries, rulers, gouernors, wardens, prouosts, giuers & granters, of anie of the premisses, and their heirs, successors & assignes, and other then such ecclesiasticall or spirituall persons, bodies politike or corporate, as are or pretend to be foūders, donors, patrons, or ordinaries of the premisses, or any of them, such rights, titles, interests, claimes, entries, rents, reuersions, remainders, fées, offices, annuities, lands, tenemēts, hereditaments, profits, cōmodities and emoluments, as they or any of them haue, or should, or ought to haue had, of, in, or to ỹ premisses next aboue mentioned, or anie part thereof) as if this act had neuer bene had or made, anie thing in this acte to the contrary in any wise notwithstanding.

Gifts
Grants
Rights

Prouided alwaies, that this act or anie thing therin cōteined, shal not in any wise extend to make good or effectual, anie gift, grant, bargaine, sale, or alienatiō made by any parson or vicar, of their parsonages, vicarages, or of any part or parcell thereof, or of any thing to them or any of them belōging or appertaining. Prouided also, that this act, or any thing therein conteined, shall not in any wise extend to hinder or preiudice George Broke knight, Lord Cobham, his heires or assignes, for or cōcerning the late colledge of Cobham in the Coūtie of Kent, or the manors, lands, tenementes and possessions thereof, anie thing aboue mentioned to the contrary in any wise notwithstanding.

Make good Gift Grant Vicar.

L. Cobham Colledge of Cobham

Prouided also, that this present acte, or any thing therein cōteined, shal not in any wise extend or be preiudiciall or hurtfull to the generall corporation of any Citie, Borough, or Towne within this realme, or any other the kings dominiōs, ne shall extend to any the lands or hereditaments of them, or any of them: Any thing herein conteined to the contrary in any wise notwithstanding.

Corporatiō of cities, boroughs

Prouided also, &c. that al such of the said colledges, frée chappels, chantries, & other the premisses, being appointed & giuen to the kings highnesse, by the authoritie of this act, as be within the Duchie of Lancaster, and al manors, lands, tenements, & hereditaments, pertaining or belonging to the same colledges, frée chappels, and chantries, shall after the said feast of Easter next comming, be within the suruey and order of the court of the duchie of Lācaster, in such maner and forme, as other the premisses be assigned or appointed by the authoritie of this acte, to be in the suruey and order of the court of the augmentations & reuenues of the kings crowne, or other court by the king to be assigned: and that al cōmissions that hereafter shal be awarded by vertue and force of this act concerning such colledges, frée chappels, chantries, and other the premisses, as be within the said duchie of Lācaster, shal be awarded vnder the great seale of Englād,

Lancaster

Commissions

& shal be certified into the same court of ỳ duchy of Lãcaster, any thing aboue said to the contrary in any wise notwithstãding.

Attilborough

Earle of Suffer

Prouided alwaies &c. that this act, ne any thing therein cõteined, shal not extend to the colledge or chãtrie of Attilborough in the coũtie of Norfolke, which the late king Hẽry the 8. gaue to Robert late erle of Suffer, and to his heires, but that Henry now erle of Suffer, sonne and heire to the said late erle, his heirs & assignes shal & may by the authoritie of this acte, haue and enioy the said colledge and chantrie, and al manors, lands, tenements, aduowsons, tithes, pensions, portions, and other hereditaments thereunto belõging or appertaining, any thing in this act to the cõtrarie in anie wise notwithstanding.

Cõmissioners Alter obits Oxford Cambridge

Prouided alwaies, &c. that the Kings Maiestie at any time whẽ it shall seeme to him good, may giue authoritie to certaine his graces cõmissioners, to alter the nature & condicion of all maner of obits, as well within the Vniuersities of Oxford & Cambridge, as in anie other place within this his graces realme of England and Wales, being not suppressed, ne annihilate by vertue of this present act, and the same obits so altered to dispose to a better vse, as to the releefe of some poore men being students or otherwise.

Chalenge

Non finding of priest Obit Anniuersarie Lampe

Prouided also &c. that it shal not be lawfull to anie person or persons, bodies politike or corporate, by reason of anie remainder, vse, or condicion, to enter into, claime, or chalenge, any lands, tenements or hereditamentes, for the non doing, not naming, or non finding of any such priest or priests, or poore folkes, as is aforesaid, obit, anniuersarie, light, or lampe, from henceforth to be foũded or done: any thing therein conteined to the contrarie in anie wise notwithstanding.

Deane Prebẽdary Warden Fraternitie Guild Corporatiõ

Copyhold

Prouided alwaies, that this act, nor any thing therin cõtained, shal in any wise extend to any lãds, tenements, possessions or hereditaments whatsoeuer, ỳ anie master, deane, prebendarie, warden, or chantrie, or any stipẽdary priest of any college, chãtrie, prebend, fraternitie, guild, or any other corporations, haue or held, of anie person or persons, by copy of court roll, or at will, according to the custome of anie manor or manors: nor giue or grant anie copyhold lands to the kings highnesse.

And also prouided that the kings highnesse, his heires and successors, shal not in any wise haue, hold, enioy, or take, by vertue of this act, or anie article therein conteined, anie maner of copyhold lãds, tenements, possessiõs or hereditamẽts whatsoeuer they be, but that all and euerie the said persons and incumbentes, shall haue, hold, & enioy the same, during their liues towards their pension and yearely liuing, paying their rentes, and doing their customes and seruices thereof due and accustomed, anie thing in this act to the contrarie notwithstanding.

Copyhold lands. Rents Seruices

Chantrie priest

Prouided alwaies, that this act shal not extend to any lãds, tenements, or hereditaments assigned, appointed or intended for ỳ finding or maintenance of any chantrie priest, or any stipendary priest, which by anie former right, & good title, without fraude or couin, were lawfully recouered frõ the possessiõ of any such chãtrie priest, or stipendarie priest, before the first day of October, the said 37. yeere of the reigne of the said late king Hẽry the 8. which lãds, tenements and hereditaments, were not charged, nor chargeable to the paiment of the perpetual tenth: anie thing in this act to the contrarie hereof notwithstanding.

Grants Licences L. patents

Prouided alwaies and be it, &c. that all and singular grants, licences, cõfirmations and letters patẽts, which our late soueraigne lord king Henry the 8. or our soueraigne Lord the king that now is, haue made vnder the great seale of England to any person or persons, bodies politike or corporate, of any colledge, chapel, or chantrie now being in esse or standing, or now not being in esse or not standing, or of any lordships, manors, lands, tenements, and hereditaments, annexed, vnited, belonging or appertaining to anie colledge, chapell, or chantrie, now being in esse, or stãding, or now not being in esse, or not standing, or of any other thing or things mentioned or expressed in this acte, and all and euerie matter and things mentioned, expressed, or contained in anie such graunt, licence, confirmation, or letters patents, shall from henceforth be deemed, taken, expounded, and adiudged good and effectuall in the lawe, according to the wordes, sentences, meanings, intents, forme & effects of the same grants, licences, confirmations, and letters patentes, to all intents, constructions and purposes, as if this act, and the said act made in the seuen and thirtie yere of the said late king Henrie the eight (S. ca. 4. before 12.) had neuer beene had ne made. And that this act or the said acte made in the said xxxvij. yeere

of

of the raigne of our said late Soueraigne lord king H. the 8. (S.c.4. before 12.) or any clause, article, sentence, or other thing therein conteined, shall not extend to any colledge, chapels, chãtries, or other thing or things mentioned in this act, now being in esse, or not standing, or to any manors, lands, tenements, possessions, reuenues, or hereditaments, annexed, united, belonging or appertaining to anie colledge, chapel, chantrie, or other thing mẽtioned in this act, now being in esse, or stãding, or now not being in esse, or not stãding, or to any other thing or things mẽtioned or exprẽssed in this act, which anie person or persons, bodies politike or corporate, haue, had, or obtained by the assẽt, licence, cõfirmation, grant, or letters patents of the said late king, or of the kings maiestie that now is, or shall extend to any manors, lands, tenements, reuenues, possessions, hereditaments, or other thing or things mentioned, exprẽssed or contained in any such licence, cõfirmation, grãt, or letters patẽts: but that euery such person & persons, bodies politike & corporate, their heires, successors and assignes, & the heires, successors and assignes of euery of them, shall haue, hold, and enioy all & euery the same colledges, chapels, chantries, manors, lands, tenements, reuenues, possessions, & other hereditaments, and al and euery other thing & things whatsoeuer, so by them had or obtained, by assent, licence, confirmation, grant, or letters patents of the said late king, or of the kings maiestie that now is, according to the words, sentences, forme, effect, meaning, & intent of the same licences, confirmations, grants, & letters patents: this act, or the said acte made in the said 37. yeere of the raigne of the said late king Henry the 8. or any clause, article, sentence, matter, or thing mẽtioned, exprẽssed, or cõtained in any of the same actes, to the contrarie therof notwithstanding. An. 1. E. 6. ca. 14.

Colledges Chapels Chantries

Licence Grant Letters P.

¶ Money.

AGainst the perils & damages, which are of late come, & which hereafter may come of the money of Englãd: It is thus ordained, that it be cried & defended on the kings behalfe thorough the whole realme, in al the marchant Townes, that no man vpon grieuous forfaiture, bee so hardy to dispend, receiue, or send money, of other coine then of the coine of the king of England, Ireland, and Scotland. Also that it be defended of the kings behalfe, that none bring money into this cõtrey, but onely for his expenses, neither that he be so hardie to arriue in England, if the force of tẽpest do not inforce him, by good witnesse, but at Douer, or at Sandwich, at London, and S. Botolph, & at Southhampton, and to other cõmon ports. And when he shal come to any of these places, he shal wel and lawfully shew his money to him, that shall be assigned by the king, without any cõcealement, vpon paine of forfeiture of his bodie, and that which he hath, & that from thence he carie not, nor eloine the same by himselfe nor by other, vntill that his money be viewed and examined by him whom ỹ king shall assigne. And further, that it be cried & defended on the kings behalf, vpon paine of forfeiture of his bodie & that which he hath, that no man be so hardie to send money betweene clothes, in fardels, or in bales, or in anie other maner, whereof suspition may be of anie cõcealment. And if there be anie such found, he which found the same, shal haue iij. ỻ. of the pound, and the rest to be to the king. And also that it be cried & commanded on the kings behalfe, that if any finde money coined of anie other coine, then of the coine of the king of England, Irelãd, and Scotland, or rounded money, that he breake the same, & that none be so hardie to gainesay the same, vpon paine of grieuous forfeiture, and he which findeth the same false, shall breake the same, the broken money shalbe giuẽ to him who oweth it, & the false money shall be pierced without restoring it, & the body of him in whose handes the false or clipped money appeareth to be found, be taken & holden vntill such time as he can find suretie, if he be a suspitious man. And because that many of the poore and rich people cannot know the light and clipped money, now it is ordeined, that hereafter he which ought to receiue or paie money, shall receiue & paie the same by weight of v.s. of euen weight by the tumbrell, deliuered by the warden of the Eschange, marked with the kings marke, as the measures are, & it shall be lawfull to anie man to pierce the money which shall not weigh the tumbrell, & the money of other coine, then of the coine of the king of England, Ireland, and Scotland, the weight shall be aswell deliuered & marked by the warden of the Eschange, as the tumbrell, the viewer & the warden

Other coine

Bring

Arriue

Douer

Shew

Forf.

Exportinge money.

Forf.

In clothes

Other coine

Breake

Impris.

Light

Eschange

Pierce Weigh

of the money which shall come from beyond the sea, when he shall haue anie, he shall haue regard vnto the age thereof, & shall weigh the same, and if he find of the new money, that the pound weigheth not xx.s. by the number of iiij.ℓ. then he shall haue regard by the tumbrell, where the default shalbe, and if he see money which is much vsed, if in the whole pound of xx. s. it want but vj.ℓ. thē it shalbe deliuered to him who brought the same, without gainesaying, & if it want more, it shalbe done of thē, as of the rest. And let the warden aforesaid take good hēd that hee take no gift nor allowāce, to make any means of sport, nor make any extortion, nor giue anie maner of delay, as he will saue himselfe and his goods. The statute of great money.

Weight
Tumbrell

2 ¶ Edward by the grace of God king of Englād, lord of Ireland, and duke of Aquitaine, to the Shirife of Lincolne grēting. Because that strange marchants, and also some Marchants denizens of our realme, frō day to day bring into the same our realme, from the parties beyond the sea, our money clipped, and other money of diuers coines, counterfeited & mingled with our money, trafficking and buying with the same money, to the great losse of vs, and all our people, and also to the subuersion of all our money: we hereupon willing to prouide a remedie, vnlesse peraduenture by longer sufferance a greater danger might insue, command you that in your full countie, & in all your cities and marchant townes of the same cōtie, you cause straightly to be forbidden, and openly proclaimed, that no strange marchāt, nor anie other from henceforth, bring into the realme anie such money of ours rounded, or anie other counterfeited of strange coines, or els vse the same in buying or trafficking, and if they do, at the first time wherin they shalbe take therewith, they shal lose such rounded money, or any other cōunterfeit. And if they shalbe again found in the like offence, they shall lose such money, and other goods found with them. And if the third time they commit the like offence, and be taken therewith, their bodies, and also all their goods and cattels shalbe forfeited vnto vs: but others which shall not be marchants, and shall haue such rounded money, or other counterfeit money, shall presently pierce the same, and send it to our Eschange, to be new coined vnder our coine: Or otherwise, in whose hands such money shall be foūd, shal be vnto vs wholy forfaited. And if you doe not fullie execute this our commaundement, we will grieuouslie amerce you and yours. T. W. of Marchia, our treasurer, the 21. day of June, in the twētie yēre of our reigne. The statute of small money.

Merchants
Shorne
Proclaime
Bring Shorne
Forf.
Imprison
Shorne Counterfeit Pierce Eschange
Forf.

3 ¶ In the second volume of the olde statutes is a title, intituled, Articuli de moneta, vnder which be seuen articles concerning false money.

False

4 ¶ No religious man, nor other shall carie any sterling out of ỹ realme of Englād, nor siluer in plate, or in vessel of gold, nor of siluer, vpon paine of forfaiture of ỹ money or vessel that he shall so carie without our speciall licence. An. 9. E. 3. cap. 1.

Carie out gold
Forf.

5 ¶ That no false money nor cōunterfeit sterling, be brought into our realme, nor elsewhere within our power, vpon paine of forfaiture of such money.

False

Prouided alwaies, that all maner people, of what realme or dominiō they be of, may safely bring to the exchanges, and to no place els, bulliō, siluer in plate, vessell of siluer, and all maner money of siluer, of what value soeuer it be, so that that be no false money, and sterling counterfeit, and there they shall receiue good and conuenient exchange. An. 9. E. 3. cap. 2. An. 27. cap. 14.

Exchange

6 ¶ No sterling halfpeny nor farthing be molten, for to make vessel or any other thing by Goldsmiths nor other, vpon forfeiture of the money so molten, & that the Goldsmith or other which hath so molten such money, shall be committed to prison, there to remaine till he hath yelden vnto vs the one halfe of that that hee hath so molten, notwithstanding anie charter or franchise granted or vsed to the cōtrarie. An. 9. Ed. 3. cap. 3.

Melt
Forf.
Imprison

7 ¶ All maner of blacke money, which haue bin commonly currant of late in our realme & obeisance, bee vtterly excluded, so that none such shall be currant after a moneth next after the crie thereof made, vpon paine of forfaiture of the same money. An. 9. E. 3. cap. 4.

Blacke
Forf.

8 ¶ Euery man that will sue for vs against those that cōmit anie fraud against this ordinaunce, shalbe thereto receiued. And he to haue the fourth penie of that that shall be so atchieued at his sute to our profit. An. 9. E. 3. cap. 5.

9 ¶ Maiors and bailifs in euery port, where merchants and ships be, shall take an Othe of the merchants and maisters of

Othe

the

the ships going & comming againe, that they shall do no fraud against this prouision in anie point. An.9.E.3.cap.6.

Searcher

10 ¶ God & straight ward be made in all places vpon the sea coasts, in hauens, and elsewhere, where anie arriuall is, by good men and lawful thereto sworne, that in our name they shall make diligent search, that no man of what estate or condition he be, shall carie out of the realme sterling money, siluer, or plate, nor vessel of gold nor siluer, without our licence, nor shall not bring into our said Realme and power anie false money & counterfeit sterling, as afore is said, vpon the paines and forfaitures aforesaid. And that the mony, plate, or vessell so forfeit, be deliuered at the exchanges by indenture, whereof the one part shal remaine with the searchers, and be deliuered at the Exchequer, and thereby the warden of the exchange shal be charged of that that he hath receiued. An.9.Ed.3.cap.9.

Plate
Gold
Siluer

Forf.

Indenture.

Searchers

Releale

11 ¶ The searchers shall haue of our gift ỳ iij.peny for their labour of as much as they shal find so forfeit. And if any such searchers make anie releale, or do dispēce with anie, and thereof be attainted, they shal forfeit all their goods. An.9.E.3.c.10.

Forf.

Hostlers
Oth
Search
Searchers

12 ¶ The hostlers in euery port where anie passage is, shalbe sworne to search their ghests in the same maner, as the searchers do, & they to haue the fourth penie of that they shal find so forfeit to be, as the Searchers should haue. And it is our intent & meaning, that the said searchers shall haue power to search the hostries, & to instruct themselues of the hostlers acts. And in case such hostlers be found defective in anie article aforesaid, they shall be punished, and that they shall run in the said forfaitures. An.9.E.3.cap.11.

Forf.

Newcoine

13 ¶ No mā be compelled to take the new money of gold and siluer, which our Soueraigne Lord the king hath ordained to go in paiment at a certaine price, within the summe of twētie shillings. And also that money of gold and siluer be made in the Citie of Yorke, and elsewhere the king will it ordaine, in the maner as it is made in the Tower of London. An.18. E.3.cap.6.

Yorke

Empaire

14 ¶ The money of golde and siluer which now remaineth, shal not be impaired in weight nor in allay, but as sone as a good way may bee found, that the same be put in ancient estate as in the sterling. An.25.E.3.cap.13.

Wardens

15 ¶ The moniers and other Wardens and ministers of the money shall receiue plate of gold & siluer by the weight, & in the same maner shall deliuer the money when it shal be made by weight, and not by number without anie tarying. An. 25.E.3.cap.20.

Plate
Weight

Transport
Plate
Victualers
Fishers

16 ¶ That none carie out of ỳ realme gold nor siluer in plate, nor in money, sauing the victuallers of fishe, that fishe the herring and other fish, & they that bring fish within ỳ realme in smal vessel, which are not medlers with other merchandises, and that according to the arbitrement of the Chanceller. An.38.E.3.cap.2.

Chancellor

Scottish
grote

17 ¶ It is accorded that the Scottish grote shal be currant for the value of iij.d. And of lesse money according to the quātitie: & if percase the Scottish money be impaired, the money so impaired shalbe set at a lesse price after the quātitie of the impairing. An.47.E.3.cap.2.

Transport
Gold
Siluer
Bullion
Plate

18 ¶ The king defendeth to al maner of people, merchants, Clerkes and other, as well strangers as Denizens, of what estate or condition they be, vpon paine of as much as they may forfait, that none of them vpō the said paine priuily nor apertly, send nor bring, nor doe to be sent or brought out of the said realme, anie golde nor siluer in money, bullion, plate, or vessel, nor by eschanges to be made, nor in other maner, but the wages of Callis & of other the kings fortresses beyond the sea, and especiallie excepted the Prelates, Lordes, and other of the same Realme, to whom sometime it behoueth necessarilie to make paiments beyond the sea, that of the same paiments onely they may make eschanges in England by good & sufficient merchants for to pais beyond the sea, and first speciall leaue and licence had of the king, as well for the eschangers, as for the person which ought to make the paimēts, conteining expresly the summe which shal be so eschanged. And it is assented, that the Merchāts that so shal make eschāges, shalbe diligently examined and sworne in their proper persons, as often as they shal haue the said licence, that they shall not send beyond the sea any maner of gold nor siluer vnder the color of the same eschāge. And if after Proclamation of this ordinance, anie person be from henceforth dulie attainted, that he hath done to be sent or caried beyond the sea, anie gold or siluer against this defence & ordinance, he shall forfaite to the king the same summe so ca-

Licence

Merchants
Oth

Transport

Forf.

of the money which shall come from beyond the sea, when he shall haue anie, he shall haue regard vnto the age thereof, & shall weigh the same, and if he find of the new money, that the pound weigheth not xx.s. by the number of iiij.ℓ. then he shall haue regard by the tumbrell, where the default shalbe, and if he see money which is much vsed, if in the whole pound of xx.s. it want but vj.ð. thē it shalbe deliuered to him who brought the same, without gainesaying, & if it want more, it shalbe done of thē, as of the rest. And let the warden aforesaid take good hēd that hee take no gift nor allowāce, to make any means of sport, nor make any extortion, nor giue anie maner of delay, as he will saue himselfe and his goods. The statute of great money.

Weight

Tumbrell

2 ¶ Edward by the grace of God king of Englād, lord of Ireland, and duke of Aquitaine, to the Shirife of Lincolne grēting. Because that strange marchants, and also some Marchants denizens of our realme, frō day to day bring into the same our realme, from the parties beyond the sea, our money clipped, and other money of diuers coines, counterfeited & mingled with our money, traffiking and buying with the same money, to the great losse of vs, and all our people, and also to the subuersion of all our money: we hereupon willing to prouide a remedie, vnlesse peraduenture by longer sufferance a greater danger might insue, command you that in your full countie, & in all your cities and marchant townes of the same cōtie, you cause straightly to be forbidden, and openly proclaimed, that no strange marchāt, nor anie other from henceforth, bring into the realme anie such money of ours rounded, or anie other counterfeited of strange coines, or els vse the same in buying or traffiking, and if they do, at the first time wherin they shalbe takē therewith, they shal lose such rounded money, or any other cōunterfeit. And if they shalbe again found in the like offence, they shall lose such money, and other goods found with them. And if the third time they commit the like offence, and be taken therewith, their bodies, and also all their goods and cattels shalbe forfeited vnto vs: but others which shall not be marchants, and shall haue such rounded money, or other counterfeit money, shall presently pierce the same, and send it to our Eschange, to be new coined vnder our coine: Or otherwise, in whose hands such money shall be fōūd, shal be vnto vs wholy forfaited. And if you doe not fulfil execute this our commaundement, we will grieuously amerce you and yours. T. W. of Marchia, our treasurer, the 21. day of June, in the twētie yēre of our reigne. The statute of small money.

Shorne

Proclaime

Bring Shorne

Forf.

Imprison

Shorne Counterfeit Pierce Eschange

3 ¶ In the second volume of the olde statutes is a title, intituled, Articuli de moneta, vnder which be seuen articles concerning false money.

False

4 ¶ No religious man, nor other shall carie any sterling out of ỹ realme of Englād, nor siluer in plate, or in vessel of gold, nor of siluer, vpon paine of forfaiture of ỹ money or vessel that he shall so carie without our speciall licence. An. 9. E. 3. cap. 1.

Carie ouer gold

Forf.

5 ¶ That no false money nor cōunterfeit sterling, be brought into our realme, nor elsewhere within our power, vpon paine of forfaiture of such money.

False

Prouided alwaies, that all maner people, of what realme or dominiō they be of, may safely bring to the exchanges, and to no place els, bulliō, siluer in plate, vessell of siluer, and all maner money of siluer, of what value soeuer it be, so that that be no false money, and sterling counterfeit, and there they shall receiue good and conuenient exchange. An. 9. E. 3. cap. 2. An. 27. 23 cap. 24.

Exchange

6 ¶ No sterling halfpeny nor farthing be molten, for to make vessel or any other thing by Goldsmiths nor other, vpon forfeiture of the money so molten, & that the Goldsmith or other which hath so molten such money, shall be committed to prison, there to remaine till he hath yelden vnto vs the one halfe of that that hee hath so molten, notwithstanding anie charter or franchise granted or vsed to the cōtrarie. An. 9. Ed. 3. cap. 3.

Melt

Forf.

Imprison

7 ¶ All maner of blacke money, which haue bin commonly currant of late in our realme & obeisance, bee vtterly excluded, so that none such shall be currant after a moneth next after the crie thereof made, vpon paine of forfaiture of the same money. An. 9. E. 3. cap. 4.

Blacke

Forf.

8 ¶ Euery man that will sue for vs against those that cōmit anie fraud against this ordinaunce, shalbe thereto receiued. And he to haue the fourth penie of that that shall be so atchieued at his sute to our profit. An. 9. E. 3. cap. 5.

9 ¶ Maiors and bailifs in euery port, where merchants and ships be, shall take an Othe of the merchants and maisters of

Othe

the

the ships going & comming againe, that they shall do no fraud against this prouision in anie point. An.9.E.3.cap.6.

10 ¶ Good & straight ward be made in all places vpon the sea coasts, in hauens, and elsewhere, where anie arriuall is, by good men and lawful thereto sworne, that in our name they shall make diligent search, that no man of what estate or condition he be, shall carie out of the realme sterling money, siluer, or plate, nor vessel of gold nor siluer, without our licence, nor shall not bring into our said Realme and power anie false money & counterfeit sterling, as afore is said, vpon the paines and forfaitures aforesaid. And that the mony, plate, or vessell so forfeit, be deliuered at the exchanges by indenture, whereof the one part shal remaine with the searchers, and be deliuered at the Exchequer, and thereby the warden of the exchange shal be charged of that that he hath receiued. An.9.Ed.3.cap.9.

Searcher
Plate
Gold
Siluer
Fork.
Indenture.

11 ¶ The searchers shall haue of our gift ỳ iij.peny for their labour, of as much as they shal find so forfeit. And if any such searchers make anie release, or do dispēce with anie, and thereof be attainted, they shal forfeit all their goods. An.9.E.3.c.10.

Searchers
Releale
Fork.

12 ¶ The hostlers in euery port where anie passage is, shalbe sworne to search their ghests in the same maner, as the searchers do, & they to haue the fourth penie of that they shal find so forfeit to vs, as the Searchers should haue. And it is our intent & meaning, that the said searchers shall haue power to search the hostries, & to instruct themselues of the hostlers acts. And in case such hostlers be found defective in anie article aforesaid, they shall be punished, and that they shall run in the said forfaitures. An.9.E.3.cap.11.

Hostlers
Oth
Search
Searchers
Fork.

13 ¶ No mā be compelled to take the new money of gold and siluer, which our Soueraigne Lord the king hath ordained to go in paiment at a certaine price, within the summe of twētie shillings. And also that money of gold and siluer be made in the Citie of Yorke, and else where the king will it ordaine, in the maner as it is made in the Tower of London. An.18. E.3.cap.6.

New coine
Yorke

14 ¶ The money of golde and siluer which now remaineth, shal not be impaired in weight nor in allay, but as sone as a good way may bee found, that the same be put in ancient estate as in the sterling. An.25.E.3.cap.13.

Empaire

15 ¶ The moniers and other Wardens and ministers of the money shall receiue plate of gold & siluer by the weight, & in the same maner shall deliuer the money when it shal be made by weight, and not by number without anie tarying. An. 25.E.3.cap.20.

Wardens
Plate
Weight

16 ¶ That none carie out of ỳ realme gold nor siluer in plate, nor in money, sauing the victuallers of fishe, that fishe the herring and other fish, & they that bring fish within ỳ realme in smal vessel, which are not medlers with other merchandises, and that according to the arbitremēt of the Chanceller. An.38.E.3.cap.2.

Transport
Plate
Victuallers
Fishers
Chancellor

17 ¶ It is accorded that the Scottish grote shal be current for the value of iij.d. And of lesse money according to the quātitie: & if percase the Scottish money be impaired, the money so impaired shalbe set at a lesse price after the quātitie of the impairing. An.47.E.3.cap.2.

Scottish grote

18 ¶ The king defendeth to al maner of people, merchants, Clerkes and other, as well strangers as Denizens, of what estate or condition they be, vpon paine of as much as they may forfait, that none of them vpō the said paine priuily nor apertly, send nor bring, nor doe to be sent or brought out of the said realme, anie golde nor siluer in money, bullion, plate, or vessel, nor by eschanges to be made, nor in other maner, but the wages of Callis & of other the kings forteresses beyond the sea, and especiallie excepted the Prelates, Lordes, and other of the same Realme, to whom sometime it behoueth necessarilie to make paiments beyond the sea, that of the same paiments onely they may make eschanges in England by good & sufficient merchants for to paie beyond the sea, and first speciall leaue and licence had of the king, as well for the eschangers, as for the person which ought to make the paimēts, conteining expresly the summe which shal be so eschanged. And it is assented, that the Merchāts that so shal make eschāges, shalbe diligently examined and sworne in their proper persons, as often as they shal haue the said licence, that they shall not send beyond the sea any maner of gold nor siluer vnder the color of the same eschāge. And if after Proclamation of this ordinance, anie person be from henceforth duelie attainted, that he hath done to be sent or caried beyond the sea, anie gold or siluer against this defence & ordinance, be shall forfaite to the king the same summe so ca-

Transport
Gold
Siluer
Bullion
Plate
Licence
Merchants
Oths
Transport
Fork.

ried or sent. Anno 5. R. 2. cap. 2.

Scottish coine

19 ¶ That the grote of the money of Scotland run in the valure onely of y. d. English. And the halfe grote of Scotland of j. d. English. And the j. d. of Scotland of an ob. English. And the ob. of Scotland of a q. English. And if the money of Scotland be impaired, that the valure thereof be abridged after the rate, and that cõmissions be made thorough the realme to inquire of thẽ that haue brought or sent the money of England into Scotlãd, to make bullion or money of Scotland, in preiudice and dammage of the King and his Realme. Anno 14. Rich. 2. cap. 12.

Commissions Enquiries

20 ¶ The said ordinaunce (S. of An. 9. E. 3. cap. 3. before 6.) shalbe firmely holden and kept. And moreouer it is ordeined and assented, ỹ no grote nor halfe grote shall be molten by no man to make vessel or other thing thereof, vpõ the same pain. And that no gold nor siluer of Scotland, nor of other lands beyond the sea, shal run in no maner of paiment within the Realme of Englãd, but shalbe brought to this bullion, there to be molten in the coine of England, vpon paine of forfaiture of the same, and of imprisonment, fine, and ransome of him which doth cõtrarie. And that no mã shal bring or send any English money into Scotland, for to chãge the same in money, or for Scottish money, vpõ the paine next aforesaid. Anno 17. Rich. 2. cap. 1.

Melting forbidden

Forren coines

Forf.

Imprison

Transport

21 ¶ If from henceforth any searcher of ỹ king may find gold or siluer in coine, or in masse in the képing of anie that is passing or vpon his passage, in any ship or vessel, for to goe out of anie port, hauen, or créeke of the Realme, without the Kings special licence. That gold or siluer shall be forf. to the king, sauing his reasonable expenses, which he shalbe bound to confesse & discouer incõtinẽtly, after that he, that to do be warned & charged by the same searcher: or els all the said money so concealed, shalbe forf. to the king. Prouided alwaies, that the merchants strangers, that do sell their merchandise within the Realme of England (& the one halfe of the money of England receiued for the same merchãdises, do employ vpon other merchãdises of the realme) may frẽely carie out from the same, the other halfe of the said money by the kings licence, according to the Statute thereof made. Anno 2. H. 4. cap. 5.

Searcher

Ship

Gold Siluer

Forf.

Merchant stranger

Carie out

Licence

22 ¶ All the money of gold and siluer of the coine of Flanders, and of all other lands & countries beyond the sea, and also of the land of Scotland, shal be bolded out of the realme of England, or put to coine to the bullion within the same realme, betwixt this and the feast of Christmas next ensuing, vpon paine of forfaiture of the same. And that all the Merchants and other at Caleis, which do receiue anie such gold or siluer of the coine of Flanders, or of other landes and countries beyond the sea, or of the lãd of Scotland, shal put the same to bullion at Caleis, without bringing it in coine within the realme of England, and if the Merchants or anie other frõ hẽceforth bring any such money within the Realme of England, they shall forfait ỹ same money to the king. And moreouer it is accorded, that a good and conuenient search be made as well at Caleis as on this side the sea, in euerie Porte and other places vpon the bringing of the money aforesaid. An. 2. H. 4. cap. 6.

Flanders coins

Forf. Merchants

Calice

Forf.

Search

23 ¶ That the third part of al the money of siluer, which shal be brought to the bullion, shalbe made in halfepẽce and farthings, and that of this third part, the one halfe be made in halfepence, and the other halfe in farthings, and the same to do and performe by the coiner, sworne in special. And that no Goldsmith nor other person whatsoeuer he be, do to be moltẽ anie such halfepence or farthings, vpõ paine to paie to the king, the quatreble of that that so shall be molten, against the fourme of this Statute. An. 4. H. 4. cap. 10.

3. Part

Bullion Halfepence Farthings

Goldsmith Melting forbidden

24 ¶ An. 4. H. 4. cap. 16. An acte was made to endure to the next Parliament, that money, gold, or siluer, caried ouer, should be forfait.

Transport Forf.

25 ¶ The said Gallyhalfepence shall neuer be currant in paiment, nor in other maner within the realme of Englãd, vpõ paine of forfaiture thereof. And moreouer that the gallyhalfepence, in whose hands soeuer they bée found, within the sayde Realme, shalbe forfait to our Soueraigne Lord the King, after ỹ two moneths next ensuing the proclamation of this statute. And also the same our soueraigne lord the king, will that al the statutes and ordinãces made before this time by him and his noble progenitors not repealed, as wel of money of Scotland, as of the money of other Realmes and partes beyond the sea, be holden and kept, and put in due execution. An. 11. H. 4. cap. 5.

Gallyhalfepence

Forf.

Statutes

26 ¶ An. 13. H. 4. cap. 6. It is enacted that this last statute of An. 11. H. 4. cap. 5. shalbe kept and put in execution.

27 ¶ Gally-

Gallyhalfpence. Scottish money

27 ¶ Gallyhalfpence, and the money called Sulkin & Dotkin, and all maner of Scottish money of siluer shalbe put out, & not to be current hereafter, for anie paiment in the realme of England. Joined to the same, that Proclamation bee made throughout all the counties of England within the franchises and without, and elsewhere, that al that haue gallyhalfepence, Sulkins, or Dotkins, shall bring them to the kings Exchanges, betwixt this & the feast of Easter next ensuing, there to bee broken, and that that is found good siluer, there to be striken and coined in English halfepence. And al they which after ỳ said feast of Easter, doe make, coine, buy, or bring into ỳ realme of Englād, anie Gallyhalfepence, Sulkins, or Dotkins, to sell them or put them in paiment in the same realme, & thereof be attainted, they shal be iudged as Felons of our soueraigne Lord the king, and shall forfeit all their lands & tenements, goods and cattels. And that the Lords of whom such lāds & tenements be holden, shall haue and enioy the forfaitures, as in other cases of Felonie. And if anie of ỳ kings liege people or other person, put gallyhalfpēce, sulskins, or dotkins in paiment, or them receiue in paiment within the realme of England, & thereof be duely attainted, they shall forfeit at euerie time that they make such paiments or receit, an C.s. whereof our soueraigne Lord the king shall haue the one halfe, & he that will sue for the king, thereof to attaint thē, shall haue the other halfe, & that as well the Iustices of peace, within all the Counties of England, as Maiors and Bailifes within Cities and Boroughs, & stewards of Lords in their view of Frāk pledge, shal haue power to inquire by good enquests to be taken before them, of all the matters aforesaid. And that the said Maiors & Bailifes, after the said enquests before them taken, shall send the same inquisitions before the Iustices of Peace of the Counties, in which the said Cities & Boroughs bee. And that the said Iustices of peace of the Counties, haue power aswell of the said inquisitions so taken before such Maiors and Bailifes, and sent before the said Iustices, (as afore is said) as vpon other inquisitions before the same Iustices of Peace in their Sessions to be taken touching the said matters, to make processe, and to awarde the Capias and Exigent, and to heare and determine all the matters according to their discretion, as in other cases of felonies and trespasses hath bene vsed before this time. An. 3. H. 5. st. 1.

Felonie Forf. Moitie Just. of P. Maiors Bailifes Stewards Enquests Just. of P. Proces

28 ¶ That such clipping, washing, and filing, shall be iudged for treason, and they that so do clip, wash, and file the money of the land, shalbe iudged traitors to the king, and to the Realme, and shall incurre the paine of treason. An. 3. H. 5. cap. 6. This statute is repealed by 1. Marie Session. 1. Treason 20. But the same offences be made Treason againe by 5. Eliz. cap. 11. which see in Treason 26.

Clipping Washing Filing Treason Repealed

29 ¶ Whereas counterfeiting, clipping, washing, and other falsitie of money of this lād is much more vsed, then it was woont to be, because the punishment of the same (being treason) perteineth onely to the Iustices of the Kings Bench, or to speciall Commissioners thereunto assigned. Therefore be it ꝛc. That the Kings Iustices assigned to take assises in all the Counties of England, shall haue power by the Kings commissions, to heare and determine in their Sessions, aswell of the counterfeiting, and of the bringing of such false money into the Realme, as of clipping, washing, and euerie other falsitie of the said money. And that the Iustices of Peace thorough the Realme, shall haue power by the kings Commissions, to enquire of all such matters, and thereupon to make processe by Capias onely against those, which before them shall be thereof indicted. An. 3. H. 5. cap. 7.

Just. of all. Diers ter. Counterfeting Clipping Washing Just. of P. Proces

30 ¶ An. 9. H. 5. ca. 6. An act was made to endure at the Kinges pleasure that a mint should be at Calice.

Mint

31 ¶ From Christmasse Euen next comming, none of the kings liege people shall receiue anie money of English gold in paiment, but by ỳ kings weight thereupon ordeined. And forasmuch as a great part of the gold now currant in paiment, is not of right full weight, nor of good allay, the same shalbe sent to the coine, to ỳ intent that it shal be newly coined of iust weight & of good allay. And because that shall be to the great losse and costes of the kings subiects, vnlesse it please him to relieue them in this case: Our Soueraigne Lord the king of his speciall grace, hath remised and pardoned to all his liege people, which betwixt this and the said feast of Christmasse, shal do to be coined of new at the kings coinage within the Tower of London, their money of golde, that is not of iust weight nor of good allay, that

Weight Allay Pardon

is to say, al that to him pertaineth for this new coinage of such gold as afore: hauing alwaies to the Maister of the mint, & to other officers of the same, that which to them reasonably pertaineth. An. 9. H. 5. cap. 11.

Statutes

32 ¶ Al the statutes and ordinances, which haue bene made in the time of the Kings noble progenitors, touching the good and lawfull gouernaunce of his money of gold and siluer not repealed, be wel and firmely kept and holden in al points. An. 9. H. 5. stat. 2. cap. 1.

Eschanges London

33 ¶ The king in as much as he conueniently may, shall doe to bee ordained his eschanges of the money of golde and siluer in the Citie of London, and elswhere in the Realme, for the ease of his people, which shalbe holden in open places in high streetes. And that all they that will come to the Tower of London, there to haue money of new coined, they shal haue money coined, and thereof shall be deliuered within eight daies, according to the verie value of that they shall bring thither, paying the seignorage and cunage of gold after the rate of fiue shillings for the pound of the Tower. And for the seignorage and cunage of siluer, fiftéene pence for the pound, and no more. And that they that wil not goe to the Tower to do the same, but will be thereof deliuered at the eschãges, shall paie for the eschange after the rate of a penie for the noble, and for the halfe noble an halfepenie, and for the iiij. part of the noble a farthing, with the seignorage and coinage, as before is said. An. 9. A. 5. stat. 2. cap. 2.

Tower of London

v.s.

Cunage

Eschange

Mint masters

34 ¶ Item, that the masters and workers of the money, and also the strangers in all places where money shalbe coined, made or changed, shalbe holden to deliuer and pay all that that ought to pertaine to them, for such eschange of good and lawful money of England, by and of iust weight or by the number, at the election of him which shal receiue the same without any delay of difficultie. And if percase it happen, ỳ any notable default in the weight of the money, or in the allay be found, (which God defend) vpon the deliuerie or paiment to be made at the said Tower, or at the eschãges aforesaid, that then it shal be wel & lawful to euery person, that shal find such default, to refuse that that is defective, before that he depart the place where he the same shall receiue. And that the Maister or the changers be holden to deliuer to him sufficiẽt money for the same without delay, and to melt that that shalbe found defective. An. 9. H. 5. stat. 2. ca. 3.

Weight

Fault

Refuse

Wardens

35 ¶ Itẽ, that they which shalbe wardens & surueiors, & ministers of the eschãges out of the tower, shalbe holden & boũden to bring all the gold & siluer that they shal receiue by way of eschãge, or shal buy by color of their office, to the tower of London, there to be molten & made in mony, in augmentation & increase of the money, for the profit of the realme and ease of the people, without being sold, aliened, or put to any other vse. An. 9. H. 5. stat. 2. cap. 4.

Sold Siluer

Tower of London

Mint Calais

36 ¶ Item that the kings mint be coined & made at Calice, in the maner as it hath bin made & gouerned at the Tower of London. An. 9. H. 5. stat. 2. cap. 5.

37 ¶ Item that al the money of gold & of siluer, that shalbe made at the Tower of London and at Calice, or elsewhere within the realme of England by authoritie royall, shalbe made of as good allay and good weight, as it is now made at the Tower. An. 9. H. 5. stat. 2. cap. 6.

Allay Weight

Counsel

38 ¶ The Lords of the kings coũcell for the time being, may assigne by authoritie of the said Parliament, masters and workmen to make money of gold & siluer, to hold the eschanges of money, aswell in the citie of Yorke, as in the towne of Bristow, & also in as many places as to ỳ said Lordes shall seeme necessarie, after their good aduice and discretion, any statute, or ordinance made to the contrary, notwithstanding. An. 1. H. 6. cap. 1.

Coyners

Yorke Bristow

39 ¶ The same statute (S. 9. H. 5. stat. 2. cap. 5. before 28.) be holden and kept, and put in due execution.

And moreouer it is ordeined & stablished, that no golde nor siluer shalbe caried out of the realme, cõtrary to the said stat. vnlesse it be for paiment of warres, & the kings souldiers beyond the sea, vpõ paine of forf. of the value of the summe of mony so caried out of the realme, to be leuied of him that the same shal bring, carie, or send out of the same realme. And that he that the same espieth, and therof giueth knowledge to the Councel, or to the Treasor of England, shall haue the iiij. part of the forf. so due to the king, except the rãsoms for fines of English prysoners, taken and to be taken beyond the Sea, and the money that the souldiers shall carie with thẽ for their reasonable costs, and also for horses, oxen, sheepe, and other things bought in Scotlande to bee brought and caried to

Gold Siluer Trãsporte Warres Souldiers Forf.

4. Part Ransomes

Horses Oxen Sheepe

to the parties adioining, so ỹ the money to be sent for the fines of ỹ said prisoners, or to be caried by the said souldiers to the parties beyond the sea, be not made without the kings special licence. And because it is supposed that the money of gold of ỹ realme is caried out of the same by marchãts aliens: It is ordained & stablished, that the marchãts aliens, shall find suertie in the Chancerie, euery company for them of their companie, that none of thẽ shall carie out of the realme no golde nor siluer against the form of the said statute, vpon paine of forf. of the same gold or siluer or the value of the same. And if any of them do ỹ contrary, & that duely proued, and he so doing be gone ouer the sea, then the pledges of his companie shall pay to the king the said forfaiture, whereof hee that the same hath espied, and thereof giuen notice to the treasorer or to the kings counsell, shall haue the fourth parte, as aboue said. Anno 2. H. 6. cap. 6.

Licence

Marchants aliens Suerty Chancerie Gold Siluer

Forf.

Suerties

4. parte

40 ¶ That proclamation bee made through al the counties of Englãd, within franchises & without, & within Cities, townes, boroughs, & elswhere, that al the money called blankes, shalbe wholly voided out of the realme before the feast of S. John Baptist nert comming. And moreouer, ỹ no man after the saide feast, pay or receiue for paiment in any maner within the saide Realme, the saide money called blanks, vpon the same pain cõtained & ordained by a stat. made in the third yere of king H. father to our said soueraigne lord the K. (which is before 27.) against al that pay or receiue for paiment the money called Gallie halfpence, Suskins, and Dotkins within the realme. An. 2. H. 6. cap. 9.

Proclamation

Blankes

41 ¶ That the maister of the mint shall kẽp his allay in the making of white money according to the forme of his Indenture. And that the same maister receiue of euery person, that shal bring any siluer to the mint, the same money at the true valour as it is worth, according to the same allay, vpon pain to paie to the partie his double damages. And also to the intent that this ordinance may the better & more iustly bee obserued: It is ordained, that the kings assaier, which is a person indifferent betwirt the maister of the mint, & the marchant, and also the controller of the mint shall be present, when anie Bullion of siluer is brought to the minte, to the intent that the said assaier may rightfully set the valor of the same, according to the law, in case of variance betwirt the maister and the marchãt: and the controller to controll aswell siluer, which is brought to the saide mint, as brought out of the same euery two daies, faithfully & indifferently to do their deuoire, without taking any reward other then the fee, which they shall take of the K. vpon the paine to yeeld double damages as afore is said. And that the assaier and controller be credible, substantiall, and expert men, hauing perfect knowledge in the mystery of goldsmithes and of the mint. And also that neither the maister of the mint, nor the changer for the time being, sell nor doe to be sold, nor alien to none other vse but to the coyne, no maner of golde nor of siluer wrought or vnwrought, coyned or not coyned, or Bullion which is brought to the mint, or to the eschange, but applie the same only to the money, according to the forme of the said Indenture, vpon the paine contained in the same Indenture. And that the same maister of the minte, cause to be striken frõ time to time, halfe nobles, farthings of golde, grotes, halfe grotes, pence, halfpence, & farthings, for the ease of the people, according to the tenor of the Indẽture made betwirt the K. and him, vpon the paine contained in the same, so that the cõmen people may haue recourse to the eschange for smal gold and white money, as they reasonably shall need. An. 2. H. 6. cap. 12.

3. damages

Assayer

Controller Bullion.

Goldsmiths

Changer

Small gold White money

42 ¶ No person from the feast of Easter, shall carie nor doe to bee caried out of this realme or Wales, any maner of money of coine of this realme, nor of the coine of other realms, lands, or seignories, nor no plate, vessel, masse, bullion, nor iewels of golde, wrought or vnwrought, or of siluer, without the kings licence. except such persons as be dispenced with, in the aforesaid statute made the said second yeere of king Henrie the first (which is before 39.) and in other diuers statutes, vpon paine of felonie, and to be adiudged and reputed as felonie. The same felonie to be heard & determined in like maner and forme, and before such person or persons, as other felonies bee commonly heard and determined within this realme. An. 17. E. 4. cap. 1. This act was made to indure for 7. yeres. See this statute cõtinued here following 43. and 45.

Transportes

Plate Bullion Iewels Licence

Felonie

43 ¶ The saide statute made in the saide 17. yeere of king Ed. 4. cap. 1. be and stand a Statute good and effectuall with

all

al the premisses in the same, and be obserued, kept, & put in due execution, from the feast of the Purificatiõ of our Lady, that shalbe in the yere of our Lord 1489. and to indure vnto the end of xx. yeeres next ensuing. And ouer that by the same authoritie it is ordained & enacted, that no person dwelling or inhabiting within this realme, from the said feast of the Purification, pay or deliuer wittingly by waie of exchange, or otherwise, to any marchãt or other person borne out of the kings obeisance, for any marchandises or wares, or in any other wise, any maner pieces of gold coyned in this Realme, or any other Realmes, or any plate, vessels, malles, Bullion, Jewels of gold wrought or vnwrought, to forfaite and lose the double summe or double value of all such money of gold coined, plate, vessel, malle, Bullion, or Jewel of gold or siluer, paied, deliuered, or exchanged contrary to this acte. The one halfe of all the same forfaitures to be to the king our souereigne lord, and the other halfe to any of his subiects that will seise it, or sue for any such paimẽt, deliueräce, or exchange made or to be made, contrary to this act, and that it be lawful to the kings subiects in this case, to sue for the said forfaiture by action of debt, by writ at the common law, by bil or plaint, after the custome of the Citie, porte, or towne, where it shall happen any forfaiture to fall & be, or by information to bee made in the kings Escheq. & that no protectiõ nor essoine be allowable in any such action or information. An. 4. H. 7. cap. 23.

Exchange
Marchant
Plate
Bullion
Jewels
Forf.
Moitie
Eschequer

44 CAl maner of gold of the coyne of a souereigne, halfe souereigne, royall, half royal, and the 4. part of a royall, the angel, halfe angel, and euery of them being gold, whole and weight, shall goe and be currant in payment through all this realm, for the summe ỹ they were coined for. And also aswel all maner of grotes of English coyne, and of the coyne of other landes nowe currant in this Realme for grotes, or for iiij.d. being siluer, and not clipped, minished, or otherwise impaired, except reasonable wearing, albeit they be cracked, as al maner of grotes, or pece, or two pence of English coyne, or of the coyne of other lands now currant in this Realme, for halfe grotes, or pence or y.d. not clipped, minished, or otherwise impaired, being siluer, howbeit they be cracked, shall in likewise goe and bee currant through all the same realme, for the sum as they were coyned for. And ouer that, that all maner of pence being siluer, hauing the print of the kinges coyne, shall haue course and be currant for paiment, aswell to vs in all our receipts, as to all our receiuers, and to all other lords spirituall and temporal, and their receiuers, and to all other within this our Realme, without any maner refusall or contradiction: except onely pence bearing diuers spurs, or the mullets betwirt the bars of the crosse, and those pence so bearing the print of the spurre or the Mullet, to haue course for halfe pence onely, & not aboue. And if any person hereafter refuse any coyne afore rehearsed, to take it in paiment after the effect and tenor of this act, that then he that so refuseth it, shall be cõpelled by the Maior, shirife, bailife, Constable, or chiefe officer or gouernor of the towne, or place where any such paiment shalbe refused, to accept and take the said paiment. And furthermore to bee imprisoned, or otherwise punished by the discretion of the said Maior, shirife, bailife, constable, or other chief officer or gouernour afore rehearsed. And if the said Maior, shirife, bailife, constable, or chiefe officer or gouernor, refuse to take any such coyn in paiment, as is aboue rehearsed, that then he so refusing the said paiment, to be compelled by the Justice of the peace of the same countie where such paiment shalbe refused, to accept & take the said paiment, & be so refusing the same, to be further punished for the saide refusing by the discretion of the same Justice. And also it is ordained by the said authoritie, that all maner of grotes & half grotes, or pence of two pence, aswel English coyne as coyne of other lands, clipped, minished, or otherwise impaired (except reasonable wearing) shal not go nor be in any wise currant for the paiment win this realme, but vtterly to bee refused & forsaken in paiment from henceforth: and that notwithstanding it shall be lawful to any person, hauing any such grotes or pence of two pence clipped or minished, to bring ỹ same to the kings mint, there to bee changed after the custome of the said mint, or conuert the same into plate, Bulliõ, or otherwise sell or imploy to his most profite and aduantage within this realme: any other act or acts, to the contrary in any wise notwithstanding. And in eschewing and auoiding of such clipping in time to come, the king our Soueraigne Lorde, by the aduise of his Counsel,

Soueraigne
Royall
Angel
Grotes
Forreine
coyne
Cracked
grotes
Currant
Pence
Halfe penie
Refuse
Compell
Maior
Shirife
Bailife
Imprison
Maior
Shirife
Bailife
Refuse
Iust. of P.
Punish
Grotes
Halfe grotes
2. pence
Minished
Not currãt
Clipped
Change
Plate
Clipping

Counsell, hath caused to bee made newe coynes of grotes and pence of two pence, and that euery piece of the same coynes shal haue a circle about ẏ vtter part therof. And also that all maner of gold hereafter to bee coyned within this his realme, shal haue the whole scripture about euery piece of the same gold, without lacking of any part thereof, to the intent that his subiects hereafter may haue perfit knowledge by the circle or scripture, when the same coynes be clipped or appaired.

Gold

Scripture

And also it is enacted by the said authority, that if the Warden or Cõptroller of the kings mint, hereafter duely execute not their office in searching the same coyne, & see that it be made perfect in forme as is aforesaide, before it passe from the mint, that then the same Warden and Comptroller shal forf. the said office, and make fine for the same at the kings pleasure. Moreouer it is enacted by the saide authoritie, that no manner of person shall carie nor cõuey, nor cause to be caried out of this realme, any bullion, plate, or coyn of gold or siluer into Ireland, ouer and aboue the summe of vj.s.viij.d. nor conuey any such bullion, plate, or coyne, into any ship, boate, or other vessels, vpon paine to forf. the said bullion, plate, or coyne, & to haue imprisonment, and make fine & ransome at the kings will. And in likewise, that no manner person bring nor conuey, nor cause to be brought nor conueyed, any maner of coyne of gold or siluer aboue the summe of iij.s.iiij.d. of the coyne of Ireland, into this realme, vpon paine of forfaiture of all the same coyne aboue the said summe of iij.s.iiij.d. so brought into this realme, and to haue imprisonment, & make fine & ransome at the Kinges will. And that it shalbe lawful for euery of the kings subiects to take and seise all such money of the coyne of Ireland hereafter to be brought or conueied into this realm, ouer and aboue the said summe of three shillings foure pence, and to bring it into the Kings mint, there to leuy ẏ same vnto the kings vse. And euerie person that so shall bring any such Irish money to the said mint, shall haue the value of the one halfe of all such Irish money by him so brought to the said mint, at the same time deliuered to him to his owne vse, by the master of the mint for the time being. An. 19.H.7.cap.5.

Warden Comptroller

Forf. office

Bullion Gold Siluer Ireland

Ship Forf.

Imprif.

Bring out of Ireland

Forf.

Imprif.

Seise

Kings vse Irish monie

Moitie

45 ¶ An.1.H.8.cap.13. and An.3.H.8. cap.1. two seuerall acts were made to endure to the nert Parliament, that the aforesaid statute of 17.Edw.4. cap.1. before 42. should stand good, except the penaltie of felonie, and that who should carie any of the things specified in the statute, contrarie to these statutes, should forfait the double value.

46 ¶ All such coyners as shall coyne and make any money at any mint within this realme of England, shall make and coyne of euery hundred pounds worth of gold, that they shall strike into coyne rr. pounds in the coyne of halfe angels, commonly called pieces of golde of rl. pence. And of euery hundred pounds worth of bullion, plate, or siluer, that they shall strike into coyne, as many grotes as shal amount to the summe of fiftie poũds sterling, as many halfe grotes called pence of two pence, as shal amount to the summe of twenty poũds sterling, as many pence as shall amount to the summe of twentie poundes, as many halfe pence as shall amount to the summe of ten markes sterling, and as many farthings as amount to the summe of v. markes sterling. And that any time ẏ anie coyners in any mint within the realme, shall doe contrary to this act, the master and keeper of ẏ mint, for the time being, shall forfait & lose r.li. The one moitie thereof to be to the king our soueraigne Lorde, the other moitie to the partie that shall sue for the same, by bill, information, action of debt, or otherwise, wherein the said Maister shal not be admitted to doe his lawe, and no protection ne essoine to be allowed for the defendant. And forasmuch as at this present time farthings and halfe pence be striken all with one coyne, so that the cõmon people of the Realme many times take these that be farthings for halfepence: Bee it therefore enacted by authoritie aforesaid, that al such farthings, that from henceforth shalbe made within this realm, shal haue vpon the one side thereof, the print of the Porte colice, & vpon the other side therof the print of the Rose, with a crosse, vpon like paine.

Coyners

C.li. golde

rr.li. halfe angels

C.li. siluer

L.li. grotes

Half grotes

Pence

Halfe pence

Farthings

Mint mast.

Forf. Moitie

Farthings

Port colice

Rose

And furthermore be it enacted by ẏ authority aforesaid, that all maner persons resorting to the said mint with any plate or bullion, vnder the value aboue said, to be coyned, shall haue and receiue at the said Mint the tenth part of all such plate and bullion in halfe pence and farthings. Prouided alway, ẏ this act or any thing contained in the same, be not in any wise

Tenth part

preiudici-

al the premisses in the same, and be obserued, kept, & put in due execution, from the feast of the Purificatiō of our Lady, that shalbe in the yere of our Lord 1489. and to indure vnto the end of xx. yeeres next ensuing. And ouer that by the same authoritie it is ordained & enacted, that no person dwelling or inhabiting within this realme, from the said feast of the Purification, pay or deliuer wittingly by waie of exchange, or otherwise, to any marchāt or other person borne out of the kings obeissance, for any marchandises or wares, or in any other wise, any maner pieces of gold coyned in this Realme, or any other Realmes, or any plate, vessels, masles, Bullion, Jewels of gold wrought or vnwrought, to forfaite and lose the double summe or double value of all such money of gold coined, plate, vessel, masle, Bullion, or Jewel of gold or siluer, paied, deliuered, or exchanged contrary to this acte. The one halfe of all the same forfaitures to be to the king our soueraigne lord, and the other halfe to any of his subiects that will seise it, or sue for any such paimēt, deliueräce, or exchange made or to be made, contrary to this act, and that it be lawful to the kings subiects in this case, to sue for the said forfaiture by action of debt, by writ at the common law, by bil or plaint, after the custome of the Citie, porte, or towne, where it shall happen any forfaiture to fall & be, or by information to bee made in the kings Escheq. & that no protectiō nor essoine be allowable in any such action or information. An. 4. H. 7. cap. 23.

Exchange
Marchant
Plate
Bullion
Jewels
Forf.
Moitie
Eschequer

44 ¶ Al maner of gold of the coyne of a soueraigne, halfe soueraigne, royal, half royal, and the 4. part of a royall, the angel, halfe angel, and euery of them being gold, whole and weight, shall goe and be current in payment through all this realm, for the summe ỳ they were coined for. And also aswel all maner of grotes of English coyne, and of the coyne of other landes nowe current in this Realme for grotes, or for iiij. d. being siluer, and not clipped, minished, or otherwise impaired, except reasonable wearing, albeit they be cracked, as al maner of grotes, or pēce, or two pence of English coyne, or of the coyne of other lands now current in this Realme, for halfe grotes, or pence or ỳ. d. not clipped, minished, or otherwise impaired, being siluer, howbeit they be cracked, shall in likewise goe and bee current through all the same realme, for the sum as they were coyned for. And ouer that, that all maner of pence being siluer, hauing the print of the kinges coyne, shall haue course and be current for paiment, aswell to vs in all our receipts, as to all our receiuers, and to all other lords spirituall and temporal, and their receiuers, and to all other within this our Realme, without any maner refusall or contradiction: except onely pence bearing diuers spurs, or the mollets betwirt the bars of the crosse, and those pence so bearing the print of the spurre or the Mullet, to haue course for halfe pence onely, & not aboue. And if any person hereafter refuse any coyne afore rehearsed, to take it in paiment after the effect and tenor of this act, that then he that so refuseth it, shall be cōpelled by the Maior, shirife, bailife, Constable, or chiefe officer or gouernor of the towne, or place where any such paiment shalbe refused, to accept and take the said paiment. And furthermore to bee imprisoned, or otherwise punished by the discretion of the said Maior, shirife, bailife, constable, or other chief officer or gouernour afore rehearsed. And if the said Maior, shirife, bailife, constable, or chiefe officer or gouernor, refuse to take any such coyn in paiment, as is aboue rehearsed, that then he so refusing the said paiment, to be compelled by the Justice of the peace of the same countie where such paiment shalbe refused, to accept & take the said paiment, & be so refusing the same, to be further punished for the saide refusing by the discretion of the same Justice. And also it is ordained by the said authoritie, that all maner of grotes & half grotes, or pence of two pence, aswel English coyne as coyne of other lands, clipped, minished, or otherwise impaired (except reasonable wearing) shal not go nor be in any wise current for the paiment win this realme, but vtterly to bee refused & forsaken in paiment from henceforth: and that notwithstanding it shall be lawful to any person, hauing any such grotes or pence of two pence clipped or minished, to bring ỳ same to the kings mint, there to bee changed after the custome of the said mint, or conuert the same into plate, Bullio, or otherwise sell or imploy to his most profite and aduantage within this realme: any other act or acts, to the contrary in any wise notwithstanding. And in eschewing and auoiding of such clipping in time to come, the king our Soueraigne Lorde, by the aduise of his

Soueraigne
Royall
Angel
Grotes
Forreine
coyne
Crecked
grotes
Current
Pence
Halfe penne
Refuse
Compell
Maior
Shirife
Bailife
Imprison
Maior
Shirife
Bailife
Refuse
Iust. of P.
Punish
Grotes
Halfe grotes
2. pence
Minished
Not current
Clipped
Change
Plate
Clipping

Counsel,

Counsell, hath caused to bee made newe coynes of grotes and pence of two pence, and that euery piece of the same coynes shal haue a circle about ẏ vtter part therof. And also that all maner of gold hereafter to bee coyned within this his realme, shal haue the whole scripture about euery piece of the same gold, without lacking of any part thereof, to the intent that his subiects hereafter may haue perfit knowledge by the circle or scripture, when the same coynes be clipped or appaired.

Gold

Scripture

And also it is enacted by the said authority, that if the Warden or Cõptroller of the kings mint, hereafter duely execute not their office in searching the same coyne, & sée that it be made perfect in form as is aforesaide, before it passe from the mint, that then the same Warden and Comptroller shal forf. the said office, and make fine for the same at the kings pleasure. Moreouer it is enacted by the saide authoritie, that no manner of person shall carie nor cõuey, nor cause to be caried out of this realme, any bullion, plate, or coyn of gold or siluer into Ireland, ouer and aboue the summe of vj.s.viij.d. nor conuey any such bullion, plate, or coyne, into any ship, boate, or other vessels, vpon paine to forf. the said bullion, plate, or coyne, & to haue imprisonment, and make fine & ransome at the kings will. And in likewise, that no manner person bring nor conuey, nor cause to be brought nor conueyed, any maner of coyne of gold or siluer aboue the summe of iij.s.iiij.d. of the coyne of Ireland, into this realme, vpon paine of forfaiture of all the same coyne aboue the said summe of iij.s.iiij.d. so brought into this realme, and to haue imprisonment, & make fine & ransome at the Kinges will. And that it shalbe lawful for euery of the kings subiects to take and seise all such money of the coyne of Ireland hereafter to be brought or conueied into this realm, ouer and aboue the said summe of three shillings foure pence, and to bring it into the Kings mint, there to leuy ẏ same vnto the kings vse. And euerie person that so shall bring any such Irish money to the said mint, shall haue the value of the one halfe of all such Irish money by him so brought to the said mint, at the same time deliuered to him to his owne vse, by the master of the mint for the time being. An. 19.H.7.cap.5.

Warden Comptroller

Forf. office

Bullion Gold Siluer Ireland

Ship Forf.

Imprif.

Bring out of Ireland

Forf.

Imprif.

Seise

Kings vse Irish monie

Moitie

45 ¶ An.1.H.8.cap.13. and An.3.H.8. cap.1. two seuerall acts were made to endure to the next Parliament, that the aforesaid statute of 17.Edw.4. cap.1. before 42. should stand good, except the penaltie of felonie, and that who should carie any of the things specified in the statute, contrarie to these statutes, should forfait the double value.

46 ¶ All such coyners as shall coyne and make any money at any mint within this realme of England, shall make and coyne of euery hundred pounds worth of gold, that they shall strike into coyne xx. pounds in the coyne of halfe angels, commonly called pieces of golde of xl. pence. And of euery hundred pounds worth of bullion, plate, or siluer, that they shall strike into coyne, as many grotes as shal amount to the summe of fiftie poũds sterling, as many halfe grotes called pence of two pence, as shal amount to the summe of twenty poũds sterling, as many pence as shall amount to the summe of twentie poundes, as many halfe pence as shall amount to the summe of ten markes sterling, and as many farthings as amount to the summe of v. markes sterling. And that any time ẏ anie coyners in any mint within the realme, shall doe contrary to this act, the maister and kéeper of ẏ mint, for the time being, shall forfait & lose x.li. The one moitie thereof to be to the King our soueraigne Lorde, the other moitie to the partie that shall sue for the same, by bill, information, action of debt, or otherwise, wherein the said Maister shal not be admitted to doe his lawe, and no protection ne essoine to be allowed for the defendant. And forasmuch as at this present time farthings and halfe pence be striken all with one coyne, so that the cõmon people of the Realme many times take these that be farthings for halfepence: Bee it therefore enacted by authoritie aforesaid, that al such farthings, that from henceforth shalbe made within this realm, shal haue vpon the one side thereof, the print of the Porte colice, & vpon the other side therof the print of the Rose, with a crosse, vpon like paine.

Coyners

C.li. golde

xx.li. halfe angels

C.li. siluer

L.li. grotes

Half grotes

Pence

Halfe pence

Farthings

Mint maist.

Forf.

Moitie

Farthings

Port colice

Rose

And furthermore be it enacted by ẏ authority aforesaid, that all maner persons resorting to the said mint with any plate or bullion, vnder the value aboue saide, to be coyned, shall haue and receiue at the said Mint the tenth part of all such plate and bullion in halfe pence and farthings. Prouided alway, ẏ this act or any thing contained in the same, be not in any wise

Tenth part

preiudicia-

Coyners Yorke Dureſme Canterbury

prejudicial to the coyners & mint maſters of Yorke, Dureſme, and Canterburie, ne to any of them, for any money to bee coyned there, other then heretofore hath bin accuſtomed. This Act to beginne to take effect at the feaſt of S. Michael the Archangel next comming, and not before. An. 14.H.8.cap.12.

47 ¶ See Eſchange vi. that money ſold aboue the value proclaimed, ſhall bee forfait.

48 ¶ Anno 7.Edw.ſexti cap.6. it is enacted, that the ſaid ſtatute made An.17.E. 4.cap.1.before.42. & euery article, clauſe, ſentence or prouiſion therein contained, ſhall be affirmed and enacted to be good & effectuall to the firſt day of Maye nexte comming, & to indure to the end of twentie yeres then next inſuing. Prouided alwaies, that if any of the lords of the Parliament, or any of the Peeres of this realme for the time being, ſhal fortune to be indicted of any of the offences limitted in the ſaid acte, made in the ſeuenteenth yeere of K. Edward the 4. that then they and euery of them ſhall haue his or their triall by their Peeres, as hath been vſed heretofore in caſes of high treaſon. An. 1. Ed.6.cap.6.

L. of Parliament Peeres Indicted

Triall

49 ¶ An.17.E.4.ca.1. an act was made to indure for 7. yeeres, againſt Iriſh money to be currant in England.

Iriſh monie

50 ¶ In the new printed booke commonly called Magna Charta, late printed by Richard Tottel, An. Dom. 1569. fol.167. is as followeth. Quia multorum Regum temporibus prouiſum fuit, quod propter pauperes, denarius argenti, ceſtaſſauior, ſterlingus, quoties neceſſitas expoſtulat, diuideretur in obolum, quadam ex parte Domini Regis diſtricte præcipitur, quod quicunque in emptionibus & venditionibus obolum ſeu quadrantem legalis metalli, & debitam habentem formam recuſare preſumpſerit, tanquam Regiæ Maieſtatis contemptor capiatur, & in carcerem detrudatur. Præceptũ eſt etiam quod ſubeat iudicium pillorij.

51 ¶ Be it enacted &c. that if any perſon or perſons, hereafter falſely forge or counterfait any kind of gold or ſiluer, as is not the proper coyne of this realme, nor permitted to be currant within this realme, that then euery ſuch offence ſhall be deemed & iudged miſpriſion of high treaſon, and the offenders therin, their procurers, aiders, and abbettours, being conuict according to the lawes of the realme of ſuch offences, ſhall be impriſoned, and forfaite ſuch lands, goods, and cattels, as in caſes of miſpriſion of treaſon, for concealement of high treaſon. Anno 14. El. cap.3.

Counterfait Forraine coyne

Miſpriſion of treaſon

Impriſ. Forf.

Mortdaunceſter.

IF any heire after the death of his auncеſter be within age, and his Lord haue the Warde of his lands and tenements, if the Lord will not render vnto the heire his land (whē he commeth to his full age) without plea, the heire ſhall recouer his land by aſſiſe of Mortdaunceſter, with the dammages that he hath ſuſtained by ſuch withholding, ſince the time that hee was of full age. And if an heire at the time of his auncеſtors death, be of ful age, and he is heire apparant, and knowen for heire, and be found in the inheritance: the chief lord ſhal not put him out, nor take, nor remoue any thing there, but ſhal take only ſimple ſeiſin thereof, for the recognition of his ſeignioꝛie, that he may be knowen for lord. And if the chiefe Lord doe put ſuch an heire out of the poſſeſſion maliciouſly, whereby he is driuen to purchaſe a Writ of Mortdaunceſter, or of coſinage, then hee ſhall recouer his damages as in aſſiſe of nouel diſſeiſin. Touching heires, which hold of the king in chiefe, this order ſhal be obſerued, that our Soueraign Lord the King ſhall haue the firſt ſeiſin of their landes, like as hee was wont to haue before time. Neither ſhal the heire, nor anie other intrude himſelfe into the inheritance, before he hath receiued it out of the Kings handes, as the ſame inheritance was wont to bee taken out of his hands and his anceſters. And this muſt be vnderſtanden of landes and fees, the which were accuſtomed to be in the kings handes, by reaſon of Knightes ſeruice, or Serieantie, or right of patronage. Marlebridge cap.16.An.52.H.3.

Heire

Warde

Damages

Full age

Seiſin

Coſinage

Damages

Knights ſeruice

2 ¶ It is prouided alſo, that if a man die, hauing manie heires, of whome one is ſonne or daughter, brother, or ſiſter, nephew, or neece, and the other be of a further degree, all the heires ſhall recouer from henceforth by a writte of Mortdaunceſter. Glouceſter.6. Anno 6. Edw.1.

¶ Mortmaine.

IT ſhall not be lawfull frō henceforth to any man to giue lands to any religious houſe,

Religious Take again

house, and to take the same land againe to hold of the same house. For it shall not be lawfull to any house of religion, to take the lands of any man, & to lease the same to him, of whō he receiued it: If any man from henceforth giue his lands to any religious house, and thereupon bee conuict, the gift shalbe vtterly voide, and the land shal returne to the Lord of the fee, Magna Charta. cap. 36.

Lease

Void gift Lord of the fee

Religious

Implead Default

2 ¶ When religious men and other ecclesiastical persons do implead any, and ỳ party impleaded maketh default wherby he ought to leese the land, forasmuch as the Iusticers haue thought hitherto, ỳ if the party impleaded make default by collusion, that where the demãdant by occasiō of the statute could not obtain seisin of the land by title of gift, or other alienation, he shal now by reason of the default, & so the statute is defrauded: It is ordained by our soueraigne lord the K. in this case, that after the default made, it shall be inquired by the countrie, whether the demandãt had right in the thing demanded, or no, & if it be found, that the demandant had right, the Iudgement shal passe with him, & shall recouer seisin: and if hee had no right, the land shall accrue to the next lord of the fee, if he demand it wiin a yeere from the time of the inquest taken. And if he doe not demand it within the yeere, it shal accrue to the nert lord aboue, if he do demaund it within halfe a yeere after the same yere And so euery lord after the nert lord immediate, shal haue the space of half a yere for to demand it sufficiently, vntill it come to the King, to whome at length through default of other lords ỳ land shal accrue. And to challenge the Iurors of the inquest, euery of the chiefe lords of the fees shall be admitted, and likewise for the king they that will shall challenge. And after the iudgement giuen, the land shall remain in the kings hands, vntil it be detained by the demandant, or some other chiefe lord, and the shirife shalbe charged to answere therfore at the Eschequer. W. 2. cap. 31. An. 13. Ed. 1.

Default

Inquire

Iudgment

Demand

Lord

King

Challenge

Shirife

Religious Lands

3 ¶ No person, religious or other whatsoeuer he be, that will buy or sell any landes or tenements, or vnder the colour of gift or lease, or that wil receiue by reason of any other title, whatsoeuer it be, landes or tenements, or by any other craft or engine, will presume to approper to himselfe, vnder paine of forfaiture of the same, wherby such lands or teneméts may in any wise come into Mortmaine: we haue prouided also, that if any person religious or other, doe presume either by craft or engine to offend against this statute, it shalbe lawful to vs and other chief lords of the fee immediate, to enter in the land so alienéd, within a yeere from the time of the alienation, and to hold it in fee & as inheritance. And if the chiefe lord immediate be negligent, and wil not enter within the yere, then it shal be lawfull to the nert chiefe lord immediate of the fee, to enter in the same land within halfe a yere next following, and to hold it as before is said. And if al the chief lords of such fees being of full age, within the 4. seas, & out of prison, bee negligent or slacke in this behalf, we immediatly after the yere accōplished from the time that such purchases, gifts, or appropriations hap to be made, shall take such landes & tenements into our hand, & shall infeoffe other therein, by certaine seruices to bee done to vs, for the defence of our Realme, sauing the chief lords of the fées, their wards and eschetes and other seruices thereunto due and accustomed. An. 7. Ed. 1.

Enter One yere

Chiefe lord

4. Seas Out of prison.

Wardes Escheats Seruices

4 ¶ It is to be vnderstanden, that the K. ordained at Westminster the first day of April, the 27. yeere of his raigne, that such as would purchase a newe purchase, as men of religion, that woulde amortise landes or tenementes, should haue Writtes out of the kings Chancerie, for to enquire vpon the points accustomed in all things, and that inquests of landes or tenements that bee worth yeerely more then xx. li. that is to wit, by extent, bee returned in to the Eschequer, and there to myke fine for the amortisements, or for the purchase hauing, if the inquests doe passe for him that purchased them, & afterward it shal bee certified vnto ỳ Chancelor or his deputie, that he take a reasonable fine therfore, according to the quantitie of the thing, and after to deliuer it: In like maner they shal do, that wil purchase lands or tenements holden of the king in chiefe. Also folke dwelling beyond the sea, that haue lands and tenements, or rents in England, and will purchase letters of protection, or will make generall attornies, they shall be sent vnto the Eschequer, and there shall make their fines, and from thence shall bee sent vnto the Chauncelour, or his deputie, for that that he ought to do therein. In like manner they shall doe, that will purchase anie

Writtes Chancerie

Inquests

Eschequer Fine

Chancelor

Protection

faire,

Faire Market

faire, market, marraine, or any other libertie. Also such as wil purchase atturnement of their debts, shall bee sent into the Eschequer. Also such as be not able to travail, & folke that dwell in farre counties; which pleade or be impleaded, shal haue a writ out of the Chancerie to some sufficient man, that shal receiue their atturnies when need is. And for a remembrance of these things, there is an indenture made, deuided into three parts, whereof one part remaineth in the Chācery, another in the Eschequer, and the third in the gardrobe. An. 27. E. 1. See the same statute almost word for word in the volume of the olde statutes fol. 92. intituled Statutum de terris & tenementis amortizand.

Atturnies

Inventure

5 ¶ Touching the grant of our Soueraigne Lord the K. to bee obtained vpon inquests returned into the Chancery, for lands to be abrened into mortmaine, the king commandeth that nothing shall bee done (where there be any Lords meant) except the religious persons can shew to our soueraigne Lord the king, their assent vnder their patents, sealed wᵗ their seals. And that nothing shal passe in case where the donour reserueth nothing to himselfe. And likewise where inquisitiōs be made and returned without warrant, that is to wit, the writte originall without the inquest, and except that the writ originall make mention of euery thing according to the new ordinance deuised by the kings statute of amortisement of landes. Anno 34. E. 1.

Inquests

Lords mean Religious

Donour

Inqu. sitions

6 ¶ The writ of our Lord the king of making of inquisitions in the Chancerie, shal not be granted to any man, if it be to the losse of our lord the K. or the lands or tenemēts of others, if they may be giuen or assigned to any religious men, or other according to the forme of the writ vsed in the Chancery, in case where those lāds or tenements come to mortmain, but by petitions put vp in the ful parliament. And so that if those religious men, or other to whō such lands or tenements were granted, be so needy and poore that they cannot liue of their own, our Lord the king hereupon (after due aduice had) shal do as shal please his grace, of writs of graunting inquisitions of lands put to Mortmaine.

Parliamēt

7 ¶ If prelats, clerke beneficed, or religious folke, which haue purchased lāds, & the same haue put to Mortmain, be impeached vpon the same before our Justices, & they shew to vs a charter of licence, and proces thereupon made by inquest of Ad quod dampnum, or of our grace, or by fine, they shall be freely let in peace, wout being further impeached for the same purchase. And in case they cannot sufficiently shew, that they haue entred by due proces after licence to them granted in general, or in special, ỳ they shalbe wel receiued to make a conuenient fine. Ann that the enquirie of this article shal wholly cease, according to ỳ accord compriſed in this parliament. An. 18. E. 3. pro clero cap. 3.

Spirituall Religious Purchase

Licence

Ad quod dampnum

Proces

8 ¶ As it is contained in ỳ statute De religiosis, that no religious ne other whatsoeuer he be, do buy or sel, or vnder colour of gift, or terme, or any other maner of title, receiue of any mā, or in any maner, by craft or engine of any maner, cause to bee appropriate vnto him, any lands or tenements, vpon pain of forfaiture of ỳ same, wherby the same lands and tenements in any manner might come to Mortmaine. And if any religious or any other come against the said statute by arte or engin in any maner, that it be lawful to the king, and to other Lords in the said lands & tenements to enter, as in the saide statute doth more fully appeare.

Religious Purchase

Forf.

King! Lords

Enter

And now of late by subtill imagination and by arte & engine some religious Parsons, vicars, & other Spirituall persons, haue entred in diuers lands & tenements, which bee adioining to their Churches, and of the same landes by sufferance, and assent of the tenants haue made Churchyardes, and by Bulles of the Bishop of Rome, haue dedicate and hallowed the same, and in them do make continually parochiall burying without licence of the King & of the chiefe Lords, therefore it is declared in this parliament that it is manifestly within the compasse of the said estatute. And moreouer it is agreed and assented, that all they that bee possessed by feoffement, or in any other way to the vse of religious persons, or other Spirituall persons, of lands and tenements, fees, aduowsons, or any maner possessions, to the intent to amortise them, whereof the said religious and Spirituall persons take the profites, that betwirte this and the feast of S. Michael nert comming, they shall cause them to be amortised by the licence of the king, and of the lords, or els that they shal sell them, and alien them to some other vse, betweene this and the said feast, vpon paine to be forfait to the King, and to the Lordes, according to the forme

Religious

Church-yards Bulles

Licence

Forf.

fo̱me of the saide statute of religious, as lands purchased by religious people. And
Purchase that from henceforth no such purchase be made, so that such religious or other spiritual persons take thereof the profits, as afore is said, vpon pain aforesaid. And also that the same statute extend and bee kept of al lands, tenements, fées, aduowsons, & other possessions purchased, or to
Guildes Fraternities be purchased to ỹ vse of guildes or fraternities. And moreouer it is assented, for as
Maiors Bailifes much as the Maiors, bailifes, & commons of cities, boroughs, and other towns, that haue a perpetuall comminaltie, & others which haue offices perpetuall, be as perpetuall as people of religion, that from henceforth they shall not purchase to thẽ & to their commons or office, vpon ỹ paine contained in the statute De religiosis. And also of that ỹ others be possessed, or hereafter shall purchase to their vse, and they
Profits thereof take the profites, it shalbe done in like maner as afore is said of people of religion. Anno 15. R. 2. cap. 5.

Feoffemẽts Fines Recoueries 9 ¶ Where by reason of feoffements, fines, recoueries, and other estates, & assurãces made of trust, of manors, lands, tenements, and hereditaments, to the vse
Churches Guildes Fraternities of parish churches, chappels, churchwardens, guildes, fraternities, cõminalties, companies or brotherheads, erected and made of deuotion, or by common assent of the people without any corporation, & also by reason of feoffements, fines, recoueries, wils, & other actes made to any vses
Uses Obites Priest aforesaid, or to the vses & intents to haue obites perpetuall, or any continuall seruice of a priest for euer, or for three score or foure score yeres, founden of the issues and profits of the manors, landes, tenements, and hereditaments, whereof such feoffements, fines, recoueries, wils, and
Feoffees other acts bẽn made, or that feoffées, conisæs, recouerers, or other persons, and their heires thereof seised, shal take, leuie, receiue, & perceiue, or cause or suffer to be taken, leuied, and perceiued the issues,
Profits Conuert reuenues, and profites thereof, and the same to dispose, pay, conuert, or otherwise employ, or suffer or cause to bee disposed, paied, conuerted, or employed, to any such vses, intents, or purposes, as bẽn aboue specified, or to any other like vses or intents, there groweth and issueth to the king our soueraign lord, and to the other lords and subiects of the Realm, the same like losses and inconueniences, and is as much preiudiciall to them, as doth and is in case where lands be alienated into mortmaine. Be it therefore &c. that all and euery such vses, intents, and purposes, of Uses what name, nature, or qualitie they shall be called, that shalbe deuised, couenanted, made, declared, or in any wise ordained after the first day of March, in the 23. yeere of the raigne of our soueraigne lord king Henry the 8. by any feoffée, recouerer, or conisée, or by any other person or persons, to whose vse any feoffée, recouerer, or conisée, shalbe seised of any manors, lands, tenements or hereditaments, or of the issues, reuenues, and profits of them, Void or anie of them, shall bee vtterly voyde and of no strength, vertue or effect in the lawe.

Prouided alwaie, that it shalbe lawfull to euery person being seised of any manors, lands, tenements, or hereditamẽts to his own proper vse, or hauing feoffées, recouerers, or conisées, to his owne vse, to make, ordaine, or deuise, or cause to bee made, ordained, or deuised any of the vses, intents or purposes aboue specified, in such maner as they might haue done afore the making of this acte, and as if this Acte had neuer bẽn had ne made: So that none such vses, intents, or purposes, to be made, ordained, or deuised, after the saide first daye of March be not in anie wise made, ordained, deuised, or appointed to indure, continue or abide, by any craft, colour, termes, sentences, clauses, wordes, or other meanes, aboue the terme of 20. yeres nert after the first ma- 20. yeeres king and beginning of any such vses, intents, or purposes. And it is &c. that if any person or persons in defraud of this esta- Defraud tute, binde or ordaine any their heires or successors, or anie other person or persons, that they shall suffer such vses, intents, or purposes, to indure and continue contrary to this acte, vpon paines or penalties of losses of any other landes, tenements, or hereditaments, or of any other thing or thinges, or doe attempt or deuise by any colour, craft or meanes, any thing or things to make any such vses, intents, or purposes, to bee declared, contrary to the true meaning of this acte, to continue or abide for any longer time or season, then is aboue limited for the same: That then euery such paine, penaltie, crafte, colour, and euery other thing and things, of what kinde, nature or qualitie soeuer it be, that shall bee so made, ordained, or deuised in defraude of this Acte,

shall

Faire Market

faire, market, marraine, or any other liberty. Also such as wil purchase atturnement of their debts, shall bee sent into the Eschequer. Also such as be not able to trauail, & folke that dwell in farre counties; which pleade or be impleaded, shal haue a writ out of the Chancerie to some sufficient man, that shal receiue their atturnies when need is. And for a remembrance of these things, there is an indenture made, deuided into three parts, whereof one part remaineth in the Chācery, another in the Eschequer, and the third in the gardrobe, An. 27. E. 1. See the same statute almost word for word in the volume of the olde statutes fol. 92. intituled Statutum de terris & tenementis amortizand.

Atturnies

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Inquests

Lords mean Religious

Donour

Inqu. sitions

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Spiritual Religious Purchase

Licence

Ad quod dampnum

Proces

8 ¶ As it is contained in ẏ statute De religiosis, that no religious ne other whatsoeuer he be, do buy or sel, or vnder colour of gift, or terme, or any other maner of title, receiue of any mā, or in any maner, by craft or engine of any maner, cause to bee appropriate vnto him, any lands or tenements, vpon pain of forfaiture of ẏ same, whereby the same lands and tenements in any manner might come to Mortmaine. And if any religious or any other come against the said statute by arte or engin in any maner, that it be lawful to the king, and to other Lords in the said lands & tenements to enter, as in the saide statute doth more fully appeare.

Religious Purchais

Forf.

King! Lords

Enter

And now of late by subtill imagination and by arte & engine some religious Parsons, vicars, & other Spirituall persons, haue entred in diuers lands & tenements, which bee adioining to their Churches, and of the same landes by sufferance, and assent of the tenants haue made Churchyardes, and by Bulles of the Bishop of Rome, haue dedicate and hallowed the same, and in them do make continually parochiall burying without licence of the King & of the chiefe Lords, therefore it is declared in this parliament that it is manifestly within the compasse of the said estatute. And moreouer it is agreed and assented, that all they that bee possessed by feoffement, or in any other way to the vse of religious persons, or other Spirituall persons, of lands and tenements, fees, aduowsons, or any maner possessions, to the intent to amortise them, whereof the said religious and Spirituall persons take the profites, that betwixte this and the feast of S. Michael nert comming, they shall cause them to be amortised by the licence of the king, and of the lords, or els that they shal sell them, and alien them to some other vse, betweene this and the said feast, vpon paine to be forfait to the King, and to the Lordes, according to the forme

Religious

Church-yards Bulles

Licence

Forf.

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9 ¶ Where by reason of feoffements, fines, recoueries, and other estates, & assurãces made of trust, of manors, lands, tenements, and hereditaments, to the vse of parish churches, chappels, churchwardens, guildes, fraternities, cõminalties, companies or brotherheads, erected and made of deuotion, or by common assent of the people without any corporation, & also by reason of feoffements, fines, recoueries, wils, & other actes made to any vses aforesaid, or to the vses & intents to haue obites perpetuall, or any continuall seruice of a priest for euer, or for three score or foure score yeres, founden of the issues and profits of the manors, landes, tenements, and hereditaments, whereof such feoffements, fines, recoueries, wils, and other acts bẽn made, or that feoffées, conisées, recouerers, or other persons, and their heires thereof seised, shal take, leuie, receiue, & perceiue, or cause or suffer to be taken, leuied, and perceiued the issues, reuenues, and profites thereof, and the same to dispose, pay, conuert, or otherwise employ, or suffer or cause to bee disposed, paied, conuerted, or employed, to any such vses, intents, or purposes, as bẽn aboue specified, or to any other like vses or intents, there groweth and issueth to the king our soueraign lord, and to the other lords and subiects of the Realm, the same like losses and inconueniences, and is as much preiudiciall to them, as doth and is in case where lands be alienied into mortmaine. Be it therefore &c. that all and euery such vses, intents, and purposes, of Vses what name, nature, or qualitie they shall be called, that shalbe deuised, couenanted, made, declared, or in any wise ordained after the first day of March, in the 23. yere of the raigne of our soueraigne lord king Henry the 8. by any feoffée, recouerer, or conisée, or by any other person or persons, to whose vse any feoffée, recouerer, or conisée, shalbe seised of any manors, lands, tenements or hereditaments, or of the issues, reuenues, and profits of them, Void or anie of them, shall bee vtterly voyde and of no strength, vertue or effect in the lawe.

Prouided alwaie, that it shalbe lawfull to euery person being seised of any manors, lands, tenements, or hereditamẽts to his own proper vse, or hauing feoffées, recouerers, or conisées, to his owne vse, to make, ordaine, or deuise, or cause to bee made, ordained, or deuised any of the vses, intents or purposes aboue specified, in such maner as they might haue done afore the making of this acte, and as if this Acte had neuer bẽn had ne made: So that none such vses, intents, or purposes, to be made, ordained, or deuised, after the saide first daye of March be not in anie wise made, ordained, deuised, or appointed to indure, continue or abide, by any craft, colour, termes, sentences, clauses, wordes, or other meanes, aboue the terme of 20. yeres nert after the first making and beginning of any such vses, intents, or purposes. 20. yeeres And it is &c. that if any person or persons in defraud of this estatute, binde or ordaine any their heires or successors, or anie other person or persons, that they shall suffer such vses, intents, or purposes, to indure and continue contrary to this acte, vpon paines or penalties of losses of any other landes, tenements, or hereditaments, or of any other thing or thinges, or doe attempt or deuise by any colour, craft or meanes, any thing or things to make any such vses, intents, or purposes, to bee declared, contrary to the true meaning of this acte, to continue or abide for any longer time or season, then is aboue limited for the same: That then euery such paine, penaltie, crafte, colour, and euery other thing and things, of what kinde, nature or qualitie soeuer it be, that shall bee so made, ordained, or deuised in defraude of this Acte, Defraud

shall

Void shall be vtterly void in the law to all intents. And that this estatute shall bee alwaies interpreted and expounded, as beneficially as may be to the destruction & vtter auoiding of such vses, intēts, & purposes therein aboue remembred, & of all other like vses & intents: otherwise then all only after such maner, as is afore by this present act deuised. Prouided alway, that in such cities and townes corporate, where by their anciēt customes they haue good & lawfull authorities to deuise into mortmain the landes, tenements, and hereditaments within the same Cities or townes corporate, that this act shall not be in any wise preiudiciall or hurtfull to any such custome.

Cities Townes corporate

Prouided alway, that this acte ne anie thing therein contained, shal extend to be in any wise preiudiciall to hinder or impaire any such ordinances, deuises, or declarations of vses, as shall hereafter bee made declared in writing by ẏ executors of the testaments and last willes of Robert, James, and John Tirrie, late Alderme of the citie of Norwich, now deceased, or by the executors of the suruiuor of the executors of either of them, of any lands, tenements or hereditaments, not mounting in the whole aboue the cleare yerely value of forty pounds to be employed and conuerted to and for the discharge of tols and customes within the said citie, and at the gates of the same, for the discharge of the poore people within the same citie, of tares, and tallages hereafter to be assessed and lenied, and for the clensing of the streets of the same citie, or for any of the said good purposes, according to the true intents and meanings of the said last wils and testaments, and of either of them, so that the same ordinance, deuises, and declarations, be had. made, and certified in writing into the kings court of Chancerie, within two yeeres next ensuing the said feast of Easter next comming. An. 23. H. 8. cap. 10.

Vses

Executors

xl. pounds

Tolles

Customes

Tares

Clensing of streets

¶ Mortuaries.

Spirituall person

NO Parson, vicar, curate, nor parish Priest, ne any other Spirituall person, nor their farmers, bailifs, nor lessees, shall take, receiue, or demand of anie person or persons within this realme, for any person or persons dying within the same, any maner Mortuary or corse present, ne any summe or summes of money ne any other thing for the same more then is hereafter mentioned. Ne also shall conuent or call any person or persons before any Judge Spirituall for the recouery of any such Mortuaries or corse presents, or any other thing for the same, more then is hereafter mentioned, vpon pain to forfait for euery time so demaunding, receiuing, taking, or conuenting, or calling any such person or persons before any spirituall Judge, so much in value as they shall take aboue the summe limitted by this act. And ouer that forty shillings to the partie grieued contrarie to this acte, for the which forfaiture the partie so grieued contrarie to this act, shall haue an action of debt, by writ, bill, plaint, or information, in any of the kings courts, wherin no wager of law &c. shall bee allowed.

Corse present Money

Conuent Spiritual Judge

Forf.

Action of debt

First it is &c. that no manner Mortuary shall be taken or demanded of any person whatsoeuer hee bee, which at the time of his death hath in moueable goods vnder the value of v. marke. Also that no Mortuarie shall be giuen or demanded from hencefor th of any maner person, but only in such place wher heretofore mortuaries haue bēn vsed to be paied and giuen, and in those places none otherwise but after the rate and fourme hereafter mentioned. Ne that any person paye Mortuaries in moe places then one, that is to say, in the place of their most dwelling and habitation, and there but one Mortuarie. Nor no Parson, Vicar, Curate, Parish priest, or other, shall for any person dying or dead, and being at the time of his death of the value in moueable goods of tenne markes, or more, clerely, aboue his debts paied, and vnder the summe of thirtie pound, take for any Mortuary more then three shillings foure pence in the whole. And for a person dying or dead, being at the time of his death of the value of thirty pound or aboue, clerely aboue his debts paied in moueable goods, and vnder the value of xl. li. there shal no more be taken or demaunded for a Mortuarie then vi. s. viij. d. in the whole. And for any person dying or dead, hauing at the time of his death of the value in moueable goods of xl. li. or aboue, to any summe whatsoeuer it be, clerely aboue his debtes paied, there shall be no more taken, paied, or demaunded for a Mortuarie then tenne shillings in the whole.

v. Marke

x. Marke

iii. s. iiii. d.

xxx. pound

vi. s. viii. d.

xl. pound

x. shillings

Prouided, that no woman being couert baron, nor childe, ne for any person not

Woman couert Children

keeping

képing house, any Mortuarie be paied, ne that any Parson, Vicar, Curate, Parish prieſt or other, aſke, demand, or take for any ſuch womã childe, or for any perſon, not képing house, dying, or dead any maner thing or money by waye of Mortuarie, ne alſo for any wayfaring man, or other that dwelleth not, ne maketh reſidence in the place where they ſhal happẽ to die, but that the Mortuarie of ſuch wayfaring perſõs be anſwerable in places where Mortuaries be accuſtomed to be paied, & in maner & forme, & after the rate before mentioned, & none otherwiſe, in the place or places where ſuch wayfaring perſons at the time of their death had their moſt habitation, houſe & dwelling places, and no where els.

Geruant

Waifaring men

Prouided alway, that it ſhalbe lawfull to all maner Parſons, Vicars, Curates, Pariſh prieſtes, and other ſpirituall perſons to take and receiue any maner ſũme of money, or other thing which by any perſon dying ſhall fortune to be diſpoſed, giuen, or bequeathed vnto them, or any of them, or to the high altar of ỹ Church: This act or any thing therein mentioned notwithſtanding.

Bequeſt high altar

And beſt &c. that no Mortuaries, nor corſes preſent, ne any ſumme or ſummes of money, or other thing, for any Mortuarie or corſe preſent ſhalbee demaunded, taken, receiued, or had, in the parties of Wales, nor in the Marches of the ſame, nor in the townes of Caleis or Berwike, nor marches of the ſame, but only in ſuch parties & places of Wales, marches and townes aforeſaide, where Mortuaries haue bẽn accuſtomed to be takẽ & paied. And in thoſe parties & places no Mortuaries nor corſes preſent, ne any thing for Mortuarie or corſe preſent from henceforth ſhalbe demaunded, taken, receiued, or had, but onely after the forme, order, and maner aboue ſpecified in this preſent act, and none otherwiſe, ne of any other perſon or perſons then is limitted by this preſent acte, vpon paine aboue contained in this preſent act.

Wales Calice Berwike

Prouided alſo, that it ſhalbe lawful to ỹ biſhops of Bango, Landaffe, S. Dauids and S. Aſſe, & likewiſe to the Archdeacon of Cheſter, to take ſuch Mortuaries of the prieſtes within the dioces & iuriſdictions, as heretofore hath bin accuſtomed. Prouided alſo that in ſuch places wher Mortuaries haue bin accuſtomed to be taken of leſſe value then is aforeſaid, ỹ no perſons ſhalbe compelled to pay in any ſuch place any other mortuarie or more for any mortuarie, then hath bin accuſtomed, ne that any mortuarie in ſuch place ſhalbe demanded, taken, receiued, or had, of any perſon or perſons exempt by this acte, nor in any wiſe contrary to this act, vpon the paine afore limitted. An. 21. H. 8. ca. 6.

Bishops

¶ Mummers.

AN. 3. H. 8. ca. 9. an act was made to endure to the next parliament, againſt Mummers and diſguiſed perſons, & ſellers and kepers of diſours.

Diſours

¶ Murder and Manſlaughter.

MUrder from henceforth ſhall not bee iudged before our Juſtices where it is found miſfortune only, but it ſhal take place in ſuch as are ſlaine by felonie and not otherwiſe. Marl. cap. 25. An. 52. H. 3.

Juſtices

Felony

2 ¶ Item the king remembring how murders and ſlaying of his ſubiects daily increaſe in this land, the occaſions wherof be diuers: one, that no men in townes where ſuch murders happẽ to fall and to be done, will attach the murderer, where the law of the land is, that if any man be ſlain in the day, & the felon not taken, the townſhip where the death or murder is done, ſhalbe amerced: And if any man be wounded in peril of death, the pattie that ſo wounded ſhould be arreſted, & put in ſuretie, til perfit knowledge be had, whether he ſo hurt ſhould liue or die: And the Cozoner vpon the view of the body dead, ſhould enquire of him or them ỹ had done ỹ death or murder, or their abbettors, & conſentors, & who were preſent when ỹ death or murder was done, whether man or woman, & the names of them ỹ were preſent, & ſo found, to enroll and certifie, which law by negligence is diſuſed, and thereby great boldneſſe is giuen to ſlayers and murderers: And ouer this it is vſed, that within the yeere and day after any death or murder had and done, the felon ſhould not be determined at ỹ kings ſute, for ſauing of the parties ſute: wherin the partie is oft times ſlowe, and alſo agréed with, and by the ende of the yeere all is forgotten, which is an other occaſion of murder: And alſo he that will ſue any appeale, muſt ſue in proper perſon, which ſute is long and coſtly, that it maketh the partie appellant wearie to ſue.

Attach

Townſhip Amerced

Arreſt Suretie

Cozoner Inquire

Abbettors

Names Certifie

Yere & day

Appeals

Coroner

For reformatiõ of the premisses, the king &c. will that euery Coroner exercise & do his office, according to the law, as is afore rehearsed. And that if any man be slain or murdered, and therfore the slayers, murderers, abbettors, maintainers, and comforters of the same be indicted, that the same slayers and murderers, and al other accessaries of the same, be arraigned & determined of the same felony and murder, at any time of the kings suite within the yere after the same felony & murder don, & not tary the yere & day for any appeale to be taken for the same felony or murder. And if it happen any person named as principall or accessarie, to be acquited of any such murder at the kings suit within the yere & day, that then the same Justices before whome he is acquited, shal not suffer him to go at large, but either to remit him againe to prison, or els to let him to baile after their discretion, til the yere & day be passed. And if it fortune that the same felons & murderers, & accessaries so arraigned, or any of them to be acquited, or the principal of the said felony, or any of them to be attainted, the wife or next heires to him so slaine as shall require, may take & haue their appeale of ỳ same death and murder within the yeere & day after the same felony and murder done, against the saide persons so arraigned and acquited, & al other their accessaries, or against the accessaries of the said principal or any of them so attainted, or against the said principals so attainted, if they be on liue, & the benefite of his clergie thereof before not had. And ỳ the appellant haue such & like aduantage, as if the said acquital or attainder had not bene, the said acquitall or attainder notwithstanding.

Indict Accessaries

Within the yere

Principal Accessary Acquite

Justices

Imprison Baile

Acquite Attaint Wife Heire Appeale Yere & day

Clergie

And ouer that the wife or heire of the saide person so slaine or murdered, as case shal require, may commẽce their appeale in proper person, at any time within the yere after the said Felony done before the Shirife or Coroners of ỳ Countie where the saide Felonie and murder was done, or before the king and his bench, or Justice of gaole deliuerie. And the appellant in any appeales of murder of death of man, where battell by the course of the common law lyeth not, may make their atturneis, and appeare by the same in the said appeales, after they be commenced to the end of the suit, and execution of the same. And if any person be slaine or murdered in the day, and the murderer escape vntaken, that the township where the said deede is so don, be amerced for the said escape. And that the Coroner haue authoritie to enquire therof vpon the view of the bodie dead. And also Justices of peace haue power to enquire of such escapes, and that to certifie afore the king in his Bench. And that after the felonie found, the Coroners deliuer their inquisitions afore the Justices of the next gaole deliuerie in the shire where inquisition is take, the same Justices to proceed against such murderers, if they be in the gaole. And els the same Justices put the said inquisitions afore the king in his Bench. And forasmuch as Coroners had not nor ought any thing to haue by the lawe for the office doing, which oft times hath bin the occasion that Coroners haue ben remisse in doing their office, It is ordained that a Coroner haue for his fee vpon euery inquisition taken vpon the view of the bodie slaine xiii.s iiii.d. of the goods and cattels of him that is the slayer and murderer, if hee haue any goods. And if hee haue no goods, then the Coroner to haue his said fee, of such amerciaments, as shal fortune any township to be amerced for the escape of such murderers as is aforesaide (See this clause somewhat restrained by 1. H. 8. cap. 7. before in Coroners 7.) And if any Coroner be remisse and make not his inquisitions vpon the view of the body dead, and certifie not according as is afore ordened, that the Coroner for euery default forfait to the king. C. s. Anno 3. H. 7. cap. 1.

Township Amerce; Coroner

Inquire Just. of P. Certifie

Coroner Fee xiii.s.iiii.d.

Forf.

¶ Musters.

Where heretofore the seruice of Mustering and leuying of able men to serue in the warres hath bin greatly hindered, aswell by absence frõ the musters, as by forbearing of the likeliest men, and choosing other not meete for the seruice, and yet many times by corruption discharging those againe, to the great perill of the Realm: Be it &c. that if any person or persons that shalbe cõmaunded at any time hereafter generally or especially, to muster afore any such as shall haue authoritie or cõmaundement for the same, by or from the king and Quenes Maiesties, or by the heires or successours of the Quenes Maiestie, or by any lieutenant, warden, or other perso or persons, authorised for ỳ same, do willingly absent him or

Absent

or themselues frō the same musters, hauing no true & reasonable excuse of sickenesse, or other lawfull impediment, or at their appearance at such musters, doe not bring with them such their best furniture of array and armour, as he or they shal then haue for his or their owne person in a readinesse: shal for euery such default & offence haue and suffer imprisonment by the space of x. daies without bail or mainprise, by the commaundement of such as shall haue authoritie, as is aforesaid, to take the same musters, vnlesse he or they so offending as is aforesaide, do agree to or with the said commissioners, or two of them, to pay to the vse of the king and Queene our Soueraigne Lorde and Lady, or of the heires & successors of the same our soueraigne lady, for euery such offence fourtie shillings for a fine, which said fine, after agreement for the paymēt of the same as is aforesaide, shalbee certified & estreated into the Court of Eschequer at Westminster, by such as shall haue power to take ỳ saide musters as is aforesaid, or by two of them, vnder their seales, or the seale of two of them, within the space of two moneths next after such agreement to pay ỳ said fine had or made: and the same fine so estreated to be leuied in such forme as fines assessed by the Iustices of assise, or of gaol deliuery in their circuites, are vsed to be leuied. And be it further enacted by ỳ authoritie aforesaid, that if any person or persons, which at any time or times hereafter shalbe commaunded or appointed by the king and Quéene our soueraigne Lorde & Lady, or by the heires & successors of the same our soueraigne lady by their commission, letters, or otherwise authorised to leuy, muster or make any men to serue in their warres, or otherwise for ỳ defence of this realme, do by any meane exact, leuy, receiue or take, or cause to bee taken any summe or summes of money or other reward or thing whatsoeuer, of any person or persons for seruice in the warres, or ỳ shalbe appointed, named or mustred to serue in any such seruice, or for the sparing, releasing or discharging of such person or persons from the said seruice: that then euery such person that so shal offend in exacting, receiuing or taking by any wayes or meanes any summe or summes of mony, or other reward or thing whatsoeuer as is aforesaid, shal for such offēce forfait tenne times so much as hee shall so receiue, exact, or take. (See in captaines 6. a penaltie of twentie poundes set vpon them.) And be it further enacted by the authoritie aforesaid, that if any captaine, petie captaine, or other hauing charge of men for seruice in warre, shal for any aduantage, lucre or gaine by him to be taken or receiued, discharge or licence any of the souldiours, or men appointed to serue in the warres, vnder his rule or order, to depart from ỳ same seruice, or shall not pay vnto his souldiours, & to euery of them their full & whole wages, conduct & coate money, within ten dayes next after that such captaine, petie captain, or other hauing charge of men as is aforesaid, shal haue receiued the same: that then the partie so offending in giuing any such licence or discharge as is aforesaid, shall lose and forfait for euery such offence ten times ỳ value of the thing so taken or receiued. (See in Captaines 6. a penaltie of twentie poundes set vpon them) and shall also paye to euery souldiour from whom he shall so withhold any of the said wages, conduct or coat money, treble ỳ summe so withholden: the one moitie of all which forfaitures (other then such as before this act is limitted or giuen to the souldier or souldiers, as is aforesaide, for the wages, coate, or cōduct money withdrawen) shal be to the king & the Quænes Maiesties, and the heires & successours of ỳ Quænes Maiestie, and the other moitie to him or them that will sue for the same, by action of debt, bill, plaint, information, or otherwise in any Court of record, in which action or sute, no essoine, protection or wager of law shalbe allowed. And bee it further enacted by the authoritie aforesaide, that all Iustices of assises in their circuits, and all Iustices of peace, within the limits of their Commission in their assise and sessions, and Stewards of Léets, lawdayes, and liberties, at their Léets & lawdayes, shall & may from time to time enquire, heare and determine euery of the said offences, committed or done contrary to this Acte, within ỳ precincts of their Commission, leete or libertie. And if any person or persons shall be before the saide Iustices of assise, Iustices of peace, or of any of them, presented or indicted of any the offences aforesaide, that then the said Iustices of Assise, or Iustices of Peace, before whome such indictment or presentment shall be taken or had, shall and may by the authoritie of this Act, awarde such

Lawfull excuse
Best armor
Imprisō.
Mainprise
Two commissioners
Fine
Estreat Eschequer
Two moneths
Cōmission
Reward
Discharge
Forf.
Captaine Petie captaine
Discharge Licence
Not pay
Wages Conduct Ten dayes
Forf.
Moitie
Iust. of ass.
Iust. of P.
Steward of Leetes
Enquire Dier & ter.
Iust. of ass. Iust. of P. Indicted

Proces

proces against euery such person or persons so indicted, as vpon indictments of trespasse is vsed & accustomed to be made: & if any such person or persons so indicted do appeare before the said Justices, and confesse the same, or plead to the same indictments, and after by verdict of xii. men, shalbe of any the saide offences conteined in such indictment or indictmēts, conuicted: that then the saide Justices before whom any such conuiction shal be so had, shal & may award such person or persons so conuicted vnto prison, there to remaine without baile or mainprise, vntill such time, as hee or they haue payed, or satisfied the moitie of the forfeiture aboue said vnto the king & Quēnes Maiesties vse, and the other moitie thereof vnto him or them that shal come before the said Justices, and giue euidence against the partie to be conuicted at the time of the said cōuiction, & by whose euidence he shalbe of the said offence conuicted. And if any such conuiction shalbe had without any euidence openly giuen by any person or persons, that then the party conuicted as afore said, shall remaine in prison as is afore said, vntill he haue satisfied the whole forfaiture to ỳ king & Quēns Maiesties vse. Prouided alwaies, & be it further enacted by the authoritie afore said, that if any the offences afore said, touching Captaines, pety Captaines, or other hauing charge of men, shalbe committed during the time that any armie or number of men being vnder a lieutenant, shal be assembled and continue together, or by any Captaine, pety captaine, or other hauing charge of men, that shal serue vnder any Lord Warden, or other Chiefteine: that then vpon complaint therof, the lord lieutenant or the lord wardē, or other chiefteine, during the time of anye of his or their commission, shal & may heare, order & determine the same offences, by his or their discretions. Prouided alwaies, that this act, ne any thing therein contained, shal not in any wise extend to take away or discharge any tenant or fermour of his seruice or couenant towards his lord, for the finding of horse, or armour, or weapon, or for doing of seruice by himselfe, or by any other, which by the tenour of his land otherwise he is boundē to do, before the making of this act, but that hee shal yelde, doe and pay the same in as ample maner and fourme, as though this acte had neuer beene had or made. Prouided also, and be it further enacted by the authority afore said, that if any such captain, petie captaine, or other hauing charge of men as is afore saide, shalbe at any time hereafter conuicted, or ordered by vertue of this act, for any of his offences afore said: that then the same captaine, petie captaine, or other hauing charge of men, as is afore saide, so conuicted, shall not otherwise or eftsones be vexed, troubled, sued or cōuicted for ỳ same offence, whereof he shalbe so before conuicted or ordered. And where one branch or article contained in the statute made in the second and third yeere of the reigne of the late king Ed. 6. entituled An act touching the true seruice of captains & souldiers, (which see before in Captaines 6.) whereby the departure of any souldier seruing (as in the said act is expressed) without licence of the lieutenant or other officer or officers named in the said act, or in their absence of their deputies, was made felonie, is of no force, strēgth, ne effect, at this present, by reason of the act of repeale of certein treasons, felonies, and premunire, made in ỳ first session of the Parliament holden at Westminster, in the first yeere of the Quēns Maiesties reigne: Be it for good & reasonable considerations enacted and established by the authoritie of this present Parliament, that the saide branch or article, & euery sentence & matter therein contained, be from henceforth wholy reuiued & continued, & be & remaine in full strēgth & effect to all intents, constructiōs & purposes, the said act of repeal notwithstanding. And ỳ all & euery other article, clause, prouiso, and matter contained in ỳ same act, shall stand, remaine, and bee in their full force, strength and effect: Any thing in this acte contained to the contrary notwithstanding. And yet neuertheless, where in the said act is prouided, that no person or persōs should be charged for the taking or receiuing of any gift or reward of his or their tenants or frendes towards the releefe, ayde, or helpe of the same persons being commanded to serue in warres, or otherwise to finde men on horseback or on foote, within this realme or without, nor for the gifte, reward, ayde, or helpe reserued or couenanted to be payed or giuen to any person appointed to serue in warres, or to finde horse or men to serue, by reason of any grant, couenant, reseruation, custome or tenure: any thing in the saide Acte to the contrary not-

Conuicte Tranors

Impriſon Mainprise

2. E. 6. ca. 2.

Felonie

Repealed

Reuiued

Prouiso Captaine Petie captaine

L. Lieutenant L. Warden

Prouiso

Fermor Horse Armour Weapon

Prouiso

notwithstanding, as by the said act & prouiso more plainly it doeth & may appeare. Be it enacted by the authority of this present Parliament, that no person or persons shal or may by colour of the said prouiso, or of any words or matters therein contained, exact or demaund, or leue any summe or summes of money, horse, armor or any other thing, other then shalbe imployed forthwith in the present seruice of those warres of the king and Queenes Maiestie, her heires or successors, for which it is leued: the which summe or summes of money, horse, armour, or other thing, or as much thereof as shall not be spent, lost, or consumed in the said seruice, shalbe rendred and restored to such person or persons as payd or deliuered the same: vpon the penalties and forfaitures contained in the said act. Prouided alwaies that no person or persons, inhabiting within any Citie, Borough, or towne corporate, being a Countie of it selfe, or in which any Justices of Peace be or hereafter shalbe by charter, shal be compelled by vertue of this act to make his or their appearance with such furniture, as is aforesaide, at any Muster hereafter to bee had or taken out of the suburbs, precinct, or liberties of the same citie, borough or towne, nor before any person or persons, authorised by commission, or otherwise as is aforesaid, vnlesse the Maior, or other hed officer of such city, borough or town, and one other discreet inhabitant of the same at the least, be ioyned in the same commissio, or other authoritie as is aforesaid, with the same other person or persons so authorised: any thing before mētioned to the contrarie notwithstanding. Anno 4. & 5. Phil. & Mar. cap. 3.

Exact

Prouiso

Citie Countie

Maior

Commission

*

¶ New castel vpon Tine.

Keeles

Cōmissioners

Warned

Portags

Forf.

Coles

ALl the keeles which now be & hereafter shall be in the said port. (See vpon New castell vpon Tine) shalbe measured by certaine commissioners thereto to be assigned by the king, & marked, of what portage they be, before that any cariage be made by the same, vpon paine of forfaiture to the king all the vessels called keeles, by which any such coles shalbe caried, before that they be marked in the maner aforesaid. Anno 3. H. 5. cap. 10.

Marchant

Shippe Discharge

2 ¶ From henceforth any marchant or marchants, or any other person or persons, shal not ship, load, or vnload, charge or discharge any maner of goods, wares, or marchandises to be solde here within this your Realme or elswhere, in, to, or from any ship or ships or other vessels in or at any place or places within the saide port, riuer, and hauen, betweene the saide place called the Sparhauke, and the saide place called Hedwinstreames, but onely at or in the said town of Newcastle, & no where else, vpon paine of forfaiture of all such goods, wares, and marchandises to the king our saide soueraigne lord, and to his heires kings of England. And that it shall be lawfull vnto the Maior, Burgesses, and comminaltie of the said towne of Newcastle, and their successors, and al other ȳ kings officers there for ȳ time being, for to take & seise all the saide forfaitures goods, wares, and marchandises, to the vse of our soueraigne Lord the king & of his heires, and the value thereof to bee answerable in his Exchequer. Bee it &c. that euery owner, farmer, and occupier of the said weires gores, & engines, & euery of the same, do abate, put downe & put away the same weires, gores, & engines, on this side the feast of Easter nert coming. And that no manner person or persons frō henceforth arreise, leue or make any manner weire, gore or engine in the said hauen betweene the said places called Sparhauke and Hedwinstreames, vpon paine of an hūdred pound of lawful English money, for euery time they do the contrary: whereof the one halfe shalbe to our soueraigne Lorde the king, and the other halfe to him or them that wil sue therfore by action of debt, bill, plaint, or information, in any the kings Courts, wherein the partie defendant shall not wage his law, nor in the action any essoine, licence ne protection be allowed. And further it shal be lawfull at all times, after the feast of Whitsunday nert cōming, to ȳ Maiors, Burgesses, and comminaltie of the saide towne of Newcastle & their successours, to abate, plucke downe, and take awaye, all and euerie of the said weires, gores, & engins, that shalbe then founde standing in any place within the said port and hauen, betweene the saide places of Sparhauke and Hedwinstreames, & that hereafter shalbe newly made, leued & arrered any where within the same: without trouble, let or veration of any maner person or persons, by sute in the law or otherwise. Prouided alway, that this act be not preiudicial or hurtful to any person or persons

Forf.

Maior

Officers Seise

Exchequer

Weires

Forf.

Moitie

Maior

Weires

sons, being the kings subiectes, for buying, shipping, lodding, or vnloading of any salt or fish, within the saide riuer and port, or to any of them, or any other person or persons, repairing to the saide port with ships and marchandises for selling or buying of any wares or marchandises, needefull for the vittelling and amending of their said ships, at the time of their being within the said port. This act or any thing comprised in the same notwithstanding. Anno 21. Hen. 8. cap. 18.

Sale Fish

¶ Newes.

FRom hencefoorth none be so hardy to tell or publish any false newes or tales, whereby discord, or occasion of discorde or slaunder may growe betweene the king and his people, or the nobles. And he that so doeth, shall be kept in prison, vntill he hath brought him foorth into the Court, which did speake the same. West. 1. cap. 33.

Slaunder

Imprison

2 ¶ Of counterfaiters of false newes, and of horrible and false lies, of Prelats, Dukes, Earles, Barons, & other nobles and great men of the Realme, and also of the Chauncellour, Treasourer, Clearke of the priuie Seale, Steward of the kings house, Iustice of the one Bench or of the other, and of other great officers of the Realm, of things which by the saide Prelates, Lords, nobles, & officers aforesaid, were neuer spoken, touched, nor thought, in great slaunder of the saide Prelates, Lordes and officers, wherby debates and discords might rise betwixt the said lords and Commons (which God forbid) and whereof great perill and mischiefe might come to all the Realm, and quick subuersion and destruction of the saide Realme, if due remedie be not prouided: It is straitly defended vpon grieuous paine, for to eschewe the saide dammages & perils, that from hencefoorth none be so hardie to contriue, speake, or to tell any false newes, lies, or other such false things, of Prelates, Lords, and of other aforesaid, whereof discorde or any slaunder might rise within the same Realme, and he that doth the same, shall incurre and haue the paine another time ordained thereof by the statute of Westminster first, (that is to say cap. 33. before 1.) which will, that he be taken and imprisoned, till hee haue brought him foorth that did speake the same. Anno 2. R. 2. cap. 5.

Lies

Slaunder

Discord

Imprison

3 ¶ When any such (that is to say) that is mentioned in the said Statut of West. 1. (cap. 33. before 1. and Anno 2. R. 2. cap. 5. before 2.) is taken and imprisoned, and cannot bring him foorth that did speake the same, as is aforesaide, that he be punished by the aduise of the Counsell, notwithstanding the said Statutes. Anno 12 R. 2. cap. 11.

Punish

4 ¶ In Anno 1. & 2. P. & M. cap. 3. it is enacted that the foresaide Statutes of West. 1. cap. 33. Anno 2. R. 2. cap. 5. & An. 12. R. 2. cap. 11. shall bee and remaine in their full force, strength and effect to all intents, constructions and purposes. And further the Iustices of the peace in euery shire, citie and towne corporate, within the limits of their seuerall commissions, shal by authoritie of this present act, haue full power to examine, heare and determine the causes abouesaid in the said two first actes specified (See W. 1. cap. 33. before 1. & 2. R. 2. cap. 5. before 2.) and to put the saide two first statutes, and euery branch in them contained, in due execution, that from hencefoorth condigne punishment be not deferred from such offenders. And forasmuch as diuers and sundry malicious and euill disposed persons, maliciously, seditiously, rebelliously, and vnnaturally, contrarie to the duetie of their fidelities and allegiances, haue now of late not only imagined, inuented, practised, spoken & spread abroad, diuers and sundry false, seditious & slanderous newes, rumors, sayings & tales, against our most dread Soueraigne Lord and king, and against our most natural Soueraigne Lady & Queene, & against either of them, of whome we are forbidden to think euill, and much more to speake euill, which offence soundeth, and is as wel to the great dishonour, reproche and slaunder of their most excellent Maiesties, as also to the great slaunder of this their Realme, and other their Dominions: but also haue deuised, made, written, printed, published & set foorth diuers haynous, seditious and slanderous Writings, Rimes, Ballads, letters, papers and Bookes, intending and practising therby to moue and stirre seditions, discord, dissention, and rebellion within this Realme, to the great perill and daunger of the same: For auoyding whereof, bee it &c. that if any person or persons, after the twentie day of Februarie next ensuing, and after open Proclamation made of this act, shall maliciously

Statutes

Iust. of P.

Examine

Diet & ter.

Slaunder

Writings
Rimes
Ballades
Letters
Bookes

of

Speake of his or their imagination, speake any false, seditious & slaunderous newes, rumours, sayings, or tale of our said Soueraigne lord & king or of our said most naturall Soueraigne lady and Quéne, that then all and euery such person & persons so offending, being therof conuicted or attainted, in forme hereafter in this act expressed, shall (for euery first offence, in ỳ same market place within the shire, citie or borough, where or néere vnto the place where the said words were or shal be spoken) be set openly vpō the pillorie, by the shirife or his ministers, if it shall fortune to be without any Citie, or towne corporate: And if it happen to be within such citie or town corporate, then by the principall officer or officers of such citie or towne corporate, or his or their ministers, and there to haue both his eares cut off, vnlesse he paye one hundred pounds to the king & Quénes highnes vse, within one moneth, next after iudgement giuen of his said offence, and also shal suffer imprisonment, by the space of three moneths, after such his or their execution.

King Queene Pillorie Shirife Citie Eares cut off. 100. li. Imprison

And it is &c. that all and euery person & persons, which after the saide daye, and after Proclamation made of this act, shal maliciously speake any false, seditious, and slaunderous newes, rumors or tales, to the slaunder and reproch of our said soueraigne lord the king, or of our said most natural Soueraigne lady the Quæne, of the speaking or reporting of any other, that then al and euery such person or persons so speaking and reporting, beeing therof conuict or attainted in forme hereafter in this act expressed, shall for euery such offence in some market place within the shire, citie, borough or towne, where, or néere vnto the places where the saide wordes were or shalbe spoken and reported, be set openly vpon the pillorie by the Shirife or his ministers, if it shal fortune to be without any Citie or towne corporate: And if it shall happen to be within such citie or towne corporate, then by the saide principall officer or officers of such Citie or townes corporate, or his or their ministers, and there to haue one of his eares cut off, vnlesse he pay one hundred markes to the kings and Queenes highnesse vse, within one moneth next after the iudgement giuen of his saide offence, and also shall suffar imprisonment by the space of one moneth after his or their execution.

King Queene Pillorie One eare cut off. 100 markes Imprison

And bee it &c. that if any person or persons, shal after the said day, and after proclamation made as is aforesaide, maliciously deuise, write, print, or set forth any maner of book, rime, ballad, letter or writing containing any false matter, clause, or sentence of slaunder, reproche and dishonour of the king and Queenes Maiesties, or of either of them, or to the encouraging, stirring or mooning of any insurrection or rebellion within this realm, or any the dominions belonging to the same: Or whosoeuer shall maliciously procure any such booke, rime, ballad, letter or writing to be written, printed or set forth, and the said offence not being punishable by the Statute made in the fiue and twentieth yeere of the raigne of king Edward the thirde, (s. cap. 2. which is in Treason 1. concerning treasons or declaration of treason) that then and in euery such case the offender & offenders therin, after his or their conuiction, or attainder, shall for his or their first offence, in some market place within the Shire, citie or borough where the saide offence is, or shalbe committed or done, by the Shirife, or his ministers, if it shall fortune to be without any citie or towne corporat, & if it be within such citie or towne corporate, then by the principall officer or officers of such citie or towne corporate, or by his or their ministers, haue his & their right hand striken off.

Writ Print Booke Ballad Letter Slaunder Insurrection Rebellion Procure Conuict Hand cut off

And be it &c. that if any person or persons, being once lawfully conuicted of any of the offences aforesaid, nowe prouided to be punished by the execution of losses of eare, eares or hand, as is aforesaid, do afterwards offtimes offende in any of the offéces aforesaid, that then he or they so offending, shall suffer imprisonmẽt during his or their liues, without baile or mainprise, and forfait and lose to the king and Quénes Maiesties, all his and their goods and cattels.

Imprisonment. Mainprise Forfait.

And it is &c. That Iustices of Oier and determiner, within the limits of their cõmission, Iustices of assise in their seuerall circuites, Iustices of gaole delinery, and Iustices of peace, aswel within the liberties as without, within ỳ limits of their seueral Commissions, in their generall Sessions, or other Sessiõs (which they or two of them, wherof one of them to be of the Quorum, maye and shall appoint at their pleasure, where and when need shal require) shall by vertue hereof haue ful

Iustice of Oier & ter. Iust. of ass. Iust. of g. d. Iust. of P. Generall Quorum

Enquire Dier & ter. power and authoritie to enquire, heare, & determine all & euery the offences aforesaid, as in cases & trial of felony. And that the partie indicted & arraigned, shall haue aduantage of all manner of challenges to the Iurie (peremptorie challenge onely except) as in triall of Felonie. And also that euery Iustice of Peace within the limits of his Commission, shall haue full power & authoritie to commit any person being vehemently suspected of any of the said offences to Warde, there to remaine without baile or mainprise, vntill he shal be deliuered, according to this act.

Challenge

Iust. of P.

Suspect

Imprif. Mainprise

Prouided alwayes and be it &c. that no maner of person or persons shalbe molested or impeached for any of the offences concerning speaking or reporting, as is aforesaid, vnlesse he or they be therof accused and conuicted within three moneths nert after his or their said offence so committed or done. And in case any perso shal be imprisoned for any of the saide offences, concerning speaking or reporting, and not therof conuicted within three monethes nert after his offence supposed to bee by him done and committed, that then the person so imprisoned shalbe set in libertie, and no longer deteined in prison.

3. Moneths

Libertie

Prouided also and bee it &c. that euery such Maior or Maiors, bailifes and other head officer and officers of Cities, Boroughes, and townes corporate, which haue or hereafter shall haue iurisdiction & authoritie within the seuerall limittes of their office or offices to hold and kep sessions as Iustice or Iustices of the peace, shall and may by authoritie herof, aswel arrest and commit to warde all and euery person and persons, being vehemently suspected of any of the offences aforesaid, as also to procede to the discussion, hearing and determining of euery of the said offences, and to set, and make due execution thereof, according to the purport, meaning and effect of this present acte: Any thing in the same Acte heretofore made to the contrarie notwithstanding.

Maior Bailifes

Sessions

Prouided alwayes, that the saide Iustice of peace, aswell within liberties as without, the which shal for any the offences aforesaide commit any person or persons to warde, as is aforesaide, shal within tenne dayes nert after such committing, with one other Iustice, whereof one of them to be of the Quorum, direct their precept to the Shiriffe or Shirifes of the Countie, where the offence shalbe committed, or to other ordinarie officer, if it be within any Citie or towne corporate, where the Shirife cannot intromit, commaunding him or them by the same to impanell and returne, as they shall assigne xviiii. good and lawfull men of his or their bailywike or bailiwiks, to enquire of the saide offence or offences, the which any such person or persons shalbe so imprisoned for. And thereupon within one moneth after the date of the said precept, to procede and determine, as aboue is expressed. Euery one of the same Iustices, vpon the paine of ten poundes to be paid to the Kings and Queenes highnes, as often as they shalbe found in default of any the same.

Iust. of P.

Shirife

Impanell

One month

Iust. of P.

Prouided also, and be it enacted, that this act shalbe proclaimed in all the shires within the Realme, before the xx. daye of Februarie nert comming, to the intent that all persons may haue notice therof, & auoid the peril & danger that might ensue by offending against the same. And this act to be only in force vntil the end of the nert Parliament and no longer.

Prouided alwayes, and be it &c. that none of the Peeres of this Realme shall be arrested or imprisoned for any of the said offences, but onely by order or commaundement giuen from the King and Queenes priuie counsell, or of the heires of the Queene, and that the said Peeres, and euery of them that shal hereafter fortune to be endicted of any of the offences aforesaide, shall be tryed by their Peeres, as before hath beene accustomed in cases of treason or felonie. Anno 1. & 2. P. & M. cap. 3. And after Anno 2. & 3. P. & M. cap. 21. it was continued to the last daye of the next Parliament. And after Anno 4. & 5. P. & M. cap. 9. it was continued to the last day of the next Parliament. And after Anno 1. Eliz. cap. 7. this Acte was made to extend to the Queene; as followeth.

Peers

Counsel

Triall

Statute.

Queene

con-

constructions & purposes, as though the same acte had by expresse wordes extended to the heires & successors of the saide late Q. any question, ambiguitie, or doubt growen, risen or made, or hereafter happening to grow, rise, or to be moued to ỹ contrary, in any thing notwithstanding.

And that all and euery person and persons, which hereafter shall maliciously vtter or speake any false, seditious or slanderous newes, rumors, sayings, or tales of the Quæns highnes that now is, or of the heires of her bodie, being Kinges or Quænes of this realme, or shall commit or do any the offences expressed in the said act, against our said soueraigne Lady the Quæne that nowe is, or the heires of her bodie being Kinges or Quænes of this Realme, and being thereof conuicted or attainted, according to the forme and order in the said former acte expressed, shall from henceforth incurre such paines and penalties, and haue such & the same Triall, Iudgement and punishment for the same offences, as in the said act is limited and appointed, & according to the forme, tenor, and effect of the same act, and none other wise. An. 1. El. cap. 7. But these two acts be repealed during this Queenes life, and another course taken, as here followeth. 6.

Slander

6 ¶ Whereas in and by the lawes and statutes of this realm already made and ordained against seditious wordes, & rumors, vttered against the Quænes most excellent maiestie, there is not sufficient and condigne punishmẽt prouided for to suppresse ỹ malice of such as be euil affected towards her highnes: Be it therfore enacted by the authority of this present parliament, that if any person or persõs, after ỹ end of fortie daies next ensuing ỹ end of this present session of parliament, shall aduisedly, and with a malicious intent of his or their owne imagination, speake any false, seditious, and slãderous newes, rumors, sayings or tales against our said most natural soueraigne lady the Quæns maiestie (that now is,) that then all, and euery such person & persons so offending, being therof lawfully conuicted or attainted, in forme hereafter in this present act expressed, shall for euery such first offece, either be in some market place within the shire, Citie or borough where the said words were, or shalbe so spoken, set openly vpon the Pillory by the shirife or his ministers, if it shall fortune to bee without any citie, or town corporate: And if it shall happen to be within any Citie or towne corporate, then by the principall Officer or officers of such Citie or towne corporate, or his or their ministers, and there to haue both his eares cut off, or at the election of the offender, to paye two hundred pounds, to the Quæns highnesse vse in her Maiesties receit of the Eschequer, within two moneths next after the iudgement giuen of his said offence, and also shall suffer imprisonment by the space of fiue moneths after such his or their conuiction, without baile or mainprise.

Fourtie dayes

Speake of their owne life Tales

Firſt offece

Pillorie

Both eares cut off C C. li.

li. months

Imprisonment fiue moneths Mainprise

And be it further enacted by the authoritie aforesaide, that all and euery person and persons, which after the ende of the said fortie dayes, shall aduisedlie and with a malicious intent against our saide Soueraigne Lady, report any false, seditious & slãderous newes, rumors, or tales, to the slander and defamation of our saide Soueraigne Lady the Quænes Maiestie (that now is) of the speaking or reporting of any other, that then all and euery such person & persons so reporting, being thereof conuicted and attainted in forme hereafter in this acte expressed, shall for euerie such first offẽce, either be, in some market place within the shire, Citie, borough or towne where the said words were, or shal be so reported, set openly vpon the Pillory by the shirife or his ministers, if it shal fortune to be without any City or town corporate: and if it shall happen to be within any Citie or Towne corporate, then by the principall Officer or Officers of such Citie or Towne corporate, or his or their ministers, and there to haue one of his eares cutte off, or at the election of the offender, pay C C. marks to the Quænes Highnesse vse, in her Maiesties said receit of the Eschequer, within two moneths next after the iudgement giuen of his said offence, and also shall suffer imprisonment by the space of three moneths after such his or their conuiction, without bayle or mainprise.

Report

First offẽce

Pillorie

One eare cut. C C. marks

Imprisonment three moneths

Mainprise

And be it further enacted by the authoritie aforesaid, that if any person or persõs, once lawfully conuicted for any of the offences aforesaid, do afterwards eftsones offend in any of the offences aforesaid that then euery such seconde offence to bee demed and adiudged Felonie, and the offendour and the offendours therein, to suffer such paynes of death and forfaiture, as in case of Felony, without any benefite of cleargy,

Seconde offence Felony

Clergie Sanctuarie

tleargie, or Sanctuarie to be allowed vnto the offendor in that behalfe.

And be it further enacted by the authoritie aforesaide, that if any person or persons, after the end of the said fourty daies, either within this realm, or in any other the Quenes dominions, or in any other place out of the Quenes dominions, shal advisedly and with a malicious intent against our said soueraigne Lady, deuise, and writ, print, or set forth any maner of booke, rime, ballad, letter or writing, conteining any false, seditious, and slaunderous matter to the defamation of the Quenes maiestie (that now is) or to the incouraging, sturring or moouing of any insurrection or rebellion vnto this realm, or any the dominions belonging to the same, or if any person or persons after the ende of the said fourtie dayes, either within this realme or other the Quenes dominions, or in any other place out of the Quenes dominions, shall advisedly, and with a malicious intent against our saide Soueraigne Lady, procure or cause anie such booke, rime, ballade, letter, or writing, to be written, printed, published, or set forth, (and the said offences not being punishable by the Statute made in the fiue and twentieth yere of the raigne of king Edward the third concerning treason, or declaration of treason, (which s. in treason 1.) or by any other statute whereby any offence is made or declared treason:) That then euery such offence shall bee deemed and adiudged Felonie, and the offendors therein being therein conuicted and attainted, shall suffer such paines of death and forfaiture, as in case of Felonie is vsed, without any benefite of Clergie or Sanctuarie to bee allowed vnto the offender in that behalfe.

Writ
Set forth
Bookes
Writting

Defamatiō

Insurrectiō

Procure

Felony

Cleargie
Sanctuarie

And for that diuers persons wickedlie disposed, & forgetting their duetie & allegiance, haue of late not onely wished her Maiesties death, but also by diuers meanes practised & sought to know howe long her Highnes should liue, and who should raigne after her decease, and what changes and alterations should thereby happen: to the intent that such mischiefes and inconueniences as may thereby grow in the common weale to the greate disturbance of the same, may be cut off & be preuented.

Bee it also enacted by the authoritie aforesaide, that if any person or persons, of what estate, condicion, or degree soeuer hee or they be, at any time after the end of the saide fourtie dayes, and during the life of our said soueraigne lady the Quenes maiestie (that now is) either within hir highnesse dominions, or without, shall by setting or erection of any figure, or figures, or by casting of natiuities, or by calculation, or by any prophecying, witchcraft, coniurations, or other like vnlawfull meanes what soeuer, seeke to knowe, and shal set forth by expresse words, deeds, or writings, howe long her Maiestie shall liue or continue, or who shall raigne as King or Queene of this Realme of Englande, after her highnesse decease, or else shall advisedly and with a malicious intent against hir highnesse, vtter any maner of direct prophecies to any such intēt or purpose, or shall maliciously by anie words, writing, or printing, wish, will or desire the death or deprivatiō of our soueraigne lady the Queenes Maiestie (that nowe is) or any thing directly to the same effect, that then euery such offence shall be Felonie, and euerie offender and offenders therein, and also all his or their aiders, procurers, and abbetters in or to the saide offences, shall bee iudged as Felons, and shall suffer such paines of death and forfaiture as in case of Felony, is vsed, without any benefite of Clergie or Sanctuarie.

Cast figure

Coniuratiō

Set forth

The Q. life
Who shall
succeede

Prophecyes

Desire
death

Felony

Aiders

Cleargie

And be it &c. that ỳ iustices of the court, commonly called the kings bench, Justices of Oier & determiner, Justices of assises in their seuerall circuits, and Justices of the general goale delierie, aswell within liberties as without, vnto the lymits of their seueral commissions, shal by vertue hereof, haue full power & authoritie to enquire of, & to heare & determine al and euery the offences aforesaid, & that ỳ partie indited & arraigned of anie the offences aforesaid, shall haue aduantage of al maner of chalenges to the Jurie, as in trial of Felony is vsed.

Iust. of the
Kings B.
Oier & ter.
Iust of all.

Goale Deliuerie

Inquire
Heare
Determine

Challenges

And also that all Justices of Peace, as wel within liberties as without, within ỳ limits of their seueral cōmissions in their general or quarter sessions, shall by vertue hereof, haue ful power & authority, to enquire of al & euery the offences aforesaide, and to cause the offender and offenders therein, to bee indited without any further proceeding therein. And that also euery Justice of peace within the limites of his Commission, shall haue full power and authority, to commit any persō being

Iust. of P.

Quarter
sessions

Inquire

Euery Iust
of peace

Commit

bebe-

Suspect

behemently suspected of any of the said offences, to ward, vnlesse he do put in suerties, to make his personall apparance at the next quarter sessions, or gaole delinery, and in default of finding such suerties, then to commit him to prison, there to remaine, vntil he shall finde suerties for his apparance, as is aforesaide.

Felonies out of the realme

And be it further enacted by the authoritie aforesaid, that all offences made felonie by this acte, which hereafter shall bee done or committed by any person or persons out of this realme of England, shall be from henceforth inquired of, heard, & determined before the Quéens Maiesties

Triall

K. Bench

Iustices of her bench for pléas to be holden before her selfe, by good and lawfull men of the same countie where the same bench shalbe kept, in like maner & forme to all intents and purposes, as if the same offences had beene done and committed within the same countie where they shall so bee enquired of, heard and determined: any thing to the contrarie notwithstanding.

Prouiso

Prouided alwaies, and bee it enacted that no maner of person or persons, shal be molested or impeached for any of the offences, concerning speaking or reporting as is aforesaid, vnlesse he or they bee thereof accused within one moneth next after such words so spoken or reported, before some one Iustice of Peace, and the witnesses therein to be vsed, named to the same Iustice, and the same accusation & witnesses names put in writing by the said Iustice, and certified at the next quarter Sessions or goale delinerie: And vnlesse such offender also be indited within one yéere next after his or their saide offence so supposed to be committed or done.

Speaking

Accused within one moneth Iust. of P.

Indicted wit hin one yere

Prouided also, and bee it enacted by the authoritie aforesaid, that euery such Maior or Maiors, bailif, or other head officer of Cities, Boroughs and townes corporat, which haue or hereafter shal haue iurisdiction and authoritie within the seuerall limits of their office or offices, to hold and kéepe Sessions as Iustice or Iustices of the peace, shal and may by the authoritie hereof, as well arrest and commit to warde or baile, in maner & forme aforesaid, all and euery person and persons, being vehemétly suspected of any the offences aforesaide, as also to inquire of all and euery the offences aforesaide, and to proceed to the indicting of euery such offender without any further proceeding therein:

Maior Cities

Iust. of P.

Any thing in this act to the contrary notwithstanding.

Prouided also and bee it enacted, that this present acte shall bee proclaymed in all the Counties within this Realme, before the ende of eight and twentie dayes next ensuing the ende of this present Session of Parliament, to the intent that all persons may haue notice thereof; and thereby to auoyde the perill and daunger that may ensue by offending against the same.

Proclamation

Prouided alwaies, and be it enacted by the authority aforesaid, that the péeres of this realme, and euery of them that shall hereafter fortune to be indicted of any the offences aforesaid, shall bee tried by their Péeres, as before hath ben accustomed in cases of treason and felonie.

Peeres

Triall

Prouiso

Prouided also, and bee it enacted by the authoritie aforesaid, that this act, nor any thing therin contained, nor any attainder or attainders of any person or persõs, for any offence or offéces made felony by this act, shal in any wise extend or be auuiged, interpreted, or expounded, to make the offender or offenders to forfaite or lose any landes, tenements, or hereditaments any longer, then onely during his owne life, or to make any corruption of blood to any the heire or heires of any such offender or offenders, or to make the wife of any such offéder to lose or forfait her dower or title of dower, of, or in any lands, tenements, or hereditaments, or her action or interest to the same: Any thing in this act contained, or any attainder or attainders hereafter to bee had, for any offence or offences made felony by this act, to the contrary notwithstanding.

Forf.

During life

Corruption of blood

Dower

Prouiso

Prouided alwaies and be it enacted by the authoritie aforesaid, that no person or persõs shalbe hereafter indited or arraigned, for any offence or offéces, touching or concerning speaking or reporting as aforesaid, vnlesse the same offence or offences be proued by the testimonie, depositiõ and othes of two sufficient witnesses, at the time of his or their inditement, which said witnesses also, at the time of the arraignment of the partie so indited, shalbe brought forth in person before the partie so arraigned face to face, and there shal openly declare all they can say against the said partie so indited, vnlesse the said partie so indited shall willingly and without violence confesse the same.

Speaking

Two witnesses

And be it likewise enacted by the authoritie

ritie afoꝛesaide, that the Statute of the first and seconde yéres of King Philip and Quéene Mary, entituled, (An acte against seditious woꝛdes and rumoꝛs) and one other act of Parliament made in the first yére of the raigne of our said Soueraigne Lady the Quenes Maiestie (that now is) whereby it is pꝛouided and enacted, that the saide foꝛmer act shall extend to & foꝛ our said Soueraigne Ladie the Quénes maiestie that now is, and euery clause, article, and sentence in euery of the said acts and statutes, shall from and after the pꝛoclamation of this acte, be repealed and void to all intents and purposes, foꝛ so long time as this acte shall continue in full strength and perfect foꝛce.

Repell

And be it inacted by the authoritie afoꝛesaid, that this act, nor any thing therein conteined, shal haue continuance oꝛ be in foꝛce foꝛ any lóger time, then only during the natural life of our said soueraigne lady the Quénes most excellent maiestie that nowe is, whome God long pꝛeserue to his glory, her highnes honour and saftie, and to the common wealth of all her Maiesties dominions, Amen. Anno 23. Eliz. cap. 2.

Quenes life

¶ Nisi prius.

Iustices

Assises Noꝛdanceller Attaints Knight

FRom henceforth two Iustices shoꝛne shalbe assigned, before whom & none other, assises of Nouel disseisin, Noꝛdanceller, and attaints shalbe taken, and shal associate with them, two oꝛ one of ỹ discreetest knights of the Shire into which they shall come, and shal take the foꝛesaid assises and attaints but thꝛise in the yere at the most, that is to say, First betweene the Quinzime of Saint John Baptist, & the gule of August, and the second time betwéen the feast of the Exaltation of the Crosse, and the Vtas of Saint Michaell, & the third time betweene the feast of the Epiphanie, and the feast of the Purification. And in euery shire at euery taking of assises, before their departure, they shall point the date of their returne, so that euery one of the Shire may know of their comming, and shall adiourne the assises from terme to terme, if the taking of thē bee deferred at any daye by vouching to warrantie, by essoine, oꝛ by default of iuroꝛs. And if they sée that it bee profitable foꝛ any cause, that Assises of Noꝛdancester being respected by essoine oꝛ voucher, ought to bee adiourned into the bench: it shall be lawful foꝛ them to do it, and then they shall sende the Recoꝛd with the oꝛiginall Wꝛitte before the Iusticers of the bench. And when the matter is come to ỹ taking of the assise, the Iusticers of the bench shall remit the matter to the first Iusticers before whom the assise shal bee taken. But from hēceforth the Iusticers of the Bench in such assises shall giue iiii. daies at the least in the yére before ỹ said Iustices assigned, foꝛ to spare expences & labour. Inquisitions of tresp as shall bee determined before the Iusticers of both benches, except the tresp as be so hainous that it shall require greate examination. Inquisitions also of other plees pleaded in either of the benches shall be determined before them, wherein small examination is required, as when the entrie oꝛ seison of any is denied, oꝛ in case when one article is to bee inquired. But inquisition of many & great articles, the which require great examination, shal bee taken before Iusticers of the Bench, except that both parties desire that the inquisition may be taken afoꝛe some of the associates, when they happen to come into those parties, so that from henceforth it shall not bee done but by two Iustices oꝛ one, with some knight of the shire, vpon whome the parties can agrée. And such inquisition shall not bee determined before any Iusticers of the bench, unlesse a daye and place certaine bee appointed in the Shire in pꝛesente of the parties, and the day and place shall bee mentioned in a wꝛitte iudiciall by these woꝛes:

Recoꝛd Oꝛiginall

4. Dayes

Tresp asse

Iust of both benches

Inquisition

Iust. of the bench

Day & place

Præcipimus tibi, quod Venire facias coram Iusticiarijs nostris apud Westmonasterium in octauis Sancti Michaelis (nisi talis & talis, tali die & loco ad partes illas prius venerint) duodecim, &c.

Enquests

And when such maner of Enquests bee taken, they shalbe returned into the bēch, and there shall iudgement be giuen & inrolled.

And if any inquisitions be taken otherwise then after this foꝛme, they shal be of none effect, except ỹ assise of darrein pꝛesentment; & inquisitions of Quare impedit shalbe deliuered in their own shire before one Iustice of the Bench, & one Knight, at a day & place certaine in the Bench assigned, whether the defendant content oꝛ not, and there the iudgment shalbe giuen immediately. Al Iusticers of the benches from hēceforth shal haue in their circuits Clerks to inroll all Pleas pleaded before them, like as they haue vsed to haue in time

Darrein pꝛesentment

Quare impedit

Iustices

Clerkes

Depart

Returne

Adiourne

time passed. Also it is ordeined, that the Justicers assigned to take assises, shall Jurors not compell the Jurors to say precisely, whether it bee disseisin or not, so that they do shew the truth of the deed, and require ayd of the Justicers. But if they of their own head will say, that it is disseisin, their Verdict verdict shalbe admitted at their owne peril. And from henceforth the Justices shal not put in assises or iuries, any other then were summoned to the same at the first. Westm 2. cap. 30. An. 13. E. 1.

2 ¶ Where wee haue prouided, that none shalbe impanelled any where out of the shire where hee is dwelling, in recognisances, inquests, and iuries, that hath lesse then an C.s. of land or rent, wherby aswell they that haue more lands, by too often appearing aswel in our Eschequer, as before our Justices of either bench, are much impouerished: Wee therefore considering the intollerable dammage of our people, not onely for the discharge of Jurors such Jurors, but also for the more speedie ministration of Justice to all parties suing in our court, haue prouided and ordeined, that inquests, & recognisances determinable before Justices of either bench, Enquest Justices from henceforth shal be taken in time of Vacation vacation before any of the Justices, before whom the plea is brought, being associate to one Knight of the same Shire, Knight where such enquests shall passe, vnlesse it be an enquest that requireth great examination. And so from henceforth in taking such enquests, the Justices shall doe as to them shall seeme most expedient, for the common vtilitie of our Realme, notwithstanding the statute lately made at Statute Westminster, vpō the taking of such enquestes, Enquests conteining that if any enquests be taken contrary to the forme of the said statute, they should be of none effect. And therfore we command, straightly charging thee, that incontinent without further delaie, thou shalt cause to be read & published in cities, boroughs, market townes, and other solemne places, throwout thy libertie, where thou shalt thinke most necessarie, of the articles abouesaide, the which we haue granted, willing them to be kept and obserued stedfastly and without contradiction, and that thou notifie & declare all and singuler the premisses to all our liege people without delay, witnesse, &c. Stat de finibus leuatis Anno 27. Ed. 1. cap. 4.

3 ¶ Where it is conteined in a statute made at Westminster, the second daye of Aprill, the xxvii. yeare of the reigne of the kings father that now is, that Enquests Enquests Recognisances and recognisances, taken before the Justices of either bench, should be taken before any Justice of the places, accompanied with some knight of the shire where Knight. such inquests happen to bee taken, if they haue not need of great examination: And that in such inquests the Justices shall Justices doe as they shall thinke most expedient for the weale of the Realme: the which statute needeth to be better declared. It is agreed, that enquests & Juries that happe Juries to be take hereafter in pleas of land, that require not great examination, shalbe taken in the countrey before a Justice of the place where the plea is, accompanied with a substantiall man of the countrey, knight or other, so that a certaine day be giuen in the Bench, and a certaine day & place in the countrey, in presence of the parties demaunding the same. And also inquests and Juries in pleas of land that require great examination, shall be taken in the countrey (in maner abouesaid) before two Justices of the Bench. Anno 12 Ed. 2. cap. 3. Stat. Ebor. 1.

4 ¶ Whereas in a Statute made in Yorke in the time of the father of our soueraigne Lord the king that now is, it is Enquests Juries conteined that Enquests & Juries, which be, and shall be hereafter to be taken, requiring no great examination, shalbe taken before one Justice of the place where the plea is, adioyning to him one discrete man of the countrey, knight or other, so that a certaine day be giuen in the bench, Day & a certaine day and place in the countrey, in the presence of the parties, if the demaundant pray the same. And also the inquests and Juries in plea of land, which require great examination, shalbe taken in the countrey in the said forme, before ii. Justices of the Bench: It is accorded and Justices enacted, that all such inquests which are Enquests to be taken hereafter in plea of land, shall be taken aswell at the request of the tenant, as of the demandant. All other procesle according to the said statute in such case saued and kept. An. 2. E. 3. cap. 17.

5 ¶ Where in times past diuers people of the realm, as wel great men as other, haue made alliāces, cōfederacies & cōspiracies to maintaine parties, plees & quarels, wherby diuers haue bin wrongfully disherited, & some raunsomed and destroyed, and some for feare to be maymed and Maintenāce

beaten

Enquest beaten durſt not ſue for their right nor cõplaine, nor the iurors of enquests giue their verdicts to the great hurt of the people, & ſlander of the law & common right:

Justices It is accorded that the Juſtices of ẏ one bench and of the other, and the Juſtices of aſſiſes whẽſoeuer they come to hold their ſeſſions, or to take enquests vpon Niſi prius, ſhal enquire, heare & determine, aſwell at the kings ſute, as at the ſute of the party, of ſuch mainteiners, bearers,

Dier & ter.

Conſpirators Champerty & conſpirators. And alſo of them that cõmit champertie, and of all other things conteined in the ſaide article, aſwell as Juſtices in eire ſhould do, if they were in the ſame countie. And that that cannot be determined before the Juſtices of the one bench or the other, vpon the Niſi prius, for ſhortneſſe of time, ſhall be adiourned into the place whereof they be Juſtices, and there bee determined as right and reaſon ſhall require. Anno 4. E. 3. cap 11. This is confirmed. An. 7. R. 2. cap. 15.

Adiourne

6 ¶ Who ſo demandeth the Niſi prius in the kings bẽch, aſwel at the ſute of the defendant as the plaintife, as before this time hath ben done by the forme of ẏ ſtatute, the Niſi prius ſhalbe granted before

K. Bench

Juſtices any Juſtice of ẏ place where the plea dependeth, if any of the ſame place may wel goe into thoſe parties. And if not, then the Niſi prius ſhal be granted before any Juſtice of the Common bench, at a certeine day which may bee accorded, & to deliuer or ſend the tenor of ẏ record to him, vnder ẏ ſeale of the chiefe Juſtice of the place, at

Returne Verdict which day hee ſhall take the inqueſt, & returne the verdict vnder his ſeale, with the writ, the tenor & the panell, which ſhalbe receiued in the K. bench, & there inrolled,

Judgement & thereupon iudgement giuen according to the verdict of the ſame inqueſt. And the

Defaults ſaide Juſtice of the Common bench ſhall haue power to record defaults and non-

Non ſuers ſutes, as farr forth as if the Niſi prius had bene graunted before any Juſtice of the Kings bench. After which defaults ſo recorded & returned in the kings bench, the Juſtices ſhal go to giue iudgement vpon the ſame record. And in the ſame maner be it done of al the pleas, which be or ſhal be in the common bẽch, wherof ẏ inqueſt and iuries be or ſhal be taken in the countrey by Niſi prius. And if none of the Ju-

Juſtices ſtices of the ſame place goe, ẏ Niſi prius ſhalbe graunted before any Juſtice of the kings bench, and do as afore is ſaid of the Juſtices of the Common bench. And the tenor of the record ſent to ẏ ſame Juſtice, he ſhall haue like power as afore is ſaide of Juſtices of the Common bench, which be aſſigned to take inqueſts & iuries of ẏ kings bench. And if it happẽ that none of

Juſt. of one bench or other Enqueſts the Juſtices of ẏ one bench nor the other, may come into ẏ coũtry, where inqueſts or iuries be to be taken, then the Niſi prius ſhalbe granted before the chiefe baron

Chiefe Baron of the Eſchequer, if hee bee a man of the law, and he ſhall haue ſuch power as the Juſtices of the one bench or the other haue by this Statute. And in caſe that none of the Juſtices of the one bench and the other, nor the chiefe Baron of the Eſchequer being a man of the lawe, doe not come in the countrey where the enqueſts and iuries be or ſhall be taken by the Ni-

Juſt. of aſſ. ſi prius: then the Niſi prius ſhall be granted before ẏ Juſtices aſſigned to take aſſiſes in thoſe parts. So alwayes that one of the ſaid Juſtices aſſigned, be Juſtice of

Kings Sergeant the one bench or the other, or the kings ſergeant ſworne. And the ſame Juſtices ſhall haue ſuch power as afore is ſaid of ẏ Juſtices of the one bench & of the other.

Copie of record And if the partie demand the tenor of the record to haue with him, to deliuer to the Juſtice, before whom ẏ Niſi prius is granted, for to eſchew that no fraud nor dammage be done to the other partie, nor to ẏ people of the enqueſt: An other tenor of the ſame record ſhal be deliuered to the other party, if the ſame require. And whereas it is another time ſtabliſhed, that the

Juſtices Juſtices before whome the Niſi prius had bene granted in pleas of aſſiſes of darrein preſentment, and Quare impedit, ſhould haue power to giue the iudgments in the countrey vpon the verdict of aſſile and of enqueſt, and vpon nonſuits and defaults: It is aſſented, that the Juſtices of the one

Juſtices Chiefe Baron bench and of the other, the chiefe Barons of the Eſchequer, and the Juſtices aſſigned before whome the Niſi prius is granted by this ſtatute, ſhall haue the power

Judgement to giue iudgement in the countrey, & returne the ſame according as is conteyned in the Statute of Yorke thereupon made. An. 14. E. 3. cap. 16.

7 ¶ Againſt the miſchief, that happeneth to diuers people of the realme, which bee

Jurors impanelled & returned before the Juſtices and barons of the eſchequer, in which caſe becauſe that the enqueſts be not pur-

Enqueſts ſued to ẏ end by thoſe that be parties, but in delay frõ yere to yere, the Jurours do greatly loſe, & ſome much more then the valor

valor of their lande is by yeere, to their great impouerishing and destruction: It is accorded that from henceforth in all manner of pleas, where a Nisi prius is grantable of office after the great distres returned, & three times serued before the Justices against the Jurors, & thereupon the parties demand if any of the said parties will pursue, or if the parties refuse to haue a writ of Nisi prius in the case, then at the sute of any of the iurors that is present, a writ of Nisi prius shal be made and granted. And that aswell in ỳ Eschequer as elswhere, and thereupon the quarrell set at an end without delay, according as the case requireth, and the lawe demaundeth. Anno 7. R. 2. cap. 7.

Grand distres

Sute

Jurors

Eschequer

8 ¶ The Justices, before whom inquisitions, enquests, & iuries from hencefoorth shalbe taken by ỳ kings writ called Nisi prius, according to the forme of ỳ statute thereof made, haue power of all the cases of felonie & of treason, to giue their iudgments aswel where a man is acquit of felonie or of treason, as where he is thereof attainted at the daye and place where the said inquisitions, enquests and iuries bee so taken, and then from thencefoorth to award execution to be made by force of the same iudgements. An. 14. H. 6. cap. 1.

Justices

Enquest

Felony

Treason

Execution

9 ¶ From henceforth the chief Justice of Englande, for the time being, vpon issues ioyned, or to bee ioyned in the Court called the Kings bench, or in the court of Chancerie, the chiefe Justice of the Common pleas for the time being, vpon issues ioyned or to bee ioyned in the Courte of Common pleas, and the chiefe Baron of the Eschequer, for the time being, vpon issues ioyned or to be ioyned in the court of Eschequer, or in the absence or default of any of them, two other Judges or Barons of the same seuerall courts, where it shall happen either of the same chiefe Justices, or the chiefe Baron for the time being, to be absent, shall or may at their discretions within the said hal called Westminster hall in Westminster, or in the place where the Courte of Eschequer is commonly kept in ỳ saide county of Middlesex, as Justices of Nisi prius for the said county of Middlesex, within ỳ terme time or within foure daies next after the end of euery or any terme, seuerally try all maner of issues ioyned or to be ioyned in any of the saide seuerall courts, which by the ordinary course of ỳ lawes of the realme, ought to be tried in any of the said courts by an inquest of the said cõuty of Middlesex, and that commissions & writs of Nisi prius shalbe awarded, in such cases, and in such forme, as they are or haue bin vsed in any other shire of this realme, & that it shalbee lawfull for any person or persons from henceforth, vpon reasonable warning giuen to the aduerse partie, or his or their atturney, as hath bene accustomed in such like cases, to take or sue forth writs and records of Nisi prius for the triall of the saide issue in the said countie of Middlesex, as they may do vpon any issue ioyned, triable in any other countie, and thereupon take the Jurie in such manner and forme, and with awarding of Tales de circumstantibus, & awarding the nonsute, as is vsed for the triall of issues ioyned, or nonsutes to be awarded in the said courts, or any of them, triable within the citie of London, or within any other cõuntie of this realm of England, and that the Shirifes of the said countie of Middlesex, for the time being, shall make returne of all writs of Nisi prius which shal bee deliuered to them or their, or any of their sufficient deputie for the time being, before the said Judges, Baron or Barons, and euery of them, and shall giue their attendance vpon the saide Justices, Baron and Barons, aswell for the returning of such tales as shal be prayed de circumstantibus for the trying of the saide issues, as for the doing and executing of al other thing and things, to the office of Shirife in such case belonging or apperteining. And that all persons to be impanelled in such Juries, and the parties to the same issues and sutes, and the witnesses for the same, shall bee charged and bounde in such and the like sorte, and vpon the like paynes and penalties for their not appearance & attendãce, or for their or any of their misdemeanor or default before the saide Justice of Nisi prius, as they should haue bin if the same issue had bene tried in ỳ Court from whence the Nisi prius therof was awarded: all which seuerall trials so to bee had before the said seuerall Justices, Baron or Barons, shall by authoritie of this present Parliament, stand, and be as good and auailable in lawe, as if the same had bene tried in the terme time at the barre in the court, where such issue was ioyned or triable: any lawe, vsage, or custome heretofore made, vsed, or accustomed to the contrary hereof, in any wise notwithstanding. An. 18. El. cap. 12.

Enquests Middlesex

Warning

Atturney

Triall

Tales de circumstantibus

Non sute

London

Shirifes Returne

Tales

Juries

Witnesses

Misdemeanour Default

Trials

Westminster hall Eschequer

Terme time Foure daies

¶ Non

¶Nonpleuin.

THe King for the eaſe of his people, by the aſſent of his prelates, Earles, Barons, & other great men, and the commons aforeſaid, hath put out Non pleuin of land, which hath bin accuſtomed in the time of his progenitors, & his owne time, and the pain alſo that was wont to enſue in caſe the lande was not pleuied in due time: Alſo it is enacted that none ſhal loſe his land from henceforth becauſe of Non pleuin. And that this ſtatute holde place as well in pleas yet hanging, wherein is no iudgement giuen, as in time to come. An. 9. E. 3. cap. 2.

¶Nonſute.

Verdict
Nouel diſ.
Moytdan.

VVHereas vpon a verdict founde before any Iuſtice in aſſiſes of Nouel diſſeiſin, Mortdanceſtor, or any other action, the parties before this time haue bin adiourned vpon difficultie in law vpon the matter ſo found: It is ordeined and eſtabliſhed, that if the verdict paſſe againſt the plaintife, that the ſame plaintife ſhall not be nonſute. Anno 2. H. 4. capit. 7.

¶Nontenure.

Abate

BY the execution of Non tenure of percel, no writ ſhalbe abated but for quantitie of the non tenure which is alleged An. 25. E. 3. cap. 16.

¶Northumberland.

Head pence
Fork.
Poitie
Shirike

THe gathering of the ſaide headpence ſhall bee clærely put out for euer, anie vſe or cuſtome to the contrary notwithſtanding, vpon paine of C.li. to be payed, the one halfe of the ſame to the King, and the other half to the partie which wil ſue for the forfeiture againſt the ſhirife. This ordinance to begin at the feaſt of the Natiuitie of S. John Baptiſt, which ſhalbe in the yeere of our Lord 1459. Anno 23. H. 6. cap. 7.

¶Norwich.

Reparations

ANno 26. H. 8. ca. 8. an act was made for the repairing of voide ground in Norwich that was burnt.

Worſted yarne

2 ¶Anno 33. H. 8. cap. 16. an act was made cõcerning buying of Worſted yarn in Norwich of Norfolke, vpon forfeiture. And in that acte is further enacted, that if any perſon or perſons doe from or after the firſt day of April next enſuing, ſhip to carie or conuey, or cauſe to bee ſhipped to carie or conuey into the parts beyond the ſea, or els doe carie or conuey, or cauſe to bee caried or conueyed into the parts beyond the ſea, any yarne called Worſted yarne, not wrought or made in cloth (ſo ſuch yarne be ſpunne or made within this realm of England) that thenceuery perſõ & perſons ſo ſhipping, conueying or carying, or cauſing ſuch yarn ſo to be ſhipped, caried or conueyed, ſhall forfeit for euerie pound of Worſted yarne, ſo ſhipped, conueyed or caried xl.s. the one halfe thereof to be vnto our ſouereigne Lord the king, the other halfe vnto him or them that wil ſue for the ſame, in any court of record, by information, bill, plaint, or otherwiſe, wherein no wager of law, eſſoine, or protection ſhal bee allowed. This act to continue and endure vnto the laſt day of the next parliament. An. 33. H. 8. cap. 16. And after An. 37. H. 8. 23. this act is continued. And after An. 1. E. 6. cap. 6. it is made perpetuall.

Shippe
Tranſport
Yarne
Fork.
Poitie

And further it is there prouided, that hatmakers dwelling in Norwich, to buy ſuch Worſted yarn, called or knowen by the name of middle vit yarn, as they haue heretofore done and vſed to do, ſo that the ſame bee wrought in hattes, imployed to hatmaking within the ſaid city. An. 1. E. 6. cap. 6. And after Anno 5. E. 6 ca. 7. this act of Anno 1. E. 6. cap. 6. is confirmed as appeareth in woolles.

Hatmakers Paine

3 ¶ No perſon by himſelfe, or by his ſeruant or apprentice, ſhal from and after the feaſt of S. Michael tharchangel next cõming, make or worke any felts or thrũmed hats, or weaue or make any couerlets, or dornicks, or occupy, vſe or exerciſe ỹ miſteries, or occupations of making of felts or thrũmed hats, or weauing of dornicks & couerlets, or any of them within ỹ ſaid city of Norwich, or within the coũty of Norfolke, vnleſſe he or they that ſhall ſo make or worke any ſuch felts or hats, or ſo occupie the occupatiõ or miſtery of making of felts or hattes as aforeſaid within the ſaid city or countie, be licenced and admitted ſo to doe by the Maior, Recorder, Steward, and two Iuſtices of the peace, of the ſaid city, or by foure of them, or that haue bin apprentice to the ſame occupation & miſterie of felts or hats making, by the

Felts
Thrummed hats
Couerlets
Licence
Maior
Recorder
Steward
Iuſt. of P.
Apprentice

the space of 7. yeres, and in like case, vnles such person or persons ỳ shall so make or weaue dozneckes, or so occupy the occupation or mysterie of dozneckes weauing, within the said citie or county, be licensed or admitted so to do by the Maioz, Recoz- Just. of P. der, steward, and 2. Justices of P. of the said citie, or by foure of thē, or that haue bin Apprentice apprentice to the said misterie and occupation of dozneckes weauing, by the space of seuen yeres, and vnles he or they that shall so make or weaue couerlets, or so occupie the artes & mysteries of couerlets weauing or making, be licensed & admitted so to doe by the Maioz, Recozder, Just. of P. steward, & two Just. of the P. of the saide Apprentice citie, or by foure of them, or that haue bin apprentice to the occupation & mysterie of couerlets weauing or making, by the space or terme of 7. yeres. And be &c. that no person or persons shal from henceforth Felts Hats make any felts or hattes, or weaue or make any dozneckes or couerlets as afozesaid, or occupie, exercise or vse the occupations, arts or misteries of making of hats or felts, or weauing or making of doz- Dozneckes Couerlets necks or couerlets, or any of thē as afozesaid in any place out of ỳ said citie of Noz- wich, within the said countie of Noꝛf. but Market towne Noꝛf. only in a cozporate or market towne, vpō pain of fozf. as wel of the felts, hats, dozs necks and couerlets, and euery of them, which shalbe made, wrought or wouen, contrary to the forme, effect, and tenoz of this act, or any part or clause therof, as also x.s. foz euery half dozen of the said felts or hats, & of iij.s. iiij.d. foz euery couerlet, & of vj.s. viij.d. foz euery sixe yardes of dozs necks, so as is afozesaid to be made, wouē or wrought contrary to this acte, the one Moitie half &c. to the K. and the other half therof to the person or persons ỳ shall or wil sue foz the same, or that wil or shal sease &c.

Prouided alway that al and euery such person or persons, as do dwell, or hereaf- ter shall dwell & exercise the mysterie of dozneckes and couerlets making within Pulham the town or parish of Pulham, in the said county of Noꝛf. shal and may occupy and exercise the making of dozneckes and co- uerlets, within the saide towne of Pul- ham, as they haue heretofoze vsed to doe: Any thing in this act contained to the cō- trarie notwithstanding.

Maioz Just. of P. Recozder Reward And be it &c. that if the Maioz, recozder, steward, or Justices of the P. of the said citie foz the time being, or any of thē, shal take any sum of money or reward, foz ad- mitting of any person to occupie or vse a- ny of the artes or misteries afozesaid, that foz euery such time & euery such case, the person so offending, shall lose and fozfaite vj.li. the one part &c. to the king, the other Foꝛf. Moitie halfe to the partie that will sue foz the same, as is afozesaid. An. 5. E. 6. cap. 24.

4 ¶ An. 1. & 2. P. & M. cap. 14. an acte was made foz the Citie of Noꝛwich foz making of Russets, Sattens, Sattens reuerses, Fustian of Naples, there & not Russets Sattens Fustian Cozpozatiō elswhere, by which act there is a cozpoza- tion made foz these matters and diuers articles concerning the same.

¶ Nusaunce.

IN cases whereas a writ is granted out of the Chancerie foz an act by one man, the plaintifes from henceforth shall not depart from the K. Court without reme- die, foz that the land is alienen from one to another. And in the regisster of the Chan- cerie there is no special writ found in that case, as of a house, a wal, a market, there is a writ granted against him that first le- uied the noisance: And though the house, wall, or such like be alienen to another, a writ shall not be denied: but from hence- forth, where in one case a writ is granted, in the like case, when the like remedie is needful, as in the case before, a writ shall be made. Questus est nobis A. quod D. in- iuste &c. leuauit domum, murum, merca- tum & alia quæ sunt ad nocumentum libe- ri tenementi sui. &c.

And if such things leuied be alienen frō one to another, the writ shalbe thus, Que- stus est nobis A. quod B. & C. leuauerunt &c. Westminst. 2. cap. 24.

2 ¶ Al writs of Nusaunces, cōmonly called vicountiles shalbe from henceforth Vicountiles made at the electiō of the plaintif in ỳ na- ture of old times vsed, or els in the nature Justices of assises determinable before the K. Ju- stices of the one bench or the other, or be- fore the Just. of Ass. in the coūty at ỳ place assigned or to be assigned. An. 6. R. 2. ca. 3.

¶ Obligations.

WHereas diuers people bee bounde in courts out of the Realme by instru- ments & in other maner: It is accorded, that al penal bonds in the third person, be Penal bōdes void and holden foz none. An. 38. E. 3. ca. 4.

¶ Odio & atia.

FOrasmuch as many being indicted of murder, & culpable of the same, by fa- Murder

nourable inquests taken by the shirife, & by the kings writ of Odio & atia, bee repleuished vnto the comming of the Justices in eire: It is prouided, that frō henceforth such inquests shal be taken by lawfull men chosen and tried out by the othe of xii. men (of whom two at the least shal be knights) which by no affinitie touching the prisoners nor otherwise are to be suspected. W. cap. 12. An. 3. E. 1.

Inquests

Knights

¶ Officers and office.

Chancelor Treasorer

THe Chancelor, treasorer, or keeper of the priuie seale, steward of the kings house, the kings chamberlaine, clerke of the Rols, the Justices of the one bench & of the other, barons of the Eschequer, & al other that shalbe called to ordaine, name, or make Justices of P. Shirifes, Eschetors, Customers, controllers, or any other officer or minister of the K. shalbe firmelie sworn. that they shal not ordain, name, nor make Justices of P. shirife, eschetor, customer, controller, nor other officer nor minister of the king for any gift nor borage, fauour, or affection, nor that none, which pursueth by him or by other priuitie or apertly to bee in any maner office, shall be put in the same office, or in any other, but that they make all such officers and ministers of the best, & most lawfull men and sufficient to their estimatiō and knowledge. An. 12. R. 2. cap. 2.

Justices

Iust. of P.

Shirife Eschetor Customer Reward

Customer Controller Mayor

2 ¶ No customer, controller, searcher, weyer, or finder, haue any such office for terme of life, but onely as long as shall please the king notwithstanding any patent or grant made to any to the cōtrary. And if any such patent or grant for terme of life be made to any, of any such office in time past, the King will that it be vtterly repealed and void, and of no force nor valour. An. 14. R. 2. cap. 10.

Void

Searcher Gaugeour Aulnegeour Customer Controller Terme of life

3 ¶ No searcher, gaugeour of wines, aulnegeour, finder, nor waier of wools, or any other marchandises, collector of any customes & subsidies, or controllers shall haue estate in his office for terme of life or of yeres: but that the said offices shal remaine in the K. handes vnder the gouernance of the treasorer for the time being, wt the assent of the councell when need is.

Letters P. Void

And if any charters, or letters P. be made to ỳ contrary, they shalbe clerely adnulled, void & of none effect. An. 17. R. 2. ca. 5.

4 ¶ The said statute (that is to say 17. R. 2. ca. 5. before 3.) be firmely holden and kept, & put in due execution: Joined to the same, that customers and controllers in euery porte of England, shall be resident vpō their offices in proper persons, without making any deputie or lieutenant in their names. An 1. H. 4. cap. 13.

Customers Cōtrollers Resident

5 ¶ That the statute made (that is to say, An. 1. H. 4. cap. 13. before. 4.) be firmly holden & kept in al pointes: Joined to the same, that they shall be sworne to doe the same from time to time, vpon pain of imprisonment, and to paie to the king C. li. if they do the contrary. Also it is accorded and assented that the lieutenant of the K. chiefe butler, and the searcher, shalbe resident in the same maner, & vpon the same pain of C. li. the one half to our soueraign lord the K. and the other halfe to him that will sue for the same our soueraigne Lord the king against such customers, controllers, lieutenant, or searcher not resident. An. 4. H. 4. cap. 20.

Imprison

K. Butler

Fox. Money

Customers

6 ¶ The statutes made of customers, controllers, lieutenants of the chiefe butler, and of searchers, the first and fourth yeres of our said soueraigne lord the king that now is, be kept & holden. And moreouer, that all maner of customers and controllers, gaugeours of wine & searchers through the realme, shall be continually resident and abiding vpon their offices, and in speciall at the time of the charge & discharge of ships and vessels entring in the ports of England, & passing out of the same: so ỳ no such officer, after the time aboue named, bee absent from his said office by 3. weekes at the most, vpon paine to lose his said office, vnlesse he be cōmanded and charged in especial of record to be in the kings courts, or otherwise in the kings seruice of record, as afore is said. An. 13. H. 4. cap. 5.

Customers Cōtrollers K. Butler Searcher

Gaugeours Searchers Resident

Fox.

7 ¶ The officers made by the kings letters patents royal win the said court, which haue power & authoritie by vertue of their offices of old times accustomed to make clerks & ministers within the same courtes, shall bee charged and sworne to make such clerkes & ministers, for whom they will answere at their perill, which be sufficient, faithful & intending to that pertaineth to them in the business: aswell of the kings business, as of his people. An. 2. H. 6. cap. 2.

Letters P.

Clerkes

2 ¶ All letters P. made of any of the offices (that is to say, searcher, gaugeour, aulnegeour, finder, waier, collector, and comptroller of aulnage,) to any person against

Letters P. Searcher Gaugeour

against the effect of the said statutes (that is to say, An. 17. R. 2. ca. 5. before 3. & An. 4. H. 4. cap. 20. before 5.) shall be voide & of no force, and that no letters patents of any of the said offices or aulnage, shall bee made hereafter, but by warrãt of bil sealed by the Treasorer of England, for the time being, sent by him into ỹ Chancerie, as it hath bin accustomed before this time. And ỹ al letters made or to be made hereafter of ỹ said offices or aulnage, by other warrant then by bil of the treasorer, shall be void and of none effect.

Void
Aulnage
L. Treas.
Bil
Void

Prouided alwaies, that this act shal not extend nor be preiudiciall nor hurtfull to our soueraigne Lady the Q. the Prince, the Duke of Buckingham, to the inhertours of Henry late Duke of Warwick, nor the Maior & comminaltie of London, to the Maior, Bailifes & comminaltie of the citie of Winchester, as to any graunt or graunts, demise or demises of the aulnage, or any graunt or grants of any sum or summes of money, of the ferme of the aulnage of them granted, made or confirmed nor to no controller, hauing any offices out of the kings portes, nor to John Penycoke Esquire, to Giles Seyntlo Esquire, nor to any of the Kings or Q. household seruants, of any grant or grants of any office or offices, to them made before this time, with the fées and wages of old time due & accustomed. An. 13. H. 6. ca. 5.

Queene
Maior London
Winchester Aulnage
R. household

¶ 9 If any steward, auditor, receiuer, or bailife now is or hereafter shalbe, of any of the said honors, lordships, manours, lands, & tenements (s. of the king) constable or keeper of any of his saide castles, warden, master of game, parkekeper, or any other officer of his saide forests, chases, parkes, or warrens, ỹ now is or hereafter shalbe vnlawfully retained with any person from henceforth, or retaine any man dwelling within any of the saide honors, lordships, manors, lands, and tenements, contrary to any ordinance or acte, afore this time made, or suffer anie man dwelling within the same honors, lordships, manors, lands, & tenements, to be vnlawfully retained with any other man or person what degrée or condition soeuer he be of, & shew it not to the K. within xl. dates next after he haue knowledge therof, & how, & with whom he is so retained: Or any of the said officers conuey any of the said tenants, inhabitants, farmors to the king to any field, assembly or rout, otherwise then by the K. commandement, to do him such seruice as he shall be commanded, & that alway in the K. liuery and signe, with a cognisance of him ỹ so conueieth them by the K. commandement: or if such officer come not to the K. highnes in the time of trouble or warre, when hee thereto shalbe cõmanded, hauing no reasonable excuse to ỹ contrary: that al grãts then made or had to him of any of the saide offices by the king, or by any of the kings progenitors or predecessors be thẽ vtterly void & of none effect. And it is ordained by the same authoritie, that if any farmer or tenant within any of the same honours, lordships, manors, lands & tenements, be retained with any person or persons contrary to the statutes, by liuery, signe, token or oth, indenture of promise, or to goe to any fielde, garding or assembly, in anie mans liuery, signe or token, but only in ỹ kings liuerie & signe, & to serue him onely, or where he shalbe commanded by the K. that all graunts & leases to him made for terme of yeeres or at will, of lands, tenements, rents, or other possessions, being parcell of any of ỹ said honors, lordships, manors, lands & tenements, be thẽ vtterly void and of none effect. An. 3. H. 7. ca. 12.

Steward Auditor Receiuer Bailife
Constable Warden Parke-keeper
Honours Lordships Retained
Tenants
K. liuery
Warre
Void
Farmer
Retained
Liuery
Leases
Void

¶ 10 Anno 4. H. 7. cap. 6. it was enacted that all letters P. made of any office within the forest of Inglewood, from the first of the parliament, should be void, except the L. Dacre and the Earle of Northumberland.

Letters P.
Inglewood
L. Dacre

¶ 11 Whereas diuers Yeomen of the crowne, & gromes of the K. our soueraign Lords chamber, haue diuers offices and fées granted to thẽ by his letters patents, for the consideration of their attendance in the kings seruice, which doe not endeuour themselues in giuing their attendance after their duetie: It is therfore &c. that if any of the said yeomen or gromes, do not giue their attendance about the K. highnes according to the ordinance of his chamber, that then all letters patents to them or any of them made or hereafter to any such person or persons to be made, be of no better force ne effect, but at ỹ Kings pleasure. An. 7. H. 4. cap. 7.

Yeomen Gromes
Attendance
Letters P.
Void

¶ 12 Where diuers of the kings subiects, by their sinister & subtile information and meanes, haue heretofore had & obtained of the kings maiesty, aswel by letters patents, as by billes & warrants assigned by his graces hand, diuers grants for terme of life & liues, of diuers offices, fées, wages, & other profites being extraordinary,

Letters P. Bils Grants

ordinary, & not the ordinarie offices, fées, wages, or profits of the garison within ỳ townes of Calice, Guisnes, Hammes, Ruisbanke, and the marches of the same, and in the towne of Warwick: And haue likewise obtained of the K. highnesse diuers especiall warrants & licences, for to be absent & nonresident in and vpon their ordinarie offices within the said townes & marches: And where also diuers of the K. subiects of their sinister & subtill meanes, haue likewise obtained of the K. maiestie for terme of life & liues, diuers grants vnto them made by the K. graces letters P. of diuers offices of shirifewikes within ỳ kings dominions of Wales, contrary to the commō wealth of the countrie there, not only to the great vnsuerty of the said townes & places aboue rehearsed, but also to the great disquieting, veration & trouble of the K. louing & obedient subiects: For reformation whereof be it en. that al and singuler such letters P. warrants & licēces heretofore granted or made by the K. maiesty, to any person or persons as is aforesaid, & euery of them, shall by authority aforesaid, from & after the first day of Septēber next comming, be clerely vōid, frustrate, & of none effect, to all intents, constructions & purposes. And also that al & singuler grants of the reuersion or reuersiōs of any office or offices in ỳ townes aboue rehearsed & marches of the same, shall by authoritie aforesaid, bee likewise void, frustrate, and of none effect, to al intents and purposes. An. 34. H 8. cap. 27.

Garison Calice

Barwicke

Warrants

Terme of life

Sherifewikes Wales

Letters P.

Void

Reuersions

13 If any person or persons at anie time hereafter, bargaine or sel any office or offices, or deputatiō of any office or offices, or any part or parcel of any of them, to receiue, haue or take any money, fée, reward, or any other profit, directly or indirectly, or take any promise, agreemēt, couenant, bond, or any assurance to receiue or haue any money, fée, rewarde, or other profit, directly or indirectly, for any office or offices, or for the deputation of any office or offices, or any part of any of them, or to the intent that any person shoulde haue, exercise or inioy any office or offices, or the deputation of any office or offices, or any part of any of thē, which office or offices or any parcel of thē, shal in any wise touch or concerne the administratiō or execution of iustice, or the receipt, controlment or paiment of any of the K. highnesse treasure, money, rent, reuenue, accōpt, aulnage, auditorships, or surueying of any of the kings maiesties honors, castles, manors, lands, tenemēts, woods, or hereditamēts, or any the kings maiesties customes, or any administrations, or necessary attendance to be had, done, or executed in any the kings maiesties custome house or houses, or the kéeping of any the kinges maiesties townes, castles, or fortresses, being vsed, occupied or appointed for a place of strength, defence, or which shal concern or touch any clerkship to be occupied in anie maner of court of record, wherein iustice is to be ministred, then al and euery such person and persons that shal so bargain or sell any of the said office or offices, deputation or deputations, or that shall take any money, fée, reward or profit for any of ỳ said office or offices, deputation or deputations of any of the said offices or any part of any of thē, or ỳ shal take any promise, couenant, bond or assurance for any money, reward, or profit to be giuen for any of the said office or offices, deputatiō or deputatiōs, of any of the said office or offices, or any part of any of thē: shall not only lose & forfait al his & their right, interest & estate, which such person or persons shal then haue, of, in, or to any of the said office or offices, deputation or deputations, or any part of any of thē, or of, in, or to the gift or nominatiō of anie of ỳ said office or offices, deputatiō or deputatiōs, for the which office or offices, or for the deputation or deputations of which office or offices or for any part of them, any such person or persons, shall so make any bargaine or sale, or take or receiue any summe of monie, fée, reward, or profit, or anie promise, couenant, or assurance to haue or receiue any fée, reward, monie or profit: But also that al & euerie such person & persons ỳ shall giue or paie anie sum of money, reward, or fée, or shal make anie promise, agreemēt, bond or assurance for anie of the said offices, or for ỳ deputation or deputations of anie of the said office or offices, or anie part of anie of thē, shal immediatlie, by & vpon the same fée, money or reward giuē or paied, or vpon ante such promise, couenāt, bond, or agreement had or made, for ante fée, sum of money, or reward to be paied as is aforesaid, be adiudged a disabled person in the law, to al intēts & purposes, to haue, occupie or inioy the said office or offices, deputation or deputations, or ante part of ante of thē, for the which such person or persons shal so giue or paie ante sum of money, fée or

Bond

Sell office

Deputation

Deputation

Disabled

Aulnage Auditor Surueyour

Forf.

or reward, or make anie promise, couenant, bond or other assurance, to giue or pate any sum of monie, fee, or reward. And be it &c. that all & euerie such bargaines, Sales sales, promises, bonds, agréements, couenants, & assurãces, as before specified, shal Void be void, to, and against him and them, by whom any such bargaine, sale, bond, promise, couenant, or assurance shalbe had or made. Prouided alwaie, ỳ this act or anie thing therein contained, shall not in any wise extend to any office or offices, whereof any person or persons is or shalbe seised Inheritãce of any estate of inheritance. nor to any of- Parker ship fice of parkership, or of ỳ kéeping of any parke, house, manor, garden, chase, or forrest, or to any of thẽ: anie thing in this act heretofore mencioned, to ỳ contrary therof, in any wise notwithstãding. Prouided also, that if any person or persons do hereafter offend in any thing contrary to the tenor & effect of this act, yet that notwith- Judgments standing all iudgments giuen, & al other act and acts executed or done by any such person or persons so offending by authoritie or colour of the office, or deputation which ought to bee forfaited or not occupied, or not inioyed by the person so offending as is aforesaid, after the said offence so by such person committed or done, & before such person so offending, for the same offence be remoued from the exercise, administration, & occupatiõ of the said office or deputation, shalbe & remaine good and sufficient in law, to al intents, constructions, and purposes, in such like maner and forme as the same should, & ought to haue remained and bene, if this acte had neuer bẽn had or made.

Prouided also that this act, or any thing therin contained, shal not in any wise extend to any bargaine, sale, gift, grant, nomination, bond, couenant, promise, agrément, or assurance whatsoeuer it be, of, or for any the office or offices, deputation or deputations aforesaid, or any part of any of thẽ, had, made, done, cõcluded or agréed before the first day of March, next comming, but ỳ the same bargaine, sale, gift, grant, nomination, bonde, couenant, promise, agrément or assurance, had, made, concluded, or agréed before the first day of March, shal alwaies remaine, continue & be in such force, strength & effect, as if this act had neuer bin had or made, any thing before in this act mẽtioned to the contrary thereof, in any wise notwithstanding. Prouided alwaies, &c. that this act or any thing therein contained, shal not in any wise erẽd or be preiuditial or hurtful, Chiefe Iust. to any of the chiefe Iust. of the K. courtes commonly called the K. bench, or commõ place, or to any of the Iust. of Al. ỳ now Iust. of al. be, or hereafter shal be, but that they, & euery of them, may do in euery behalf touching or cõcerning any office or offices to be giuen or granted by them, or anie of them, as they or any of them might haue done before the making of this acte, any thing before mẽtioned to the contrary in anie wise notwithstãding. An. 5. E. 6. c. 16.

¶ Oier & terminer.

A Writ of Trespas to heare and deter- Trespasse mine from henceforth shal not be grã- Iust. of b. ted before anie Iustices, except Iustices Iust. of eire of either bench, & Iustices in eire, but for great trespas, where hastie remedy is required: and our Lord the K. hath granted this of his special grace: neither also hereafter shalbe granted a writ to heare & determine appeales before Iust. assigned, Appeale but in special case, & in case when our lord the K. shal command it, but that such appealées & indictées be not long kept in prison, let them haue a writ of Odio & atia, Odio & atia as in Magna charta, and other statutes, it is said. West. 2. cap. 29.

2 ¶ Per statutũ quod vocatur regula de Iustic. assignatis it was ordained, that Iu- Iustices stices should go through England to hear and determine trespasses, and other complaints of things done within rrb. yeres before, & diuers matters be in that statute concerning those things.

3 ¶ For the punishment of felonies, robberies, manslaughters, trespasses, and oppressions of the people committed in times past, it is accorded, that our souereigne lord the K. shal assigne Iustices in diuers places of his lande within the K. benche and elsewhere, as it was done in the time of his said grandfather of great men of the land, which be of great power, with some of the Iustices of the one bench or of the other, with other learned men in ỳ law, to enquire as wel at the suit of the partie, as at the kings suit, and to heare & Oier & ter. determine all manner of felonies, robbe- Felonies ries, manslaughters, theste, oppressions, Mãslaughter conspiracies, and grieuances done to the people against the lawe, statutes and customes of the land, as well by the kings ministers, as by other whatsoeuer they be, & that aswel within franchise as without: And also to enquire of shirifes, cor- Shirifes

Cozoners Bailifes Constables

cozoners, vndershirifes, hundzedozs, bailifs, constables, & al other ministers within liberties & without, & of their vnderministers. And to heare and determin at the kings suite, and also the parties. And our soueraigne lozd the king, and al the great men of the realme in the ful parliament, haue taken vpon them to maintaine and keepe the peace: And they & theirs to saue the kings Justices & aid them where they come, so that the iudgement & execution be not let, but executed. And that the offēders be not hid by them, noz maintained pziuily noz apertly. But the intent of the king & of his counsaile is not, ẏ by this act any pzeiudice should ensue to ẏ great men of ẏ land hauing liberties, noz to the citie of London, noz to other Cities, noz Boroughs, noz to the v. pozts in the right of their franchise. An. 2. E. 3. cap. 7.

Liberties London Cities v. Pozts

¶ Oile.

Maioz London Tallow chaundlers

THe Maioz of the city of Lōdon (foz the time being) with the Master & Wardēs of the mistery oz craft of tallow chādlers of the same citie, foz the time being, shal frō henceforth haue full power & authozity to serch al maner of oiles, brought into the said citie of London to be sold, in whose hāds soeuer they be oz shalbe found, & that as oft as the case shall require. And that the said Maioz with the said master & wardēs of the said mistery oz craft of tallow chādlers foz the time being, shal truly search & ouerlée, that the same oiles to be put to sale, be not mixt noz altered frō their right kindes, but that they be good & lawfull as they ought to be. And ẏ it shall be lawfull to the said Maioz, with the said master & wardens foz the time being, to damme, auoid, & vtterly to cast away all such oiles as they shall finde defective, oz falsly oz deceiueably mixed & altered frō their kindes, as is afozesaid, without any let oz perturbance of any person oz persons whatsoeuer they are oz shall be, And also to the said Maister, and Wardens to commit such person oz persons, as shal be found defective foz vsing such deceit oz craft, to ward, and to punish him oz them therefoze by their discretions accozding to the lawes & customes, within the said Citie oz libertie of London, vsed, had and made of and foz other misdoers and offenders, in the said Citie. And be it &c. that the Maioz, in euerie Citie, Bozough, and towne, within this realm, where a maioz is, (foz the time being) oz the gouernoz oz gouernozs, oz rulers of euery other citie, bozough, and towne cozpozat within this realme also foz the time being, shall haue within their iurisdiction, libertie & franchise, euery of them like authozity & power, to make and doe like search, ozder, direction, cozrection, punishment and execution of the same, of, foz, & vpon all oyles being defective, oz deceiuably oz falsly mixed and altered by any person oz persons within their liberties & franchises, in manner & fozme, as is afoze rehearsed, as the said Maioz, masters and wardens of the said citie of London by this present act haue oz might haue, of, foz, oz vpon any oyle sold oz to bee solde within the citie of London. An. 3. H. 8. cap. 14.

Search

Impzil.

Citie Bozough

¶ Ordinaries.

Intestate

VVHereas after the death of a person dying intestate, which is bounden to some other foz debt, the goods come to the hands of the Ozdinary to bee disposed: The Ozdinarie from henceforth shall be bound to answere as farre forth as the goods of the dead will extend, in such sozte as the executozs should haue bene bounden, if the partie had made testament. Westm 2. cap. 19.

Administratozs

Cōmissiōs Justices

2 ¶ Whereas commissions be newly made to diuers Justices, that they shall make enquiries vpon Judges of holie church, whether they made iust pzoces oz excessiue, in causes testamentozy & other, which notoziously pertaineth to ẏ cognisance of holie Church: the saide Justices haue enquired and done to bee indicted Judges of holy church, in blemishing of the franchise of holy church that such cōmissions be repealed, & from henceforth defended. Sauing the article in Eire such as ought to be. Anno 18. E. 3. cap. 6.

Indictmēts

3 ¶ Because that the kings Justices doe take the indictments of ozdinaries, and of their ministers, of extozsions and oppzessions, and impeach them, without putting in certaine, wherein, oz whereof, in what maner, they haue done extozsion: The king wil that his Justices shall not from henceforth impeach the ozdinaries, noz their ministers, because of such indictments of generall extozsions oz oppzessions, vnles they sate and put in certaine, in what thing, and of what, and what maner the said ozdinaries oz their ministers haue done extozsion and oppzession. Anno 25. E. 3. stat. 3. cap. 9.

Extozsions

¶ Ordinances of statutes for erection & foundations of Churches and schooles and for corporations.

THe Quéne from henceforth during her natural life (which our Lord lõg prestrue) shal haue by vertue of this acte, full powèr & authority to make and prescribe vnto euery of the said churches (S. Cathedral & collegiat, erected by King H. the 8.) & the Deanes, prebendaries & ministers of the same, & to their successors, such statutes, ordinances, and orders, for the good gouernance, rule, & order of euery of the same churches, deanes, prebendaries, and ministers of the same, and of the lands, manours, tenements & possessions of euery of the same Churches, as shall seem good to her highnes, the same statuts & ordinances to be made by her highnes, by writing sealed with the great seale of England, & to be deliuered to the deanes, prebendaries & ministers of euery of the said churches for the time being. And that it may be &c. that our said soueraign Lady the M. during the time aforesaid, by writing sealed with the great Seale of England, shall & may alter, transpose, change, augment, or diminish the said orders, statutes, and ordinances of euerie of the said churches, from time to time, as occasion shal serue, and as it shal seeme good to her highnesse. & that all & euery of the said statutes, ordinances & orders to be made, altered, transposed, changed, augmented or diminished, as is aforesaid, shalbe, and remain good & effectual, according to the making, alteration, transposing, changing, augmenting, or diminishing of the same. Be it also &c. that the M. highnes maie haue like power & authority to make, ordeine and establish statutes, ordinances & foundations for the good order & gouernment of such Grammer schooles as haue bin erected, founded or established in anie parte of this Realme, by the most noble prince K. Henrie the 8. or K. Edward the 6. and of the ministers & schollers of the same schoole, and to alter and trãspose such other statutes and ordinances there made heretofore from time to time, as to her highnes shall seeme most conuenient. An. 1. M. 2. Parliamento. cap. 9.

Prebendaries

Deanes

Alter statutes

Foundations

¶ Othe.

SEe in the new printed booke commonly called Magna Charta, late printed by Richard Tottle An. Domini 1556. folijs 164. & 166. of the othes of the king, the Bishops, the Kings Counsellors, escheators, shirifes, Maiors, and bailifes.

King
Bishop
K. Counsell
Escheators
Maiors
Liuerie

2 ¶ An. 21. R. 2. cap. 5. it was enacted, that the Lords, Prelates, and other that should sue liuery, should take an othe, but that parliament is repealed by 1. H. 4. cap. 13.

Repealed

3 ¶ An. 28. H. 8. cap. 7. & 10. seuerall othes be set out by those seueral acts to be sworne by diuers persons to the maintenance of the kings supremarie, & against the Pope & the sea of Rome, but al the articles cõcerning those oths be repealed by 1. & 2. P. & M ca. 8. But a new oth is appointed by 1. El. 1. which is in Crowne. 6.

Supremacy
Pope

¶ Oxford.

AN. 9. H. 5. cap. 8. an acte was made to indure to the next Parliament that should be after the returne of the K. into England, against schollers of Oxford, for putting out of possession of any, for hunting, & for breaking the ordinaries prison.

Hunting
Breake prison

¶ Palace.

AN. 28. H. 8. cap. 12. there is an act for the Kinges palace at Westminster, and how far it extendeth.

Westminster

¶ Panell.

NO inquest, but assises and deliuerances of gaoles, be take by writ of Nisi prius, nor in other maner, at the sute of any great or small, before that the names of al that shal passe in the inquests bee returned in the court. And that the shirifes array the panels in assises foure daies at the least before the sessiõs of the Justices, vpon paine of xx. li. so that the parties may haue the viewe of the panels, if they demand the same. And as to the returne or answere of the bailifes of franchises, they shal make their answere to the shirifes 6. daies before the Sessions vpon the same paine. And in all maner of panels, arraied by the shirifs or bailifes within franchise shall be put the most substantiall people & worthie of faith, & not suspect, which haue best knowledge of the truth, and the most nighest. An. 42. Edw. 3. cap. 11.

Inquests
Nisi prius

Shirifes Fort.

2 ¶ An. 18. H. 6. cap. 14. it was enacted, that if any Shirife or other that arraied panels, did take any thing therefore, the

Shirife

partie grieued should haue an action, and recouer ten times as much, to endure to the next parliament, and then further for euer, if that Parliament thought it good. See the booke at large.

Just. of P.

3 ¶ Anno 11. H. 7. cap. 25. an acte was made to indure to the nert Parliament, that Just. of P. should ouersee the panels, & reforme them by their discretions. And after, An. 12. H. 7 ca. 2. this was continued to the next parliament.

Shirife
Just. of P. Quorum
Reformie
Discretion Panels

4 ¶ To remedie the great extortion & corruptiõ of the shirifs & their ministers, in returning at Sessions vpon the enquests for the body of the shire, the names of such persons, as for their benefite will wrongfully indict true men, and conceale offenders: Bee it &c. that al panels to be returned, which be not at the suit of anie partie that shalbe made, and put in by euery shirife & their ministers afore anie Just. of gaole deliuerie, or Justices of P. wherof one to be of the Quorum, in their open sessions, to inquire for the king, shal be reformed by putting to & taking out of the names of the persons which so be impanelled by euery shirife, and their ministers, by the discretion of the same Justices before whom such panels shall be returned. And that the same Justice and Justices shal command euery shirife, & their ministers in his absence, to put other persons in the same panel by their discretiõs, and that the same panels so reformed by the said Justices, be good and lawfull. And that if any shirife, or any other ministers, at anie time do not returne the same panels so reformed ẏ then euerie such shirife or minister so offending, for euery such offence shal forfait xx. li. sterling money of England, the one halfe thereof to our soueraigne lord the K. or his heires, and the other halfe thereof to him or them of his subiects that wil sue for the same by action of debt at the common law, or bil or complaint, where it fortune any such to fall & be: and that none essoine, ne protection be allowed for the defendant or defendants in those actions or plaints, nor that ẏ said defendant or defendants therin, be admitted to wage their law. And that the kings pardon shal be no barre against the party and parties in the same, that any such actions shal sue. An. 3. H. 8. ca. 12.

Forf.
Bottis
Pardon Barre

¶ Parliament.

A Parliament shalbe holden euery yere once, or more often if neede be. Ann. 4. Edw. 3. cap. 14.

Yerely

2 ¶ For maintenance of the said articles & statutes, and redresse of diuers mischiefes and grieuances which daily happeneth, a parliament shalbe holden euery yere, as another time was ordained by a statute. An. 36. E. 3. cap. 10.

Summons

3 ¶ Al and singuler persons and cominalties, which from henceforth shall haue the summons of the parliament shal come from henceforth to the parliaments in the maner as they bee bounden to doe, and hath bin accustomed wiin the realme of England of old times. And euery person of that same realme, which frõ henceforth shall haue the said summons (be hee Archbishop, Bishop, Abbot, Prior, Duke, Earle, Baron, Baronet, Knight of the shire, citizen of the citie, Burgesse of borough, or other singuler person or cõminaltie) doe absent himselfe, and come not at the said summons (except he may reasonably and honestly excuse him to our soueraigne lord the K.) he shall be amerced, and otherwise punished, according as of old times hath bin vsed to be done within the said realme in the said case. And if any shirife of the realme bee from henceforth negligent in making his returns of writs of the parliament, or that he leaue out of the said returnes anie cities or boroughs which bee bound, and of olde times were wont to come to the parliament, he shall be punished in the maner as was accustomed to be done in the said case in the saide time past. An. 5. R. 2. stat. 2. cap. 4.

Absent
Amerce
Shirife

Expences Knights

4 ¶ In the right of leuying of ẏ expences of the knights comming to the parliaments for the commõs of the counties, it is accorded & assented that the saide leuying be made as it had bin vsed before this time, Joining to the same, that if any lord or any other man spirituall or temporall haue purchased any lands or tenemẽts, or other possessions ẏ were wont to be contributorie to such expences, before ẏt time of the said purchase, that the same lands, tenements & possessions, & tenants of the same, be contributorie to the said expẽces, as the said lands, tenements, & possessions were wont to doe before the time of the same purchase. An. 12. R. 2. cap. 12.

Heires males

5 ¶ An. 21. R. 2. cap. 6. it was enacted, that the heires males of certaine that were attainted, should not come into anie Parliament. But this parliament was repealed by Anno primo H. 4 cap 3.

6 ¶ An. 21. R. 2. cap. 12. it was inacted, that

that the Parliament holden An.11.R.2. should bee repealed, and that restitution should be made to the or their heires that were condemned in the Parliament, but this parliament of An.21.R.2. was repealed by 1.H.4.cap.3. and by 1.H.4.cap.4. that Parliament of An.11.R.2. was confirmed and reuiued.

Repealed

Reuiued

7 ¶ The elections of such knights shal be made in the forme as followeth (that is to say) at the next countie to be holden after the delyuery of the writ of the Parliament. Proclamation shalbe made in the full countie of the day and the place of the parliamẽt, and that all they that be there present, aswel suters duely summoned for the same cause, as other, shall attend to the election of their knights for the parliament, and then in the full countie they shal proceed to the election freely & indifferently, not withstanding any prayer or cõmãdement to the cõtrarie. And after that they be chosen, the names of the persons so chosen (be they present or absent) shall be written in an indenture vnder ỹ seales of all them that did chuse them, & tacked to the said writ of the parliament, which indenture so sealed and tacked, shalbe holdẽ for the shiriffs returne of the said writ, touching the knights of the shires. And in the writs of the Parliament to be made hereafter, this clause shall be put: Et electionem tuam in pleno comitatu tuo factã, distincte & aperte sub sigillo tuo & sigillis eorum, qui electioni illi interfuerunt, nobis in cancellaria nostra ad diem & locum in breui contentum certifices indilate. An.7. H.4.cap.14.

Knights election

Countie

Proclamation

Indenture

Returne

8 ¶ The Justices assigned to take assises, shal haue power to inquire in their sessiõs of assises of such returnes made, (See contrary to the statute of an.7.H.4. ca.15. before 7.) and if it be found by inquest and due examinatiõ before the same Justices, that any such shirife hath made, or hereafter shal make any returne cõtrary to the tenour of the said statute, that then the same shirife shall incurre the paine of one C.li. to be paid to our soueraigne Lord the king, & more ouer that the knights of the counties so vnduely returned, shall lose their wages of the parliament of old time accustomed. An.11.H.4.cap.1.

Just. of ass. Enquire

Shirife

Fine.

Knights Wages

9 ¶ The statutes of the election of the knights of the shires to come to ỹ parliament, be holden & kept in al points: adioyning to the same, that the knights of the shires, which frõ henceforth shalbe chosen in euery shire, be not chosen, vnlesse they be resiãt within the shire, where they shal be chosen, the day of the date of the writ of the summons of the parliament. And that the knights and esquires, and other which shal be chusers of the knights of ỹ shires, be also resiant within the same shires in maner & forme as is aforesaid. And moreouer it is ordeined and stablished, that the citizens and burgesses of the cities & boroughs, be chosen men, citizens, and burgesses resiãt, abiding, and free in the same cities and boroughs, and none other in any wise. An.1.H.5.cap.1.

Knights election

Knights

Resiant

Burgesses

10 ¶ An.8.H.5.cap.1. it was enacted that if he being ouer the seas, a parliamẽt were summoned vnder the Telle of his lieutenant, and he returne into England, the parliament should not dissolue.

Tẽte

11 ¶ Al the knights frõ henceforth so to be chosen, & the shirifes that shall make such elections, shall haue their answere & trauers against such inquests and offices before any Justices of assises from henceforth to be taken, and the said knights and shirifes shall not be indamaged against our said soueraigne Lord the king, or his successors, by any such inquest taken or to be taken, till they be duely conuict by the forme of the law. An.6.H.6.cap.4.

Knights Shirifes

Just. of ass.

12 ¶ All the clergie frõ henceforth to be called to the Conuocation by the kings writ, & their seruants and familiers, shall for euer hereafter fully vse and enioy such libertie or defence in comming, tarying and going, as the great men & comminalte of the realme of England, called or to be called to the Kings parliament. An.8. H.6.cap.1.

Connocation

Seruants

Libertie

13 ¶ The knights of the shires to bee chosen within the same Realme of England, to come to the parliamentes hereafter, to be holden, shalbe chosen in euery countie of the realme of England by people dwelling and resiant in the same cõties, whereof euery one shall haue free lande or tenementes to the daine of rl.s. by yere at the least, aboue all charges, and that they ỹ shal be chosen, shalbe abiding and resiant within the same cõties. And such as haue the greatest number of them that may expend fortie shillings by yere, & aboue as afore is said, shalbe returned by the shirifes of euery countie knights for the parliament, by indentures sealed betwixt the said shirifes, & the said chusers so to be made. And euery shirife of the Realme of England shall haue power by

Knights election

Freeholders

Returne Shirife Indentures

Examine Othe

by the said authoritie, to examine vpō the Euangelists euery such chuser, how much he may expend by the yēre, and if any shirife returne knights, to come to the parliament cōtrarie to the said ordinance, the

Iust of all.

Iustices of assises in their sessions of assises, shall haue power by authoritie aforesaid, therof to inquire. And if by inquest ẏ same be foūd before the Iustices, & the shirife therof be duely attainted, that then ẏ

Attaint

Fork.

said shirife shal incurre the paine of an C. li. to be paid to our Soueraigne Lord the

Imprison

king. And also that he haue imprisonment by a yēre, without being let to mainprise or baile. And that the knights for the parliament returned contrary to the said ordinance, shall lose their wages.

Mainprise

Wages

Prouided alwaies, that he that may not expēd xl.s. by yēre as is aforesaid, shall in no wise be chuser of ẏ knights of the Parliament. And that in euery writ that shal hereafter goe forth to the shirifes to chuse knights for the Parliament, mention be made of the said ordinānce. An. 8. H. 6. ca. 7.

Knights

14 ¶ The king willing to make plaine declaratiō of the said statute (See An. 8. H. 6. ca. 7. before 13.) by the aduise & assent aforesaid, & at the special request of the said cōmons, hath ordeined that the knights of al the coūties within the said realme to be chosen to come to the parliamēts hereafter to be holden, shal be chosen in euery coūtie by people dwelling & resiant in the same, wherof euery mā shal haue freehold to the value of xl.s. by ẏ yēre at the least; aboue all charges within the same countie, where anie such chuser will meddle of anie such election. An. 10. H. 6. cap. 2.

Freeholder

15 ¶ Whereas before this time diuers shirifs in diuers counties of Englād haue by colour of writs to them directed, to leuie the wages of the knights of the shires for the time being, of the parliamēt of the king that now is, & of his noble progenitors, haue leuied more money then hath bin due to the said knights, and more then they haue deliuered, kéeping and taking great part of the money to their owne vse & profit, and to their officers & seruants, to the great damage of the cōmon people of the said coūties: The king considering the premisses, hath ordeined by the authoritie aforesaid, that the shirifke of euerie Countie for the time being, in the next Countie court holden in their Counties, after the deliuerāce of the said writs made to them, shall make open proclamation, that the coroners & euery chiefe constable of the peace of the said counties, & the bailifes of euery hundred or wapentake of the same countie, and al other which will be at the assessing of the wages of the knights of the shires, shall be at the next coūtie, there to be holdē, to assesse the said wages of the said knights. And that the shirifke, vndershirifke, coroners, or bailifs, for the time being, be there at ẏ same time in their proper person, vpō paine of forfaiture to the king of euery of them that maketh default xl.s. At which time the said shirifke or vndershirifke, in the presence of them that shall come to the same, & of the suters of the said coūties then being there in the full countie, well and duely shal assesse euerie hundred to that assessable, by himselfe to pay a certaine summe for the wages of the knights of the shire, so ẏ the whole summe of all the hūdreds do not exceed the summe which shalbe due to the said knights, And after that, in the same countie shal assesse wel & lawfully, euery village within the saide hundreds, which shalbe thereunto assessable, to a certaine summe for the paiment of the said wages, so that the whole summe of all ẏ townes within any of the said hundreds, do not exceed the summe assessed vpō the hūdred of which they be. And that the said shirifes, vndershirifes, bailifs, nor none other officer for the cause aforesaid, shal leuie more money of any village, thē that whereunto they were assessed, and that if any do or will assesse any hundred or village, otherwise thē is aforesaid, that they shal forfait for euery default, to the king xx. li. And to anie man which will sue in this case x. li. And that the said shirifes well and duely shall leuie the money so assessed vpon the foresaid villages, as hastily as they well may, after the said assessing, and the same shall deliuer to the said knights according to the writs therefore to be made, vpō the said paynes. And he that will sue in this case, shalbe to that admitted, & shall haue for his action in this case a Scire facias against him that offendeth against this ordinance, and if the defendant duely warned in the same, make default, or els appeare, and be in the same conuict, then the plaintifes shall recouer against them, which be so conuict, ten poundes to their owne vse, ouer the said twentie poundes, with their treble damages for the costs of their sute. And that the Iustices of the Kings bench, & of the cōmon place, Iustices of assises & gaole deliuerie, & Iustices of

Bailife

Assesse

Hundreds

Village

Fork.

Scire facias

Conuict

Treble damages

Iust. of both benches

Iust. of all.

Iust. of g.

Iust. of P.

Shirifes

Wages

Countie court

Proclamation

Cozoners

Constables

of peace in their countrey shal haue power
Diuers & ter. to inquire, heare & determine of al the said defaults, aswell by inquirie at the Kings sutes, as by action at the sute of the parties. And that all such erpēces of knights, shall not be leuied of any other villages, seigniories, or places, but of such where they haue bin leuied before this time. And that in euery such writ from henceforth to be made, to leuie the wages of the saide knights, this act shall be comprehended in the same. An. 23. H. 6. cap. 11.

16 ¶ That the statutes (5. An. 2. H. 5. before 9. and An. 8. H. 6. cap. 7. before 13.) shalbe duely kept in all points. And moreouer, that euery shirife after the deliuerie
Shirifs of any such writ to him made, shall make & deliuer without fraud, a sufficient precept
Precept Maior Bailife vnder his seale to euery Maior & bailife, or to bailifes or bailife, where no Maior is, of the cities & boroughs within his countie, reciting the said writ, cōmanding them by the same precept, if it be a citie, to chuse by citizens of the same citie, citizēs, & in the same maner & forme, if it be a bo-
Burgesses rough, by ỳ burgesses of the same, to come to the parliament. And that the same maior & bailifes, or bailifes or bailife where no Maior is, shall returne lawfully the precept to the same shirifes, by indētures
Indentures betweene the same shirifie and them to be made, of the said elections, & of the names
Citizens of the said citizens & burgesses, by them so chosen, and thereupon euery shiriffe shall make a good & rightfull returne of euerie such writ, & of euery returne by the Maiors and Bailiffes, or bailiffes, or bailiffe where no Maior is, to him made. And that euery shiriffe, at euery time that he doeth contrary to this statute, or any other statutes for the electiō of knights, citizens, & burgesses, to come to ỳ parliament before this time made, shall incurre the paine cōtained in the said statute made the said 8. yeare, that is to say, (An. 8. H. 6. cap. 7. before 13.) & moreouer shall forfait and pay
Fork. to euery person hereafter chosen knight, citizen, or burgesse in his countie, to come to any Parliament, & not duely returned, or to any other person, which in default of such knight, citizen, or burgesse will sue, an C. li. whereof euery knight, citizen, and burgesse so grieued seuerally, or any other person which in their default will
Action of debt sue, shall haue his action of debt against the said shiriffe or his executors or administrators, to demaund and haue the said hundred poūds with his costs in this case dispended. And that in such actiō taken by vertue of this statute, the defendant shall not wage his law of the demaūd aforesaid
Wage law in no wise, & that no defendant in such action shal haue any essoine. And in the same
Essoine Maior maner at euery time that any Maior and
Bailife bailiffes, or bailiffe or bailiffes, where no
Returns Maior is, shall returne other then those which be chosen by the citizēs & burgesses of the cities or boroughs where such elections be or shal be made, shall incurre and
Fork. forfeit to the king xl. li. And moreouer shall forfeit and pay to euery person hereafter chosen citizen or burgesse to come to the Parliament, & not by the same Maior & bailiffes, or bailiffes or bailiffe, where no Maior is, returned, or to any other person which in default of such citizen or burgesse so chosen will sue, forty poūds, wherof euery of the Citizens and Burgesses so
Action of debt grieued seuerally, or anie other person which in their default will sue, shall haue his action of debt against euery of the said Maior and bailiffes, or bailifes or bailife, where no Maior is, against their executors or administrators, to demaund and haue of euery of the saide Maiors and bailiffes, or bailiffe or bailifes, where no maior is, forty pounds with his costs in this case expended. And that in such action of debt, taken by force of this statute, no defendant in any wise, wage his law of the said demaund, nor haue any essoine.

And that euery shiriffe, that maketh not
Shirifs due election of knights, to come to the Parliament in conenable time, that is to say, euery shiriffe, in his full countie, betweene the houre of eight and the houre of nine before none, without collusion in this behalfe: & that euery shiriffe that maketh not good & true returne of such elections of knights, to come to the parliamēt, in time to come, as to them perteineth, in maner and forme aforesaid: shall forfeit to
Fork. the king an hundred pounds, and also shal incurre the paine of an hundred pounds to be paied to him that will sue against him, his executors or administrators for this cause, by way of action of debte, with his costes in this behalfe expended without waging of law of his demaund, or hauing essoine as afore is said.

Prouided alwaies, ỳ euery knight, citizen and burgesse to come to any parliament hereafter to be holden in due forme chosen & not returned, as afore is said, shal begin his action of debt aforesaid, within
Three moneths 3. moneths after the same parliament cō-

menced,

mẽced, to proceed in the same sute effectually, without fraud, & if he so doe not, another that will sue, shal haue the said action of debt (as it is saide) to haue and recouer the same summe, with his costs in this behalfe dispended, in maner & forme aforesaid, so that no defendant in such actiõ shal wage his law, nor be essoined in any wise, as afore is said. And if any knight, cittizẽ or burgesse, hereafter returned by the shirife to come to the Parliament, in the maner aforesaid, after such returne be by anie person put out, & another put in his place, that such person so put in the place of him which is out, if hee take vpon him to bee knight, citizen, or burgesse, at anie parliament in time to come, shall forfait to the King one C. li. and an hundred pound to the Knight, Citizen, or Burgesse so returned by the Shiriffe, and afterward as afore is said, put out. And that the Knight, Cittizen, or Burgesse, which is so put out shall haue an action of debt of the same C. li. against such person put in his place, his executors or administrators.

Put out

Forf.

Executors

Prounded alwaies, that he shal begin his suit within iij. moneths after the Parliament cõmenced. And if he doe not, then he that wil sue shal haue an action of debt, of the same C. li. against him which is put in place of him that is so out after such returne, his executors or administrators. And that no defendant in such action shall wage his lawe, nor be essoined. And that such proces shall be in the actiõs aforesaid, as in a writ of trespasse done against the peace at the common lawe, so that the knights of the shires, for the Parliament hereafter to bee chosen, shalbe notable knights of the same coũties, for the which they shal be so chosẽ, or otherwise such notable Esquires and Gentlemen, being of the same Counties, as shall be able to be knights. And no man to be such knight which standeth in the degree of a yeoman, Anno 32. H. 6. cap. 15.

Three moneths

Executors

Proces

17 ¶ None of the said knights, cittizẽs, burgesses, & barons, nor any of them, that hereafter shalbe elected to come or be in any parliamẽt, do not depart from the said parliament, nor absent himselfe from the same, til the same parliamẽt be fully finished, ended, or prorogued, except he or they so departing haue licence of the speaker, & cõmons in the said parliament assembled, & the same licence be entred of record, in the booke of the clerke of the parliamẽt appointed, or to be appointed, for the cõmon house, vpon paine to euery of them so departing, or absenting themselues in anie other maner, to lose all those summes of money, which he or they should or ought to haue had for his or their wages.

Knights Citizens Burgesses Barons

Absent

Licence

Clerke of the parliament

Forf.

And that al the counties, cities, and boroughs, whereof any such person shalbe elected, & the inhabitãts of the same, shalbe clerly discharged of ỳ said wages against the said person & persons, and their executors for euermore. An. 9. H. 8. cap. 16.

18 ¶ The kings roial assent by his letters patents vnder his great seale & assigned with his hand, & declared and notified in his absence to the Lords spirituall & temporal, and to the cõmons assembled together in the high house, is & euer was, of as good strength & force, as though the kings person had bene there personally present, & had assented openly and publikely to the same. And be it &c. that this royall assent, & all other royal assents hereafter to be so giuen by the kings of this realme, & notified as is aforesaid, shalbe taken & reputed good & effectuall to all intents and purposes without doubt or ambiguitie: any custome or vse to the contrarie notwithstãding. An. 33. H. 8. cap. 21.

Letters P.

Royal assent

19 ¶ The shirifes for the time being, of euery of the vij. shires in Wales, and in the county of Monmouth, from the beginning of this present parliamẽt, shall haue full power and authoritie, by force of this act, to gather and leuie, or cause to be gathered and leuied the said knights fees and wages, of the inhabitaunts of the said vij. Shires, and of the saide Countie of Monmouth, which ought to pate the same, and the same so gathered, shall pay or cause to be paied to euery such knight or knights, or to his or their assignes, within ỳ terme of ỳ. moneths after that any such knight or knights shall deliuer or cause to be deliuered the kings writ De solutione focodi Militis parliamenti, to anie such shirife, and euerie such shirife making default of payment of the said fees or wages, in maner and forme as is aforesaide, to lose and forfeit twentie pounds, whereof the one moitie to be to the kings vse, and the other to his or their vse, that will sue for the same in any of the kings courts of record, by information, bill, or plaint, or otherwise, afore any of the kings officers, wherein no essoine, protection, nor wager of law shall be admitted.

Shirife Wales

Leuie Knights fee

Two moneths

Forf.

Moitie

And if it shal happẽ any shirife in any of the said twelue shires and coũtie of Monmouth,

Default mouth, to make default of payment of the said wages or fees by a longer terme then two moneths: the euery such shirife to forfait for euerie moneth that he or they shal make default xx. pounds to be forfeited & leuied in maner and forme as is aforesaid. Forf.

Maior Bailife And that euery Maior & bailifs, and other head officers of cities, boroughs, & townes in euery of the said xij. shires, & in the said countie of Monmouth, within like terme & space of two moneths, after the receit of the kings maiesties writ De solutione fœodi Burgensium parliamenti, like as is before mentioned, for gathering or leuying of the knights fees, shall leuie, gather, and pay the wages & fees to their burgesses, in like maner & forme as is aforesaid, and in & vnder like paine & forfeitures, as be before mentioned: to be leuied of the goods & cattles of euery such Maior, Bailife, and other head officer, to whom the kings said writ shalbe directed, for the leuying of such fees, making default of paimēt of the said fee and wages to the Burgesses, in maner and forme as is aforesaid. Burgesses fee.

And be it &c. for as much as the inhabitants of all cities & boroughs in euery the said xij. shires within Wales, and in the said coutry of Monmouth, not finding burgesses for the Parliament themselues, must beare & paie the burgesses wages within the shire townes, of and in euerie the said twelue shires in Wales, and in the saide Countie of Monmouth, that from the beginning of the said Parliament, the burgesses of al & euery of the said Cities, Boroughs, & Townes, which be and shall be contributorie to the paiment of the Burgesses wages of the said shire townes, shal be lawfully admonished by proclamation or otherwise by the Maiors, Bailifes, or other head officers of the said Townes, or by one of them, to come and to giue their elections for the electing of the said Burgesses at such time and place lawfull and reasonable, as shall be assigned for y same intent, by the said Maiors, bailifs, and other head officers of the said shire towne, or by one of them, in which elections the burgesses shal haue like voice & authority to elect, name, & chuse the burgesses of euery the said Shire townes, like & in such maner, as the burgesses of the said Shire towns haue or vse. Prouided alway, that two Iustices of peace, in euery the shires in Wales, and in the said countie of Monmouth, by force of this act, shall haue full power and authoritie, indifferently to let and tare euery citie, borough, and towne within the shires in Wales, wherein they do inhabite, and in the said coūtie of Monmouth, for the portions and rates that euery the said cities & boroughs shall haue and pay towards the said burgesses within the said shire Townes of euerie of the said shires in Wales, and the Countie of Monmouth, which rates so rated & tared in grosse, by the said two Iustices of the peace, as is aforesaid, shal be againe rated and tared on the inhabitants of euery the said cities and boroughs by foure or fiue discreet and substātiall burgesses of euerie the said Cities and boroughs in Wales, thereunto named & assigned by the Maior, bailifs, or other head officers of the said cities, townes and boroughs, for the time being: and thereupon the Maior, bailife, & other head officers of euery such citie, borough and Towne, to collect & gather the same, and thereof to make paimēt in maner and forme, as is aforesaid, to the burgesses of the Parliament for the time being, within like time, and vpō like paines and forfaitures, as is aboue mentioned. Anno 35. Hen. 8. cap. 11. Monmouth Tare Iust. of P. Wales

¶ Partition and Partner.

AND if one inheritance that is holden of the king in chiefe, descend to many partners, then al y heires shal do homage to the king, & the same inheritance so holde of the king, shal be diuided among those heires, so that euery of thē after that, shall holde their part of the king, Prærogatiua Regis, cap. 5. See Forfeiture 5. of partition betweene heires males in Kent. Homage

2 ¶ Henry by y grace of God, king of England, lord of Ireland, duke of Guyon & Normandie, erle of Angeo, to his trusty & welbeloued Gerard, son of Maurice Iusticer of Ireland, greeting. Whereas certaine knights of y parties of Irelād, haue lately informed vs, y when any land doth descēd vnto sisters within our dominiō of Ireland, the Iustices errant in those parties, are in doubt, whether y yōger sisters ought to hold of the eldest sister, and to homage vnto her or not: And forasmuch as y said knights haue made instāce to be certified, how it hath bin vsed heretofore wīn our realme of Englād in like case: at their instāce, we do you to wit, that such a law and custome is in England in this case, that if any holding of vs in chiefe, happen to die, hauing daughters to his heires, Sisters Homage

our

our ancestors & we, after the death of the father, haue alway had and receiued homage of al the daughters, & euery of them that in this case did holde of vs in chiefe. And if they happen to be within age, we haue alway had the warde and marriage of them. And if he be tenant vnto an other lord (the sisters being within age) the lord shall haue the warde & marriage of them all, and the eldest onely shall doe homage for her selfe, and all her sisters. And when the other sisters come to full age, they shal do their seruice to the Lords of ẏ fee by the hands of the eldest sister. Yet shall not the eldest by this occasion exact of her yonger sisters, homage, ward, or any other subiection, for when they be all sisters, & in maner as one heire to one inheritance, if the eldest should haue homage of the other sisters, or demaund ward, then the inheritãce should seeme to be diuided, so that the eldest sister should be seignioresse, & tenãt of inheritance, (simul & semel) that is to say, heire of her owne part, & seignioresse to her sisters, which could not stand well together in this case, for the eldest can demaund no more then her sisters, but the chiefe mease by reason of her ancientie. Moreouer, if ẏ elder sister should take homage of the yõger, she should be as a seignioresse to thẽ all, & should haue the ward of them and their heires, which should be none other, but to call the Lambe to the wolfe to be deuoured. And therefore wee cõmaund you, that you cause the foresaid customes that be vsed within our realme of England in this case, to be proclaymed throughout our dominion of Ireland, & to be straightly kept & obserued. In testimonie whereof &c. Witnesse my selfe at Westminster the ir. day of Februarie, the xiiij. yeere of our reigne. An. 14. H. 3.

Chiefe

Warde Marriage Homage

See in the new printed booke, commonly called Magna Charta, late printed by Richard Tottell, Anno 1556. fol. 158. like Statute almost woorde for woorde to this.

Iointenãts

3 ¶ All ioyntenants, and tenants in cõmon that now be, or hereafter shall be, of anie estate or estates of inheritance, in their owne rights, or in the rights of their wiues, of any manors, lands, tenements, or hereditaments, within this Realme of England, Wales, or the marches of the same, shall and may be coacted and cõpelled, by vertue of this present acte, to make partition betweene them, of all such manors, lands, tenements, & hereditaments, as they now hold, or hereafter shall hold as iointenants, or tenants in common, by writ De participatione facienda, in ẏ case to be deuised in the King our soueraigne Lords court of Chancerie, in like maner & forme, as coparceners by the common lawes of this realme haue bin & are compellable to doe, & the same writ to be pursued at the cõmon law. Prouided alway, &c. that euerie of the said iointenãts, or tenants in common, and their heires, after such partition made, shal & may hatte aide of the other, or of their heires, to the intẽt to dereigne the warrantie paramount, & to recouer for the rate, as is vsed betweẽ coparceners after partition made by the order of the common law: anie thing in this act contained to the cõtrary notwithstanding. An. 31. H. 8. cap. 1.

Tenants in common

Ayde

Iointenãts Tenants in common

4 ¶ All iointenants & tenants in common, & euerie of them, which now hold, or hereafter shall hold iointly, or in common for terme of life, yeere or yeeres, or iointenants, or tenants in common, where one or some of them haue, or shall haue estate or estates, for terme of life or yeeres, with the other that haue or shall haue estate or estates of inheritance or free hold, in anie manors, landes, tenements, or hereditaments, shall & may be compellable from henceforth by writ of Partitiõ, to be pursued out of ẏ kings court of Chãcery, vpon his or their case or cases, to make seuerance & partition of all such manors, lãds, tenements, & hereditaments, which they hold iointly or in cõmon, for terme of life or liues, yeere or yeeres, or where one or some of them holde iointly or in common for terme of life or yeeres, with other that haue an estate or estates of inheritance or freehold. Prouided alway &c. that no such Partition or seuerance hereafter to be made by force of this acte, be nor shall be preiudiciall or hurtfull to anie person or persons, their heires or successours, other then such which be parties vnto the said Partitiõ, their executors or assignes. An. 32. H. 8. cap. 32.

Terme of life Yeeres

¶ Passage and Arriuage.

Horsemen

Footmen

VVhere as before this time, a horseman was wont to haue his passage ouer the sea, from the port of Douer for ij. s. & a foteman for vj. d. and now of late, the kepers of the passage & the passengers haue taken more, to the great damage of ẏ people: It is agreed that at the same port, and all other passages of this land,

lād, aswel in freth waters, as in armes of the sea, they that do passe, shall frō hencefoꝛth pay as they were wont to pay in old time, & of moꝛe shall they not be charged, noꝛ the passengers noꝛ kœpers of the passage shall take no moꝛe. And be it cōmanded to the cōstable of Douer, that he cause this article to be kept in his Bailliwike, vpō the peril that thereto perteineth. And if he find ante offending this act, hee shall punish him at euerie mans sute that will thereof cōplaine, & do right. Be it also cōmanded to the bailifs at the places where such passages be, that they doe in like maner. And the Justices of Assises in the coūties shall haue power to inquire if any offend in this statute, & punish them, and do right therein, aswell at the kings sute, as at the sute of the partie. An. 4. E. 3. cap. 7.

Constable of Douer

Punish

Bailifes

Iust of all.

Pilgrim

Douer Imprison

2 ¶ No pilgrime shall passe out of our realme, to ỳ parties beyōd the sea but only at Douer, vpō paine of a yēres imprisonment. An. 9. E. 3. stat. de Moneta cap. 8.

3 ¶ The king our soueraigne Loꝛd of his royall Maiestie, defendeth the passage vtterly of all maner of people, aswell clerkes as other in euery poꝛt, and other towne & place vpō the coast of the sea, vpon paine of foꝛfeiture of al their goods, except onely the loꝛds & other great men of the realm, & true and notable marchants, & the kings souldiours. And euery person, other then is befoꝛe excepted, which after publication of this oꝛdinance made, shall passe out of the said Realme without the kinges speciall licence (which licence the king wil & commandeth that it be not frō hencefoꝛth made, but onely in one of the poꝛts vnder wꝛittē, that is to say, Londō, Sandwich, Douer, Southhāpton, Plimmouth, Dertmouth, Bꝛistow, Yermouth, S. Botolph, Kingston vpon Hull, Newcastle vpon Tine, & the other Poꝛts, and passages towards Ireland, and the Iles pertaining to the realme of Englād) shal foꝛfaite towards the king, as much as he hath in goods as aboue is said: And neuertheless the Master oꝛ Mariner of ỳ ship, oꝛ of other vessell in which he shal carie ouer beyōd the sea any person, but such only as be befoꝛe excepted, without the said licence, & thereof be conuict duely, he shall foꝛfait the said vessell to the king. And the king commandeth all wardens and searchers of the poꝛts and passages thoꝛough England, that they shal frō hencefoꝛth diligently vse their office, & make good and straight search. And if any Searchers oꝛ warden of the poꝛts oꝛ passages thoꝛough the said realme, by negligence, oꝛ in other maner doe, oꝛ suffer willingly to be done, in any point the contrarie of the said two articles, touching the mony of gold oꝛ siluer, & the said passages of people, & thereof be duely conuict, he shall foꝛfait to the king his said office, & all his goods, and his bodie shal be committed to pꝛison, there to abide by an whole yēre without redemption. And thereupon whosoeuer espieth & pꝛoueth duely, that ante thing be done against the intent of the said two last articles, whereby the said foꝛfaiture ought to fall vpon any person, he shal haue halfe of the same foꝛfaiture foꝛ his labour of the kings gift. An. 5. R. 2. cap. 2.

Marchants

Souldiours

Licence

Foyt.

Shippe master

Wardens Searchers

Money Gold Siluer

Foyt.

Imprisonment

Pilgrims

Marchants

Souldiours

4 ¶ Al pilgrims, and all other people, except notoꝛious and knowen marchāts, and also souldiors, and men of armes, that wil passe by the sea out of the realme, shal passe at ỳ poꝛts of Douer oꝛ Plimmouth, & not euery where without especial licēce of the king himselfe, but they that will passe toward Ireland, shal passe at Liuerpole, Chester, Bꝛistowe, oꝛ elsewhere, where shal please thē. An. 13. R. 2. cap. 20.

Douer Plimmouth Licence

5 ¶ Foꝛasmuch as the Cōmons of the realme of Englād, being in the same parliament, at the instance & speciall request of the faithfull liege people of our Soueraigne loꝛd the king, the Bayliffes, Burgesses and comminaltie of the Towne of Tewkesbury, within the coūtie of Glocester, haue made to our soueraigne loꝛd the King a verie grieuous complaint in the same Parliament, that whereas the said towne of Tewkesbury, is adioining to the riuer of Seuerne, within the said coūty of Glocester, which riuer is cōmon to all the liege people of our Soueraigne Loꝛd the king, to carie & bꝛing, within the streame of the said riuer in boates, troughs, and otherwise, all maner of marchandise, & other goods and cattels to Bꝛistow, & to euery part adioining to the same riuer, in the which riuer, diuers persons of the said towne of Tewkesburie oftentimes, and now of late haue charged their pꝛoper vessels and troughs with wheate, rie, and other coꝛne and goods, to the value of fiue hundꝛed pounds, and so the same vessels & troughs so charged, haue conueyed in the same riuer towards ỳ said towne of Bꝛistow, by ỳ coasts of the Foꝛrest of Deane, within the said countie of Glocester, ioyning to the saide riuer, there haue come great multitude of people & rouers of the

Tewkesbury

Seuerne

Deane foꝛrest

Rouers

Commons

Commons of the same Forrest, and of the hundred of Bledillow & Westburie, with great riot & force in maner of warre, as enemies of a strange lād, & with force haue spoiled the same persōs of the said vessels, and taken of them al their corne and goods within the same vessels, & the same persons haue menaced & threatned to, if they made any resistāce or any sute, quarrel or cōplaint for the same, to the great hinderance, losse, & impouerishment of the said persons, and oppression of al the countrey there adioining. And afterward the same our soueraigne lord the king by the aduice & consent of his Councell, sent his letters of priuy seale, directed to diuers persōs of the said forrest, to make open proclamation, ỳ no man of the said Forrest should be so hardie, to inquire or disturbe his people to passe by ỳ riuer with al maner of corne, goods, and cattels, or anie other marchandise vpō the paine of treason: After which proclamation so made, the said trespassors came to the said riuer, with more greater routs and riots then euer they did before, not estéming nor regarding the said letters of priuie seale, and there spoiled at diuers times eight troughs of wheate, rie, flower, & diuers other goods and cattels, & the people of the same troughs did throw ouer the bord, and diuers of them drowned, & the sternes of the said troughs did cut away, & did threaten the owner of the said goods and cattels, & also the people of the said troughs, that they should not be so hartie, to carrie no maner of vitaile by the said streame, much nor little, for Lord nor for Lady. And that they would hew al to pieces the said boates, if they came another time by the coastes of the said Forrest of Deane: for the which riot & rebellion no person of the said towne of Teukesbury, nor of the countrey adioining, dare not carie anie corne, nor other goods nor cattels in ỳ said riuer, nor pursue to haue remedie for such oppressions & griefes to them done. Forasmuch as the said Forrest of Deane, & hundreds be very large, & the people inhabiting and resiant in the same, verie wild, and nigh adioining to the coūtrie of Wales: And all the cōmons of the same Forrest and hundreds of one affinitie, & confederacie in malice and riot, nor pondering nor regarding the law, nor the officers & ministers of the same, nor carying of the proces, nor punishment of the law of ỳ land, in so much that they wil not obey but at their owne will, any minister of the kings lawes, nor execution of the same: nor the officers nor ministers of the law of the said coūty, dare not in any wise come into the said Forrest, to execute any matter or proces of the lawe, against the wil & intent of the Cōmons of the Forrest & hundred aforesaid: Our soueraigne lord the King, hauing tender respect and consideration of the said mischiefs, and also cōsidering the inconueniences, which be like to insue & follow vpon the same, and vpon that willing to resist the malice of such transgressors and offendors, & to prouide hastie and conuenable remedie for his said faithful liege people, so grieued in this behalfe, by the aduice and assent of the lords spirituall and temporal, being in this present Parliament, & at the speciall request of the said Cōmons there assembled, hath ordained by authoritie of the same Parliament, that in euery such case hereafter to come, or else had, or chaūced the last yeere passed, the shirife of the said Coūtie, or the bailifes of the towne of Gloceſter, for the time being, or one of them, vpon paine of forfeiture of twenty pound, to be leuied of their lands, goods and cattels, to the vse of our soueraigne Lord the king, make Proclamation at the said towne of Gloceſter, within foure daies next after notification made to them, or to anie of them by the persons so indamaged, or by anie other in their names, of such iniuries and trespasses done, that the said trespassors & offendors shall restore in the same towne of Gloceſter within xv. daies after the said Proclamation, to the said persons so indamaged, their said corne and marchādises, goods, & cattels so taken, or the very value of the same, with reasonable amends for their damages of such taking. After which proclamation, if the said trespassors do not restore the said corne & marchandises, goods & cattels, or the value of ỳ same, to the parties so grieued in the forme aforesaid, with reasonable amēds for their damages, nor that the said trespassours be not brought to the Kings prisons to the castle of Gloceſter for the said trespasses, by the officers of the saide Forrest & hundreds, or by the Cōminalties of the same, to be demeaned in such case by the king & his Councell: that then by cōsideration of the statute of Wincheſter, put for the robbery of anie person, which giueth an actiō for him which is robbed, against the hundred, within which the same robberies is done: after the forme of the same statute, the

Treason

Shirike Bailike

Fork.

Proclamation

Restore

Statute of Wincheſter

Hundred

the ſaid Comminalties ſhalbe charged of the ſame cozne and marchandiſes, goods, & cattels ſo taken, oz of the very value of the ſame, to the parties ſo grieued, to ſatiſfie them of their damages foz the ſame taking. And that the ſaid parties ſo indamaged & grieued, may haue their general actions of debt, againſt the ſaid Cõminalties of the ſaid Fozeſt and hundzed, of the ſumme of money, to which the value of ỳ cozne, marchandiſes, goods and cattels ſo taken do extend. And although the ſaide Comminalties be no Comminalties cozpozate, yet they ſhall haue pzoces in ſuch actions of debt, by ſummons, attachmẽts, & diſtreſſe, as if he were to haue an action of debt at the common law. ſo that if ỳ ſaid Comminalties make default at ỳ ſecond diſtreſſe in ſuch actiõs, that then ỳ partie which ſhal ſue, ſhal haue iudgemẽt to recouer his debt againſt the ſaid comminalties, after the ſuppoſal of their goods, in ỳ ſozme afozeſaid, with his reaſonable damages & expences. And whatſoeuer iſſue triable by inqueſt in the ſaide Fozeſtes & hundzeds ſhall happen to be taken to ſuch actions, it ſhal bee tried by inqueſt of the body of the ſaid countie out of the ſame foreſt & hundzeds. And that the goods & cattels of euery ſingular perſon, of the ſaide Comminalties foz the time being, ſhal be had, taken, & holden in law conuict, as the commõ goods & cattels of the ſame Comminalties, touching the returne, ſeruing, & all executiõs of wzits, pzoceſſe, & iudgements, in & of the ſaid actions. And that euery ſingular perſon of the ſaid Fozeſt & comminalties, haue power by the authoritie of the ſaid parliamẽt, to attach & arreſt the ſaid treſpaſſers by their bodies, aſwell within the ſaide fozeſt as without, & them ſo arreſted, to commit to ỳ ſaide pziſon. And that the kẽper of the ſame pziſõ, vpon paine of xl. li. to be leuied of his goods & cattels, lands & tenements, to the vſe of our ſouereigne Lozd the King, ſhall ſafely kẽpe euery perſon ſo cõmitted to his cuſtodie, til the time that ỳ king oz his counſell hath ozdained oz pzouided their deliuerance of recozd. And if the goods oz cattels of any ſingular perſon oz perſons of the ſaid fozeſt & hundzeds, being not guiltie of the ſaid robberies, happen to be put in execution, becauſe of any ſuch actions & iudgements: that then the ſaid perſon oz perſons ſo being not guiltie, may haue their ſpecial action of debt oz treſpas vpõ their caſe of the goods and cattels ſo put in execution, againſt the ſaid treſpaſſers, to recouer their dammages, aſwel foz ỳ value of the goods oz cattels ſo put in execution, as foz their damages & coſtes which happened to be had becauſe of ſuch actions of debt, & they ſhal haue ſuch pzoces in the ſaid actions of debt oz treſpas, as is to bee had in the ſaid actions of debt foz the ſaide perſons ſo endammaged and ſpoyled. Ar. 8. H. 6. cap. 27.

Pzoces

Arreſt

Impriſ. Gaoler

Action

Damages

Pzoces

6 ¶ The ſaide liege people of the king may haue & enioy their free paſſage in the ſaid riuer (that is to ſay of Seuerne) with ſlotes & bzages, & all manner of marchandiſes & other goods & cattels at their wil, without diſturbance of any. And if any be diſturbed of his free paſſage in the ſaid riuer, the partie grieued ſhal haue his action accozding to the courſe of the comon law. Anno 9. H. 6. cap. 5.

Free paſſage Seuerne

7 ¶ No Pilgrim, marchant, noz none other perſon oz perſons, hozſe oz beaſt, except ſouldiers and marchants with their marchandiſes, in the maner & fozme here before recited, ſhal from henceforth take their paſſage at none other place oz pozte within the Countie of Kent, but onely at the ſaid pozt oz towne of Doure, if they may there haue ſufficient paſſage & ſhipping. And alſo that no Pilgrime, marchãt, noz none other perſon oz perſons, hozſe oz beaſt, ſhall come from Caleis to any pozt oz other place within the ſaid Countie of Kent, but only to the pozt of the ſaid town of Doure, except ſouldiers & Marchants with their marchaundiſes, vnleſſe they haue and ſhewe the kinges commaundement in wziting ſo to doe, oz els be compelled and dziuen to ſome other places oz pozt, by ſudden tempeſt. And that euery perſon, of what eſtate, degree, oz conditiõ he be, which volantarily doeth againſt this act oz ozdinance, ſhal forfait foz euery time that he ſo doth, fiue marke ſtout Soueraigne Lozde the king to haue the one halfe, to be employed vpon the reparation of the caſtle of Doure, by the ſurueying of the Conſtable, oz his lieutenant there, the other half to that perſon oz perſons of the ſaid town oz caſtle, being a freeman of the ſaid town of Doure, that will commence oz ſue an action therof againſt the offender. And that euery perſon oz perſons of ỳ ſaid Towne oz Caſtle, freeman of the ſaide Towne of Doure, may in his own name haue againſt euery perſon that willingly offendeth this Statute, a generall action of debt of the ſaid ſumme of fiue markes, &

Bilgrims, Marchant

Doure

Caleis

Tempeſt

Forf. Money

Action of debt.

Outlagary

declare especially vpon the same acte, or ordinance. And that processes of outlagarie & all other processes & determinations shalbe had in the said action, as is had and vsed in other generall actions of debt. And

Ordinaunce

also the master of euery ship and vessell, which willingly contrary to this act, doth conuey to any place or places, any pilgrime, Marchant, or other person or persons, horse or beast, shall likewise forfait

Forf.

at euery time that he doth so, fiue Marks in maner & fourme aforesaide, to be sued, had, recouered, leuied & employed. Anno 4. Ed. 4. cap. 10.

8 ¶ Whatsoeuer person or persons of what estate, degree or condition he or they be, that hereafter take any imposition of any of the kings liege people, for trough, boate, or any other vessel, for any goods or other marchandises caried or conueyed in & vpō the said riuer & water of Seuerne, or let, vexe, or interrupt any boates, troughs, & other vessels, so passing by the said riuer and water, for any such imposition or other wise against your lawes:

Impositiō

Boates

Seuerne

Boats.

Forf.

That euery such person or persons so doing & offending, shal forfait to the king our Soueraigne Lorde for euery such offence xx. li. And for euery such summe or summes so forfeited, that partie grieued, & other persons that will sue for the same forfeiture, shal haue and sue an action popular of debt, aswell to and for the vse of our Soueraigne Lorde the king, as to the vse of hym that shall sue for it in his owne name: And that our soueraigne Lord the king haue two partes of the saide summe so forfaited: And the partie that so shall sue the same, haue the third part thereof. And the partie defendant in euery such action shal not be receiued to wage his law, And also be outed of delatories in ỳ same action, as protections, essoine and other. And if it fortune the parties in any such action to defend or plead to an issue for any offences done or committed, contrary to the premisses, triable in ỳ city of Worcester, or the liberties of the same, then the same issue to be tried by twelue men with in the county of Worcester, not dwelling ne hauing any landes within the same citie, ne the suburbes of the same. And if the parties aforesaid in any such action defend and plead to an issue for any offence done or committed contrary to the premisses, triable in the shire of the town of Gloucester, or in the county of Gloucester, the same issue, to be tried by xii. men of or in the coũty of Gloucester therto adioyning not hauing any lands, ne dwelling within the same shire of the town of Gloucester.

Action of debt

Delatories

Worcester Issue

Gloucester

Prouided alway ỳ this act, or any thing in the same conteined or specified in any wise erted not, nor be preiudiciall or hurtfull to any person or persons hauing any landes or meadowes adioyning to the said streame or water of Seuerne to take of euery person or persōs (going vpon his or their saide lands and meadowes, & hauing or drawing any such trough, boate, or vessel) reasonable recompence or satisfaction for such hurtes and offences, as he or they hauing such lāds or meadowes adioyning to the said streame or water, shal sustaine by reason of any such going or drawing of any such trough, boat or vessel. Prouided alway, that if any person or persons spirituall or temporall, or any body corporate come before the Lordes of the kings honorable councel in the Starre Chamber at Westminster, at any time hereafter, before the feast of the Ascension of our Lord, that shal be in the yeere of our Lorde God 1405. and there make any sufficiēt prowfe and lawfull title of their owne offer, or by other meanes before the saide feast, to haue any maner of duetie or impositiō, of & for any maner boat, trough, or other vessel aforesaid, or for any other marchandises or goods in any of the same caried and conueyed in and vpon the saide riuer and water of Seuerne, and the same prowfe & title of the said counsell admitted and decreed before the same feast to bee good & auailable to the partie or parties that sue for the same: That then from henceforth after such prowfe and title shewed, and so by the said counsel admitted, and by them before the same feast decreed to bee good, those persōs hauing such lawful title may and shall haue, from the time of the decree made, al maner such duety of euery of the kings liege people, so carrying or conueying any boate, trough or vessel, in & vpon the saide water of Seuerne, according to their title and right so proued and decreed, after the maner and forme of the same title & decree: This present act or any thing therein contained in any wise notwithstanding. An. 19. H. 7. cap. 18.

Recompēce

Duetie

9 ¶ Whereas by the laudable customs and vsage within this realme of Englād, time out of minde vsed, that euery of the kings subiects, and al other persōs passing by the riuers of Thames or Midway, and repairing to ỳ same by water in barge, or wherry

Thames Midway Barge

Boate. Whirrie London Graueſend

whirrie boate, that is to say, from London to Graueſend, & from Graueſend againe to London, one person or moe, to haue a barge of the owners or occupiers of the same to passe themselfe, with their males or fardels betweene the saide places, for ỳ summe of iiii.s. or els euery person passing in the said barge, to pay for himself, or for himself, his male or fardel ii.d. so that the same summe of ii.d. of euery person amount to the summe of iiii.s. And a whirry boat betweene the saide places, for the summe of ii.s. hath been compelled to passe forth at euery tide, betweene the saide places. And in like wise it hath beene vsed of like time, that euery of the kings subiects, and all other persons passing or repayring by water in the tyde boate or whirrie boate from Londō to Erith, Grēnhithe, Greyfryers, or Purfleete, or from any of the same places to London, or moe, to haue a whirry boat, of the owners or occuppyers of ỳ same boate, to passe themselues with their males or fardels betweēn euery of ỳ said places for the onely summe of twelue pence, or els euery person passing in the said boate or whirry, to pay for himself, or for himselfe, his male or fardel on peny, so that the summe of one peny of euery person amount to the summe of xii. d. hath been compelled to passe forth at euery tide betweene the said places. And also it hath bin vsed of like time that euery of ỳ kings subiects, and all other persons passing or repairing by water in the tide boate or whirry boate, from London to Woolwich, or from Woolwich to London, one person or more, to haue a boate or whirrie of the owners or occuppyers of the same, to passe themselues with their males or fardels betweēn the same places, for ỳ only sume of viii.d. or els euery person passing in the said boate or whirry, to pay for himselfe, his male or fardel a halfepeny, so that the summe of a halfepeny of euery person amount to the summe of eight pence, haue been compelled to passe forth at euery tide betweene the said places.

Tide boate

iii.d.

i. Peny

viii.d.

Halfepeny

And also it hath bin vsed of like time, ỳ euery the kings subiects, & al other persons passing or repayring by water in boate or whirry, from London to Grēnewich, or from Grēnewich to London, one person or moe, to haue boate or whirry of ỳ owners or occupiers of ỳ same, to passe themselues with their males and fardels, betweene the same places, for the only sume of iiii.d. or else euery person passing in the said boate or whirry, to pay for himselfe, or for himselfe, his male or fardel, ob. so that the summe of ob. of euery person amount to the summe of iiii.d. hath beene compelled to passe forth at all times betweēn the same places. And that of like time it hath beene vsed and accustomed, that euery of the kings subiects, and all other persons passing or repairing by water in boate or whirry from London bridge, the olde Swanne, the Crane in ỳ Vintrie, Pauls wharfe, or from Saint Mary Queries to Westminster or Lambith, or frō Westminster or Lambith to any of ỳ saide places, one person or moe, to haue a boate or whirry of the owners or occuppyers of the same, to passe thēselues with their males and fardels, betweene euery of the saide places, for the onely summe of three pece, or els euery person passing in ỳ said boate or whirry, to pay for himselfe, or for himselfe and his fardell a halfepeny, so that the summe of a halfepeny of euery person amount to the summe of three pence, hath beene compelled to passe forth at al times betweene the same places.

Greenwich

iiii.d.

Westminster

iii.d.

Halfepeny

And also it hath bin vsed of like time ỳ euery of the kings subiects, and all other persons, passing or repairing from the Blacke Friers, Bridewell, or from the Temple, to Westminster or Lambeth or from Westminster or Lambeth to any of the said places, one person or moe, to haue a boate or whirrie of the owners or occupiers of the same, to passe themselues with their males and fardels betweene euery of the same places for the only sume of ii.d. or els euery person passing in the said boate or whirrie to pay for himselfe, or for himselfe, his male or fardel ob. so that the summe of one halfepeny of euery person amount to the summe of ii.d. hath beene compelled to passe forth at al times betweene the saide places. And also it hath beene vsed of like time, that all maner of persons, passing or repairing from Westminster to Lambeth, or from Stangate to Westminster, from any of the said places ouerthwart the water, one person or more to haue a boate or whirry to passe betweene euery of the saide places, in maner and fourme aforesaide, for the onely summe of a halfepeny, & the owners or occupiers of boates haue bin compelled to passe forth at al times betweene the same places for ỳ same summe. And also it hath bin vsed of like time that euery of ỳ kings subiects, & all other persons passing from

Westminster Lambeth

ii.d.

Halfepeny

Ouer the Thames

Halfepeny

Worthlake

London to Worthlake, or frō Worthlake to London, one or moe, to haue a boate or whirrie of the owners or occupiers of the same, to passe themselfe with their males or fardels betweene the saide places for ỳ only sūme of xii.d. or els euery person passing in the saide boate or whirrie to pay for himselfe, or for himselfe, his male or fardel ii.d. so that the summe of ii.d. of euery person amount to the said summe of xii.d. All such laudable customes & vsages notwithstanding, the owners and occupiers of the said Barges, boates, and whirries now refuse, and will not passe with no man for the said summes, except that they haue according to their own willes & desires, to the great let & vnquietnesse of all the kings subiects, and of all other that passe & repaire by the same, and contrarie to the said auncient vsages and customes. For breaking of which ordinãce diuers & many assaults & frayes daily bin made, so that often times thereof manslaughter doth ensue. And ouer that the poore husbandmen, & other houlholders, dwelling nigh about where such ferries bin vsed, can haue no seruants ỳ will serue by the yere, but only by the weeke, and at the wekes end to be at their libertie, to ỳ intent that they may bee watermen for their singular & excessiue lucre in that behalfe: Be it therefore &c. that the said laudable custome & vsage, in maner & forme afore rehearsed, be obserued & kept, & duely put in execution in euery point.

xii.d.

ii.d.

Watermen

And that all and euery the watermen rowing in great barges, with any Lorde or Lords, or other persō or persons, what soeuer they be, take no more for his wages or labour by the day then vi d. without meate or drinke, except hee rowe to Worthlake or Greenewich, & then to take viii.d. onely without meate & drinke. And that if the kings subiects, or any of them, or any other person or persons, frō henceforth require the owners or occupiers of any such barges, boates, or whirries, at any of the said ferries, to passe with them, offering of them money for their fare or fares, in forme as is afore specified: or els if the said Lords, or other, require the said watermen, to goe with them in their barges or barge, for the vi.d. aboue saide, and the said owners or occupiers, watermen or bargemen refuse to passe forth with him or them for the same fare or wages: then the same owners or occupiers of such barges, boates, or whirries, the said watermen or bargemen so refusing, & euery of them, for euery such refusal, to forfeit ỳ treble value of the fare, fares or wages, so refused: The one halfe of the saide treble value of the said fare, fares or wages, to be to the vse of the king, and the other halfe to him that will sue in that behalfe: which suite the partie that in that case will sue, to haue his suit by action of debt, information or presentment, and the partie defendant there not to be admitted to wage his lawe, ne to be essoined, ne protection for him to be allowed in the same. And ouer that be it lawfull to the bailifs, constables, and other the kings officers, & euery of them in euery place next adioynant, where the saide ferries bin exercised, vpon complaint to them or anye of them thereof made, by any of the kinges subiects, or any other person or persons, ỳ finde them grieued in that behalfe, to arrest the said offender or offenders, and to commit them to warde for their misdemeanor, & to make fine for the same. And that the Iustices of peace of euery shire, where the said ferries bēne exercised, the Maior & Shirifes of London, and the Stewards in their leetes, and euery of them, haue authoritie to enquire at euery Sessions & Lētes, aswel of the defaults of the said owners, or occuppyers of such barges, boates, whirries, watermen, and bargemen, as of the default of the saide officers for lack of punishmēt of euery such offenders. An. 6. H. 8. cap. 7.

Fork.

Wattis

Wages vi.d.

Require

Bailife Constable

Arrest

Fine

Iust. of P. Ferries

Maior Shirife Stewards

9 ¶ No person or persons interrupt by any obstacle, let, or otherwise, any person or persons passing or repassing on & vpon euery of the said pathes customed (s. a path of a foote and a halfe on euery side of the riuer of Seuerne) nor also aske, take or demaund any toll called a draught or bottel of wine, or any other tare or imposition of any of the kings subiects there going in ỳ said pathes accustomed vpon euery side of ỳ riuer of Seuerne, there haling or drawing their boates, troughes or vessels: vpon paine to forfait for euery time that he or they so shal interrupt any of ỳ kings subiects, or aske, or take any such imposition, by what name soeuer it be called, xl. shillings. The one halfe thereof to be to the king, and the other halfe to the partie grieued that wil sue for the same &c. in the which suite no essoine &c. shalbe allowed, An. 23. H. 8. cap. 12.

Path

Seuerne Toll

Fork.

Wattis

10 ¶ Euery person or persons taking vpō him or them to haue and to kepe any of

Passages Seuerne

of the said passages, or any other passages vpon Seuerne aforesaid, from henceforth do not conuey, neither carte with any manner barge, boat, or other vessel, any person or persons, with horses, mares, oxen, kine or any other cattel, nor no other person or persons, before the time of the Sunne rising in the morning, & after the time of ỳ Sunne being gone downe at night, vpon paine of imprisonment, and fine to be set on him that shal so conuey or carie ouer any of the said passages of the said riuer of Seuerne out of England into Wales, or the forrest of Deane, or out of Wales, or ỳ said forrest of Deane into Englād, vnlesse the said passengers & euery of them haue good knowledge of such person & persons, & of their dwelling places, & vpon request to them made by any person or persōs, to disclose the name & the dwelling place of euery such person or persons, so by them conueyed ouer ỳ saide water, to any such person or persons, requiring the same, if suit be made for and after them, vpon any outcry, hue or fresh sute, or of any felony, robbery, murder, and manslaughter committed and done from henceforth.

Sun rise

Sunset

Imprison

Wales

Hue & cry

Iust. of P.

And that the Kings Iustices of peace within euery of the said coūties of Glouc̄ester & Somerset at their quarter Sessions, shall haue full power & authoritie to call before them all such persons which hereafter shal kepe any of the said passages, or any other ferry or passage ouer the said water into Wales, or the said forrest, or out of Wales, or the saide forrest into England, and to binde them with sufficient sureties with them in recognisance, in such summes of money as it shall seeme to the discretion of the said Iustices of peace, that they and euery of them being passengers & kepers of ferries & passages, as is aforesaid, from henceforth shall not after the said times before limitted and appointed, conney or carry, or cause to bee conueyed or caryed any manner of person or persons, or any kinde of cattell, but such persons as they doe knowe and will answer for, and know where their abidings, dwellings, and habitations be, and vpon request made to them or any of them, as is abouesaide, shal from time to time disclose as well the same person or persons, as the goods & cattels so passing the saide passages vpon fresh sute made, or hereafter to be made vpon a felonie, murder, or robbery committed and done, in the borders or ỳ counties aforesaid, or any other place wiin this realme or South Wales. An. 26. H. 8. cap. 5.

Masters Sessions

Recog.

Iust. of P.

Cattel

11 There shal be yerely appointed, chosen, and elected by the Maior and court of Aldermen of the Citie of London for the time being, the number of eight persons, of the most wise, discreete, and best sort of Watermen, being houshoulders, & occupying as Watermen, vpon the saide riuer betwixt Grauesend and Windsore, which election shall bee yerely at the first court of Aldermen, to bee holden within the saide Citie next after the first daye of March, and the same eight persons so elected shalbe named and called the ouerseers and rulers of all wherrymen and watermen that from and after the saide first day of March, shal vse, occupie or exercise any rowing vpō ỳ said riuer of Thames, betwixt Grauesend and Windsore aforesaide, which saide ouerseers and rulers shall keepe & maintaine good order and obedience amongst the saide Watermen according to the true meaning of this present acte.

Maior London 8. persons

Ouersetts

And also bee it &c. that after the feast of Pentecost next comming, no person or persons, where two Watermen, and not aboue the number of two shall rowe together in any bote or wherry, in any place or places betwixt Grauesend and Windsore aforesaide, shall presume or enterprise to receiue or take anie person or persons into his or their boat or wherry, to ỳ intēt to carry or cōney him or them therin, vnlesse one of ỳ same two Watermen hath bene for the most parte exercised and vsed in rowing vpon the saide Riuer of Thames by the space of two whole yeres before that time. And that also one of the same two Watermen at the least, be duely admitted & allowed by the same eight ouerseers and rulers, or the most parte of them by writing vnder their knowen seale, to be a sufficiēt and able waterman, vpon pain that euery person and persons presuming or offending contrarie to the true meaning of this present acte, shall by the eight ouersērs or rulers, be committed to prison in one of ỳ Counters of the Citie of London, there to remaine by the space of one moneth or lesse, as the offence shall require.

2. yeres exercise

Imprit.

And also bee it &c. that no person or persons being single men, not kæping household and not retained, shal from and after ỳ saide feast of Pentecost next cōming, vse or exercise to rowe betwixt Grauesend &

Single men Not retained

Windsore afore said, vnlesse he or they be prentise or prentises, or in seruice retained with a master by the whole yere at ỳ least, vpon paine of like imprisonment.

Impris.

Maior

And also be it &c. that the Lord Maior of London, & the Aldermen of the same citie & the Justices of peace win ỳ shires next adioining to ỳ said riuer of Thames, euery of them within their seuerall iurisdictiõs & authorities, shal haue full power & authoritie by vertue of this present act, vpon complaint made to them or any of them by the said ouerseers & rulers or two of them, or the master or masters of any such seruants, not only to examine, heare & determine all complaints & offences to be done or committed by any such person or persons, that shal offend contrary to ỳ true meaning of this present act, & to set at large all & euery such person & persons, as shall fortune to bee imprisoned by the said ouerseers & rulers according to this act, if iust cause shall appeare vnto them so to do: But also by their good discretiõs & wisedome, to punish, correct, & reforme ỳ said ouerseers & rulers & euery of them that shal mustly, or without good cause or ground, punish any person or persons, by colour of this present act, or any thing therein contained.

Iust. of p.

Dier & ter.

Punish

And be it &c. that if any person or persõs whatsoeuer, from henceforth do or shall make any whirrie or boate, to the intent comonly to vse rowing & carrying people vpon the saide riuer of Thames, which shal not be xxii. foote & a halfe in length, & iiii. foote & a halfe broad in the midship, or which shal not be substantially & well able & sufficient, to carrie two persons on euery side right, according to the old quãtitie, scantling, thicknesse of boord, goodnes, & good proportion, heretofore had & vsed: that then the same boate or boates, so being made contrary to the proportion & sort before expressed, shalbee taken as forfait, & shalbe forfait, the one halfe therof to the king & Queenes maiesties vse, & to the vse of the heires & successors of the Quẽnes Maiestie, & the other half to him or them that wil sue &c. wherin no wager of law &c. shalbe allowed.

Whirrie Boate

Length Bredth

Goodnes

Forf. Boitie

And be it &c. that if any person or persõs which from & after the feast shall vse and exercise the occupatiõ of rowing betwixt Graueſend & Windsore aforesaide, which in the time of the execution of any cõmission of pressing that shalbe had for ỳ seruice of the king & Quẽnes maiesties, & the heires & successors of the Quẽns maiestie, in their affaires, shall willingly, voluntarily, & obstinately withdraw, hide or conuey him or themselues in the same time of pressing, into secret places, & out corners, & after whẽ such time of pressing is ouerpassed, shal returne & come againe to the said riuer of Thames, to rowe betwixt Graueſend & Windsore aforesaide, & that duely proued by two indifferent witnesses, before the saide Maior & court of Aldermen or Justices of the peace, and two of the said rulers: that then he or they so doing & offending, shal suffer imprisonment by the space of two weeks, and bee banished any more to rowe from thencefoorth, vpon the said riuer of Thames, by the space of one whole yeere and a daye, then next following.

Press

Absent

Maior Justice of p.

Impris.

Banished

And be it &c. that it shalbe lawfull to the said eight rulers for the time being, and their successors from time to time, to conuent and call before them at some conuenient place by them to be appointed, all & euery such person & persons, which from & after the said feast of Pentecost, shall occupie & vse the said trade and occupation of rowing betwixt Graueſend & Windsore aforesaid, and shal enter and register the name and names of them, and euery of them that shalbe by them allowed or admitted for watermen, to rowe betwixt Graueſend and Windsore aforesaid, in a booke to be made for the same intent and purpose, and to take such further order & direction therein, with euery of the saide parties, by the authoritie of this present act, as it shall seeme méte & necessarie by the discretion of the said ouerseers and rulers for the time being. And also that the saide ouerseers and rulers shall and may by authoritie of this act ouersee, view and survey, at all and euery time and times hereafter, all maner boats and whirries, that shal from and after the saide feast bee made, before the said boat or boats, whirrie or whirries be lanched out of the yard or grounde wherein the same boate or boates, whirrie or whirries shall fortune to be made, into ỳ said riuer of Thames, to the intent that they and euery of them may be made and prepared in such maner and fourm, and according to the goodnes, proportion, and quantitie in this present act before limitted and expressed.

8. rulers

Register names

Survey

Boates Whirries

And be it &c. that if any person or persons, which at any time hereafter shalbe elected or chosen to be a ruler or ouerseer, as before

Pressing

before is expressed, do happen negligently to vse & exercise his or their rome or place or that will obstinately refuse to take vpō him or them, the rome or romes, place or places of any of the said ouerseers or rulers: that then all & every such offender or offenders so offending, shall lose & forfait the summe of v.li. of lawfull money of England: The one halfe thereof shall be to our Soueraigne Lord & Lady the king and Quenes maiesties vse, & to the vse of the heires and successours of the Quenes maiestie, & the other halfe to him or them, that will sue for the same in any of ỳ king and Queens Maiesties courts of record, by action of debt, or by any other ỳ waies or meanes aboue specified, wherin no waier of law, essoine, protection, or iniunction shal be admitted or allowed for the defendant or defendants.

And be it &c. that the said Maior & court of Aldermen of the said citie of Londō, for the time being, shal from time to time at their discretions, limit, set, and assesse the price & prices, and summes of money, that euery person or persons so authorised to rowe as is aforesaid, betwirt Gravesend and Windsore aforesaid, shall take for his or their labour or fare from place to place, particularly betwirt Gravesēd & Windsore aforesaid, and the same prices and assessements to be set, shall bring or cause to be brought to the priuie counsel of our Soueraigne Lord and Lady the king and Queene to be viewed and seene by some of the said priuie counsell, and after that the said assessements and prices shall bee signed and subscribed with the handes of two of the saide priuie counsel at the least, the saide Maior & court of Aldermen for ỳ time being, shall cause the said prices and assessements to be drawen & set vp in tables in the Guildhall, in the citie of London, Westminster hall, and elsewhere, where the said Maior & court of Aldermē shal thinke conuenient. And euery person & persons that shall take for his or their fare or labour aboue the prices that shal be assessed, viewed, written and set vp in forme aforesaid, shal forfait for euery such offence xl.s and also shall suffer imprisonment by one halfe yeere, the one moitie of ỳ said forfeiture to be to ỳ king & Quens maiesties, their heires and successours, & the other moitie thereof to him or them that will sue for ỳ same in any of ỳ kings and Quenes Maiesties courts of record, by action of debt, or by any other ỳ waies or meanes aboue specified, wherein no wager of lawe, essoine, protection, or iniunction shall bee admitted or allowed for the defendant or defendants.

Negligēce
Refuse
Forf.
Moitie
Maior London
Price
Fares
K. counsell
Subscribed
Tables.
Forf.
Imprisō.
Moitie

And be it &c. that no person nor persons occupying or using any Westerne barge, shall retaine, take or receiue into his or their seruice, any single person, not keeping house or household, but onely such as shall be retained with him or them by the whole yere, and no householder, but such as he or they will & shall aunswere for, for his or their good behauiour, vpon paine of forfeiture for euery such offence, xl.s. the one moitie therof to be to the king and Quenes Maiesties, her heires & successours, & the other moitie thereof to him or them that will sue for the same in any of ỳ king and Quens courts of record, by action of debt, or by any other the waies & meanes aboue specified, wherein no wager of lawe, essoine, protection, or iniunction, shalbe admitted or allowed for the defendant or defendants. Anno 2. & 3. Phil. & Mar. cap. 36.

Westerne barge
Single person
Retainers
Good behauiour
Forf.
Moitie

¶ Pattens and Pattenmakers.

AN. 4. H. 5. cap. 3, an act was made that pattenmakers should make no pattēs nor clogs of Aspe, vpon paine of C.s. so that Fletchers might sell their arrowes at more easie price.

Aspe
Forf.
Fletchers

2 ¶ Anno 4. Ed. 4. cap. 9. it was enacted that Pattenmakers might make pattēs of Aspe, that were not sufficient for arrowes, and pattenmakers, making pattens of clogges of Aspe, sufficient for arrowes, should forfait xl.s.

Aspe
Forf.

¶ Patents.

WHen our Soueraigne Lorde the King giueth or graunteth lande or a mannour with the appurtenances, except hee make expresse mention in his deed or writing of knights fees, aduowsons of Churches, & dowers when they fall, belonging to such mannors or lands, then at this day the king reserueth to himselfe such fees, aduowsons, & dowers, albeit that among other persons it hath not bin so obserued. Prærogatiua Regis, cap. 15. An. 17. E. 2.

Mention
Knights fees
Aduowsons
Dowers

3 ¶ All the annuities & other thinges giuen or granted by our soueraigne Lord the king, or by his father or grandfather, to any manner persons with the clause, Quousque prouisum fuerit aliter duxerimus

Annuities

ordinandum, shalbe wholy voide and of no force, if the same persons haue accepted afterward any other things of the king, or of his said father or grandfather. Anno 11. R.2.cap.8.

Sell Forf.

3 ¶ Anno 11.R.2.cap.7. It was enacted, that the kings great officers might sell parcell of the forfaitures of them that were forejudged in that parliament. And after, Anno 1.H.4.cap.9. It was enacted, that those grauntes should bee good notwithstanding any other graunts, and that they that would, might haue confirmations of them.

Rents Offices Annuities

4 ¶ That the king may not be hereafter deceiued in his graunts, Be it ꝛc that all they which from hencefoorth doe demaund of the king lands, tenemẽts, rẽts, offices, annuities, or any other profits, shal make expresse mention in their petitions, of the value of the thing so to be demaunded, and also of that that they haue had of ẏ kings gift, or of other his progenitors or predecessours before.

Mention Petition Voide

And in case they make not such mention in their said petitions, and that duely proued, the kings letters patents thereof made, shal not be auailable, nor of no force nor effect but wholy reuoked, repealed, & adnulled for euer, to the punishment of them which so haue done deceite to the king, as they that bee not worthie to enioy the effect and benefit of the letters patents to them graunted in this behalfe. Anno 1.H.4.cap.6. See this statute explaned here 5.

Perely gift. Fee

5 ¶ To take away all ambiguities that might rise by the darkneſse of the former statute 1.H.4.(before 4) Be it ꝛc. that all they which from hencefoorth doe sue to the same our soueraigne Lord ẏ king, to haue of him any grace or gift perely or in fee, or other wise, shal make expresse mention in their petition, of how much they haue had of the gift & graunt of the noble king Edward grandfather to our soueraigne lord the king, or of Richard late king, or of Edward late prince of Wales, or of John late duke of Lancaster father of our soueraigne lord ẏ king, or of ẏ king himself, & not of any other progenitor or predecessour of the same our soueraigne Lord. And hee that maketh not such mention in his petition, his letters patents made to him at the same time by our soueraigne Lord the king, shalbe of no force nor effect. And moreouer as to the words, that is to saye, (other profits) comprised in ẏ said statute, our saide soueraigne Lord the king hath declared and graunted, that of no profits, gifts, goods or catels, or any other things graunted or giuen by the same our soueraigne Lord the king to any, to the value of C.li. or within, except wardes & mariages, of which the king will that he which so shal sue to him, shal make expresse mẽtion in his petition of the valour of the same, none shal incurre the paine comprised in the saide statute. And it is not the kings minde that for any confirmation or licence made to any by our said Soueraigne lord the king, of any liberties, frãchises, annuities, or any other thinges granted by any of his progenitors, or predecessors, or other person, & not specified in any petition, to be demaunded, otherwise then aboue is declared, none shal incurre the paine of the said Statute. And as to the other articles comprised in the said statute, our soueraigne Lord wil that they be firmely holden & kept, & put in due execution. An.2.H.4.cap.2.

Wards Mariages

Value

Confirmation

6 ¶ An.4.H.4.cap.4. the king declared that he would abstaine from grauntes of reuennes, lands & wardships, but to such as had deserued, and they that asked any such, should be punished, and should not haue the thing.

Abstaine

Punish

7 ¶ An.6.H.4.cap.2. it was enacted that ẏ Quéne nor the kings sonne should not be restrained by the statute of Anno.1 H.4.cap.6.

8 ¶ An.7.H.4.cap.16. it was enacted that they that had ẏ elder letters patents or graunts of annuities by Henr.4.Ed.3. or Rich.2. shoulde bee first payed at the Eschequer, ꝛc.

Paide Eschequer

9 ¶ Euery warrant hereafter sent by the same our soueraigne Lord the king, or his heires, to the Chauncellour of England for the time being, the day of the deliuery of the same to the Chauncellor, shal be entred of record in the Chancery. And that the Chauncellour do letters patents to be made vpon the same warrant, bearing date the day of the saide deliuery in ẏ Chauncery, & not before in no wise. And if any letters patents be from hencefoorth made to the contrary, they shalbe voide & holden for none. An.18.H.6.ca.1.

Warrant

Chauncelor

Date

Voide

10 ¶ Euery graunt, release, confirmation and restitution, made and granted by the King in fee simple, or fee taile, to any person or persons after the fourth daye of March, the first yere of his reigne, of any manour or manours, lands or tenements with

Graunt Release Confirmation

with their appurtenáces, whereunto the said person or persons before the time of euery such grant, release, confirmation, or restitution to him or them so made, had, in, or to the same, right or title, shall be of such force & effect as they were before the beginning of the said parliament: any acte made or to be made in the same parliámēt notwithstanding. An. 7. E. 4. cap. 4.

11 ¶ The Kings highnes of his goodnes calling to his remembrance, ỳ where his grace hath graunted to diuers of his seruaunts (for their seruice to his grace done) lands, tenemēts, fées, offices, & other things, to haue to them during his pleasure: & after, other persons by their sundry sutes haue obteined of his highnesse other letters P. of the same, not aduertising his grace of his former grants, wherby ỳ said former patentées haue ben anoyded & put from the aduantage of their saide former grants & patents cōtrary to the intent & grant of our soueraigne lord: Wherefore be it &c. that if any person or persons from henceforth do make sute to ỳ kings highnes for any lands, tenemēts, offices, or any other things, so by his grace granted, or hereafter to bē graunted to any person or persons, during his pleasure, ỳ said first patentée then being in life, that he doe expresse in his said bill of petition or patent, the tenor of the said former patent, & that the king then hath determined his pleasure against ỳ saide first patent, or else the second letters P. of anie of the premisses to any person hereafter to be graunted, to be voyd & of none effect. An. 6. H. 8. cap. 9.

During pleasure

Mention

Voyd

12 ¶ Where the kings moste excellent highnes, sithēce the fourth day of Februarij, in ỳ xvij. yere of his Maiesties reign hath obtayned & purchased, as well by exchanges, as by gifts, bargains, fines, feoffments, recoueries, déedes enrolled, and otherwise of diuers & sundry persons, many sundry & diuers honours, castles, manors, lāds, tenemēts, medowes, pastures, woods, rents, reuersions, seruices & other hereditaments, and hath not only paid diuers and sundry great summes of money for the same, but also hath giuen & graunted for & in consideration thereof, vnto diuers persons late owners thereof, diuers and sundry manors, landes, tenements, and hereditaments, & other recompences, in & for full satisfaction of all such honors, castles, manors, lands, tenements, rents, reuersions, seruices and other his hereditaments by his highnesse obtained, purchased or had as is aboue said: Be it therefore &c. that our said soueraigne Lord the king, his heires and successors, shall haue, hold, possesse, and enioy all and singuler the same honours, castles, mannours, lands, tenements, & other hereditaments, which his Highnesse sith the saide fourth daye of Februarie, in the xvij. yere aboue said hath obtayned and had, or at any time during the space of seuen yéres next ensuing the making of this present acte, shall obtaine, purchase, or haue, by way of exchange, bargaine, purchase, or other whatsoeuer meane or meanes, according to the true meaning & intent of his highnesse bargain, exchange or purchase therin, misrecitall, misnaming, or nonrecital, or not naming of any of the said honors, castles, manors, lands, tenements & other hereditaments, or of the true names or certainties of them or of any of them, cōprised, or mentioned in the bargaines or writings made betweene the kings highnes & any other party or parties, or of any part or parcel therof, or of any of ỳ townes or cōuties where the said honors, castles, manors, landes, tenements, and hereditaments lie and bēne, or any other matter or cause whatsoeuer it be, in any wise notwithstanding. Sauing to all and euerie person and persons, and to their heires, bodies politike and corporate, & their successors, & to euery of them, other then such person and persons, and their heires, and their wiues, & the wiues of euery of them, bodies politike and corporate, and their successors, and euerie of them, of whome the kings highnesse hath obtained by exchange, gift, bargain, fine, feoffement, recouery, déede inrolled, or otherwise, or at any time hereafter during the saide seuen yeres next cōming, shal obtain, purchase, or haue any such honors, castles, manors, lands, tenements, & other hereditaments, as is aforesaid, all such right, title, vse, interest, possession, rets, charges, annuities, commodities, fées, and other profites, (rentes seruite, and rents secks onely except) which they or any of them haue, might, or ought to haue had, in or to ỳ premisses so obtained and had, or in or to any parcel therof, in as ample and large maner, fourme and condition, to all intents, constructions and purposes, as if this acte had neuer bēne had ne made: This present act or any thing therein contayned to the contrary notwithstāding. And where also our saide soueraigne Lorde the king,

Exchange Bargaine Purchase

Misrecitall Misnamer Non recital

Bodies politike

Rent seruice Rent secke

sithen

sithen the said iiii. day of Februarie, in the said xxvii. yere of his Maesties raigne, as well vpon diuers & sundry good considerations his Maestie specially mouing, as also otherwise hath bargained, solde, exchanged, giuen, & graunted by his Graces seuerall letters patents, indentures, or other writings sealed vnder his highnesse great seale of England, the seale of his Duchie of Lancaster, & the seale of the office of the court of Augmentations of the reuenues of his crowne, or any of them, as wel to bodies politike & corporat, as to diuers & sundry other of his louing & obedient subiects, diuers & sundry, honors, castles, manors, monasteries, abbaties, priories, lãds, tenemẽts, rẽts, reuersiõs, seruices, parsonages appropriated, aduowsons, tithes, oblations, pentiõs, portions, franchises, priuiledges, liberties, offices, & other hereditamẽts, comodities, & profits in fée simple, fée taile, for terme of life or liues, or for terme of yéres, as in ỳ same seuerall letters patentés, indentures and other writings is mentioned & declared.

Solde Giuen

Seale Lancaster Augmentation

And where also the kings Maestie heretofore sithen the said fourth day of Februarie, by his seuerall letters patentes, sealed vnder the said great seale of England, or otherwise, of his accustomable goodnesse, hath newely erected, ordayned, and made diuers Bishops, Deanes, & Chappiters, Colledges, and other bodies politike & corporate, and hath by his seuerall letters patẽts sealed vnder the said great seale of Englande, giuen and granted as well vnto them, as to diuers bodies polytike and corporate, & to their successors, by such name or names as they thẽ were, bee or now stand corporate, diuers, manors, lãds, tenemẽts, parsonages, tithes, pensions, portions, aduowsons, nominations, presentations, and other hereditaments, & such or like liberties & iurisdictions in the same manors, lands and tenements, mentioned in any of the same letters patentes, as he to whome any such letters patents were or be made or granted, or his predecessors before had or enioyed, in the manors, lands, tenementes, & hereditaments, departed or appoynted to ỳ king, or such as any the late Abbot or prior of any late Monasteries, or priories, or other person or persons whatsoeuer, or any of them mẽtioned in any of ỳ sayd letters patents, lawfully had, exercised, vsed, or enioyed within ỳ said Castles, manors, landes, tenements and hereditamentes, mentioned in any of the saide letters Patents, in auoiding, disturbing, hurting, or hindering of diuers of the said seuerall letters patents, indentures, and other writings, and of the manors, landes, tenements, hereditaments, and other things in them contained, sundry and many ambiguities, doubts, and questions haue or might hereafter happen to be moued, obiected, alledged, inuented, procured or stirred, aswell for misnaming, misrecitall or non recitall, of any of the same honours, castles, manors, monasteries, Abbaties Priories, lands, tenements, & other ỳ premisses, or any parcell thereof, or for lacke of finding of offices, or inquisitions of & in the premisses, wherby ỳ title of the kings highnes therein ought to haue bin found, before the making of the same letters patents, or other writings, or for misrecital or non recitall of Leases thereof before made, aswel of record as not of record, or for lacke of the certaintie, miscasting, rating, or setting forth of the yeerely values & rates of the premisses, or of the yérelie rents reserued of & for the premisses, or any parcel thereof mentioned or contained in any of the said letters patents or other writings, or for ỳ the premisses be, or any part therof is valued to a more or lesse value in the said letters patẽts or writtings, then the said manors, lands, tenements & other the premisses then were or shall be in the yerely value: or for misnaming of ỳ townes, hamlets, parishes, or countyes, where the same honors, castels, manors, monasteries abbathies, priories, landes, tenements, rents hereditamẽts & other ỳ premisses, & euery parcell thereof, or ante parcel therof lien or bẽn: or for lacke of ỳ true naming of ỳ natures, kinds, sorts, or quantities of the said possessions, or hereditamẽts, or any parcell therof: or for lack of the true naming of the corporation of ỳ same: or for lacke of Attournement, Liuerie of seisõ, or for misnaming of any of the late Tenantes or Farmors, of the same, so sold, giuen, or exchanged. For remedy & reformation whereof, be it &c. that aswell all and euery the saide letters Patentes, Indentures, and other writings and euerie of them, sealed with or vnder the Seale or seales aboue said, or any of them, made or graunted by the kings Highnesse sithen the saide fourth day of February in the saide twentie and seuenth yeere of his most noble raigne, as also all and singuler his Graces letters patents, Indentures and

Doubts

Misnaming Misrecitall Non recital

Offices

Misrecital Non recital Leases

Miscasting Yerely value.

Rents

Misnaming

True naming Quantitie

Attournemẽt Liuery of seisõ. Misnaming

Bishops Deanes Bodies politike

and other writings hereafter during the
7. yeeres space of vii. yeeres next ensuing ỹ making of this present act to be had, made or granted with or under any of the seales aboue said to any body politike or corporat, or to any other person or persõs, of any honors, castles, mannors, monasteries, abbaties, priories, nunries, colleges, hospitals, houses of Friers, or of other religious or Ecclesiasticall houses or places, sites, circuits, precincts, lands, tenements, parsonages, tithes, pensions, portions, aduowsõs, nominations, presentations, franchises, liberties, and other hereditaments, commodities, possessions & profits, of what kind, nature or qualitie soeuer, they or anie of them be, is, or shall bee, or by whatsoeuer name or names they or any of them be, is, or shalbe named, knowen, or reputed, shal
Effectual stand and bee good, effectuall, and atayleable in the law tõ all intents, respects, cõstructions and purposes against his maiestie, his heires and successors, without any
Confirmation confirmation, licence, dispensation, or
Licence tolleration of the kings highnesse, his
Dispensation heires or successors, or of any persõ or persons whatsoeuer, any the cause or matters aboue mentioned, contained, or hereafter during the saide seuen yeres, to bee contayned in any such letters patents, indentures or other writings, to the cõtrary in any wise notwithstanding.

Prouided alwaies and bee it &c. that all and singuler such letters Patents, which at any time heretofore sithen the xxviii. day of April, in the thirty & one yere of our said Soueraigne Lords raigne haue bene graunted or made, or hereafter shall bee made by the kings highnes, to any person
Office Keepers or persons, of any office of keeping of any castle, Blockhouse, Parke, Chase, Forest, or keeping of any mannours, or mansion place, house, or houses, with an annual fee, or other yearely profits, for the exercising of the same, & after the said Castle, Blockhouse, Mannour, mansion place, house or houses, Parke, Chase, or Forest, happen to be fallen downe, departed, disforested, or destroyed, so that the cause of the exercising of such office is determined: that then the letters patents of graunt of the same office and offices, with the fee and fees, or other profits for the exercising of ỹ same, shall be from henceforth clearely determi-
Voide ned, and stande and remayne as voyde for euer: Any thing in this acte contayned to the contrary notwithstanding.

Prouided also, that this act, or any thing therein contayned, shall not in any wise extend to reuiue, or make good any letters patents of the graunt of any office or offices, heretofore granted or made, by our said soueraigne Lord the king, which now is or be, or at any time hertofore haue bin adnihilated, determined or made voyd, by authoritie of Parliament, iudgement, decree, or otherwise, any thing in this act cõtained to the contrary notwithstanding.

Prouided alway, and bee it &c. that all & singuler such patentes, grauntes, and donees, as at any time from henceforth during the saide vii yeres now nert coming, shall fortune to haue or obtayne any castles, mannours, lands, tenements, tithes, pensions, portions, or other hereditamentes, of the gifte, graunt, sale or exchange of the kings Maiestie, or of the
Gift Graunt Sale Exchange only gift of the kings Maiestie, of his most liberall disposition and not solde, which at the day of the date of the letters Patents thereof made, shall bee of more or better yearelie value to the King, in yearely rent
Better vals or ferme, then shall bee conteyned, mentioned or specified in anie such letters Patents, and particulars therof made by the Auditour or Auditours, and in such Bill or Billes, as shall bee signed and sealed with the hand or hands of the patentee or Patentees thereof, to bee exhibited to the kings maiestie, or his officers in whose
Bill suruey the said mannours, landes, and tenements, and other the premisses, or anie part therof shalbe, or within any of them, which bill shall be signed, sealed, had and made as is aforesaid before any bill shalbe thereof signed by the kings Maiestie, that then euery of the said patentees, grantees, and donees, their heires executors or administrators, within one yeere nert after
One yeere due proofe and decree thereof made & had,
Court in the Courte within whose suruey the same castles, manors, lands, tenementes, & other the premisses, or any parcel thereof then shall be, shall content & paye vnto the king, for the same ouerplus and more
Ouer plus value, for the same mannours, landes, tenements, tithes, pensions, portions, and other hereditamentes to him solde or exchãged, after such rate as the other lands and tenements were before to him sold or exchanged: And for the ouerplus & more value of such lands & tenements, as shall happen to be giuen by the K. maiestie, and not sold as is aboue said, the said patentee, his heires, executors or administrators, shall content and pay to the king after the

said

20. yeres purchase

said rate of xx. yeres purchase, so that the same prowfe and decrꝛe be had and made in forꝫm abouesaid, within ten yeres next after the date of the said letters patents.

Prouided alwaies, that this act nor any prouisiõ, clause or article therein cõteined shal not be vnderstãd or interpreted to be hurtful or preiudicial to any the K. letters patents, Indentures or writings heretofore made cõcerning any bargaines, couenants, sales, grants, erchãges, or gifts of

Fee simple Fee taile

any castles, manors, lands, tenements or other hereditamẽts in fee simple, or in fee taile, sithen the fourth day of Februarye in the xxvii. yeere of his Maiesties raigne & before the eight & twentieth day of April, in the foure and twentieth yere of his said highnesse raigne, vnder any of the seales aboue specified in this acte: nor to any acte or Statute heretofore made for the corroboration of such Letters Patents, Indentures, or writing. Anno 34. H. 8. cap. 21. See an addition to this Acte, and confirmation of the Letters Patents mentioned in the same, here following 18.

13 Where the kings most excellent highnes sithen ỹ xxviii. day of Januarye, in the first yeere of his Maiesties reigne, aswell vpon diuers & sundry good considerations his Maiestie specially moouing, as also otherwise, hath bargained, sold, exchanged, giuen, restored & granted by his graces seuerall letters patẽts, indentures, or other writings, sealed vnder his highnesse great seale of England, the seale of ỹ Duchie of Lancaster, & the seale of the Court of Augmentations & the reuenues of his crown, or any of them, aswel to bodies politike & corporate, as to diuers & sundry of his louing & obedient subiects, diuers & sũdry honors, castles, mannors, lands, tenemẽts, rents, reuersiõs, seruices, parsonages appropriated, aduowsons, tythes, oblations, pensions, portiõs, franchises, priuiledges, liberties, & other hereditamẽts, commodities & profites, in fee simple, fee taile, for terme of life or liues, or for term of yeres as in the same seuerall letters patents, indentures & other writings is mẽtioned & declared. In anoyding, disturbing, hurting or hindering of ỹ said seuerall letters patentes, indentures, & other writings, & of the said manors, lands, tenements, hereditamentes, & other things in them contained, sundry and many ambiguities, doubts and questions haue or might hereafter happen to be mooued, obiected, alledged, inuẽted, procured, or stirred, aswell for misnaming, misrecitall, or non recitall of any of the said honors, castles, manors, lands, tenements, & other ỹ premisses, or any parcell thereof, or for lacke of finding of offices or inquisitions, of & in the premisses, whereby the title of the kings highnesse therin ought to haue bin found before the making of ỹ same letters patẽts, or other writings, or for misrecital or nonrecitall of leases thereof before made, aswell of recorde as not of record, or for lack of ỹ certainty, miscasting, rating, or setting foorth of the yerely values and rates of the premisses, or for the yerely rents reserued, of & for the premisses, or any parcel therof, mẽtioned, or contained in any of the saide letters patents, or other writings, or for that ỹ premisses be, or any part therof is valued to a more or lesse value in the said letters P. or writings, thẽ the said honors, manors, lands, tenements, and other the premisses, then were or shalbe in yerely value, or for misnaming of the townes, hamlets, parishes or counties, where the same honours, castles, manors, lands, tenemẽts, rents, hereditaments, & other the premisses, & euery parcel therof, or anie parcel therfore, lien or bin, or for lack of the true naming of ỹ natures, kindes, sorts & quantities of the saide possessions or hereditaments or anie parcell thereof, or for lacke of the true naming of the corporation of ỹ same bodies politike or corporate, or for lack of atturnement, liuerie or seison, or for misnaming of any of the late tenants or farmours of the same premisses so sold, giuẽ, granted, or erchãged, as for diuers & sundry other suggestions & surmises not comprised in the saide letters Patents, which hereafter might happen to be mooued, surmised, or procured against the same letters patents: For remedie & reformation whereof, be it &c. that aswel al & euery the said letters patents, indẽtures, and other writings, & euery of them sealed, with or vnder the seale or seales aboue named, or any of them made or granted by the kings highnelle, sithence the xviii. day of January last past, as also all and singuler his Graces letters patents, Indentures, and other writings, herafter during his highnelle life (which our Lord longe cõtinue) to be had, made or graunted, with or vnder any of the seales abouesaid to any body politike or corporate, to any other person or persõs, of any honours, castles, manors, lands, tenements, rents, reuersiõs, seruices

Misframing Misrecital Nonrecital

Offices

Misrecital Nonrecital Leases

Lacke of certaintie

Rents

Value

Misnaming

Natures Quantities

Corporation Atturnemẽt Liuerie or seison

Terme of yeres

Doubts

seruices, parsonages, tithes, pensiõs, portions, aduowsons, nominations, presẽtations, franchises, liberties & other hereditaments, commodities, possessions, & profits, of what kinde, nature, or quality soeuer they or any of them bee, is, or shalbee, or by whatsoeuer name or names they or any of thẽ be, is or shalbe named, knowẽ or reputed, shal stand & be taken, reputed and iudged, good, sure, perfect, effectuall, & auaileable in the lawe, during the states in them limitted & specified, in al intents, respects, cõstructions, & purposes, against the king, his heires and successors, without any confirmation, licence, dispensation, or tolleration of the king, his heires or successors: any ỹ cause or matters aboue mentioned, conteined or hereafter during his said highnesse life to be conteined, had, or made in any such letters patents, indẽtures, or other writings by the king our soueraigne Lorde to the contrary in anie wise not withstanding. Good Effectuall

Prouided alway, that this acte, ne any thing therin cõteined, shal not in any wise extẽd to reuiue, or make good any letters patents made of any office or offices, to any cõptroller, customer, aulneger or searcher, ne to any letters P. of the graunt of any other office or offices, heretofore grãted or made by our said soueraigne Lord ỹ king, which now is or bee, or at any time heretofore haue bin adnihilated, determined or made void by iudgment, by authoritie of Parliament, or decrẽ, nor to any patent to be made to any person or persõs for terme of yeres, or during the minority of an heire, of or in any manors, landes or tenements, whereof any trauerse hereafter shalbe tendered within iii. moneths after any office found & certified into any of the kings courts of Record, ne to any leases or grants of any manors, landes, or tenements of our said Soueraigne Lordes hereafter to be made, vnder any of ỹ seales of the courts aforesaid, contrary to the lymitation, ordinance, prouision, establishment, and authoritie of the same Courts, any thing in this act contained to the contrary not withstanding. Reuiue / Offices Cõptroller Customer Aulneger Searcher / Terme of yeres Minoritie / Trauerse / Leases

Prouided also and be it &c. that this acte nor any thing therein conteyned, shal not extẽd to make any letters patẽts of any office or offices to bee of any other effect, force or strength, then the same Letters patents were or should haue beene before the making of this acte. Offices

Prouided alway and be it &c. that al and singuler such patentées, grantées, donées, as anye time hereafter during the life of our said soueraigne lord, (which almighty God long preserue) shall fortune to haue or obtaine any castles, manors, lands, tenements, tithes, pensions, portions, or other hereditaments of the gift, grant, sale, or exchange of the K. maiestie, or of ỹ only gift of the kings maiestie, of his most liberal disposition, & not sold, which at the day of the date of the letters P. therof made, shal be of more or better yeerely value to the king in yerely rent & farme, then shal be conteined, mentioned, & specified in any such letters patents, & particulars thereof made by the particular surueyor or surueyors therof, and in such bill or billes as shal bee signed & sealed with the hand and handes of the patentée or patentées thereof, to bee exhibited to the kings Maiestie or his Officer or Officers, within whose suruey the said mannors, landes and tenements, & other the premisses, or any part thereof shall bee, or within any of them: which bill shall bee signed, sealed, had and made as is aforesaid, before any bil shalbe thereof signed by the Kings maiestie, that then euery of the said patentées, grantées, & donées, their heires, executors, and administrators, within one yeere next after due prose and decrées therof made & had, in the Court within whose suruey ỹ same castles, manors, lands, tenements and other the premisses, or any parcell therof, before the saide giftes and graunts were: shall content and paye to the king for the same ouerplus, and more value of ỹ same manors, lands, tenemẽts, tithes, pensiõs, portions, & other hereditamentes to him sold or exchanged, after such rate, as other lands and tenements were before to him sold, or exchanged, & for the ouerplus and more value of such lands & tenements as shal happen to be giuen by the kings maiestie, and not sold as is aboue said, the said patentée, his heires, executors or administrators shall content and paye to the King after the rate of twentie yeres purchase, so that the same prose and decrée be had and made in maner and fourme aboue said, within ten yeeres next after the date of the saide letters Patentes. Anno 1. Edward. 6. cap. 8. Gift / Sale / Exchange / Value / Bill / One yere / Ouer plus / Pay 20. yeers purchase

14 ¶ Whereas in the Session of the Parliament holden vpon prorogation at Westminster the xvii. day of January in ỹ xxviii. yere of the raigne of the late king of famous memory king Henry the eight, and

and there continued & kept vntill the xii. day of May in the xxxv. yere of the raigne of the said late king, amongst diuers & sũdry, & many statutes, there was then one statute made for the confirmation of letters patents, notwithstãding any misnaming, misprision, or misrehearsall or any other default contained, or rehearsed in ỹ same act, wherein it was prouided & enacted by the authoritie of the same Parliament, that all & singuler such patentes, grantes & donées, as at any time from ỹ making of the same Statute, during vii. yeres then next following, should fortune to haue or obtaine any castles, Mannors, lands, tenements, tythes, pensions, portions, or other hereditaments, of the gifte, grant, sale, or erchãge of the K. maiestie, or of the onely gift of the kings Maiestie, of his most liberal disposition, & not solde, which at the daye of the date of the letters patents thereof made, shall bee of more or better yerely value to the king in yerely rent & farme, then shalbe conteined, mentioned, & specified in any such letters P. & particulars therof made by ỹ auditor or auditors, & in such bill or bils, as should be signed & sealed with the hand or hands of the patentee or patentées therof to be exhibited to the kings Maiestie, or his officer or officers, within whose suruey ỹ said mannors, lands, & tenements, & other the premisses, or any part thereof shal bee, or within any of them, which bil shalbee signed, sealed, had & made as is aforesaid, before any bill should be thereof signed by ỹ kings maiestie: that then euery of the said patentées, grantées, & donées, their heires, executors, or administrators, within one yere next after due prowfe & decrées therof had & made in the court, within whose surney the same castles, manors, lands, tenements, & other the premisses, or any parcel therof then should be, should content & pay vnto the king for the same ouerplus, & more value for the same manors, lands, tenements, tithes, pensions, portions, & other hereditamentes to him solde, or exchanged, after such rate, as ỹ other landes & tenementes were before to him solde, or exchanged: and for the ouerplus and more value of such lands & tenemẽts, as should happen to be giuen to the kings maiesty, and not sold, as is aboueſaid, the said Patẽtee, his heires, executors, or administrators, should content & paye to the king after the rate of xx. yeres purchase: So that the same prowfe and decree were had and made in forme aboueſaid within x. yeres nert after the date of the saide Letters P. as by the statute more at large it doth and may appeare. And also whereas in ỹ parliament begunne at Westminster, in the fourth day of November, in the first yere of the raigne of our most dread soueraigne Lord the king that now is, king Edward the first, and from thence continued to the xviii. day of December thẽ next ensuing, that is to say, that first session of the same parliament, amongst diuers & sundry statutes, there was then also one other statute made for the confirmation of letters patents, notwithstãding any misnaming, misrehearsall, or any other defaulte, contained or rehearsed in the same act: where in it was also prouided and enacted by the authoritie of the same Parliament, that all & singuler such patentées, grantees, & donées, as at any time after the said Parliament, and during the life of our said soueraigne Lorde King Ed. the first should fortune to haue or obtaine any Castels, manors, lands, tenements, tythes, pensions, portions, or other hereditaments, of the gift, grant, sale or erchange of ỹ kings Maiestie, or of the onelie gift of the kings Maiestie of his most liberall disposition, and not solde, which at the day of the date of the Letters Patents thereof made, should be of more or better yeerely value to the king in yerely rent and farme, then should be contained, mentioned & specified in any such letters patents, & particulars thereof made, by the particular Surueyor or Surueyors thereof, And in such bill or bils, as should bee signed & sealed with the hand or hands of the Patentee or Patentées thereof to be exhibited to ỹ Kings Maiestie or his officer or officers, within whose suruey the said manors, lands, and tenements, and other the premisses, or any part thereof should be, or within any of them, which bill should bee signed, sealed, had and made, as is aforesaid, before ante bill should be thereof signed by the kings Maiestie: that then euery of the said patẽtees, grantees, & donées, their heires, executors, & administrators, within one yere nert after due prowfe and decrees thereof made, and had in the court, within whose surney the same castles, mannors, lands, tenements, & other the premisses, or any parcell thereof before the saide giftes and grants were, should content & pay to the king for the same ouerplus, & more value of the same manors, landes, tenementes, tithes,

Misnaming Misprision Misrecital

7. yeres

Value

Bill

Pay Ouer plus

20. yeers purchase

10. yeres

Misnaming Misrehersal

Value

Bill

One yere

Pay Ouer plus

tithes, penſions, portions, or other hereditaments, to him ſolde & exchanged, after ſuch rate as other lands, and tenementes were before to him ſolde or exchanged, & for the ouerplus and more value of ſuch landes & tenements, as ſhould happen to be giuen by the kings Maieſtie, and not ſold as is aboueſaide, ỳ patẽtee, his heires, executors, or adminiſtrators, ſhould content and paye to the king after the rate of xx. yeres purchaſe, ſo that the ſame prowfe and decree were had & made, in maner and forme aforeſaid, within ten yeres next after the date of the ſaide letters patents, as by the ſame ſtatute more at large it doth & may appeare: Sithẽce ỳ making of which ſtatutes, diuers of ỳ ſaid patentees, grantees, & donees, according to the rule, meaning and intent of the ſaid ſtatutes, & prouiſions of the ſame, haue by their billes ſeuerall, ſigned and ſealed with the hands & ſeales of the ſaide patentees exhibited to the kings Maieſtie, or to his officer mentioned in the ſaid ſeueral acts & prouiſions before the ſame billes were ſigned by the ſaide late king, or by the kings highneſſe that now is, which billes ſo ſigned by the ſaid patentees, ſometime by the negligẽce of the ſame officers, or their clerks, ſometimes by the death of the ſame officers, & ſometime by the alteration and change of the ſaide officers, many of the ſaide bils ſo ſigned and ſealed bin nowe by negligence imbeſeled, and loſt, and many times there hath ben no ſuch billes made, but omitted and forgotten, by reaſon whereof diuers queſtions, ambiguities and doubts may ariſe, aſwell for the kings ſureties & ſatiſfaction, as for the patentees, their heires & aſſignes: For the auoyding of al which ambiguities, queſtions and doubts: Be it &c. that aſwel all and ſinguler letters patents, made by the ſaid late king, as by the kings Maieſty that nowe is, ſithence the making of the ſaide ſeuerall ſtatutes and actes, or that hereafter ſhall bee made by our ſaid ſoueraigne lord ỳ king that nowe is, during his life, (whoſe life God long preſerue) ſhalbe good & effectual, to all and euery patentee, their heires and aſſignes, the lacke & want of any ſuch bill or billes, or whether the particular or particulars were had or made, or hereafter to bee had or made by any the kings auditor or auditors, ſurueyor or ſurueyors, in any wiſe notwithſtanding.

20. yeres purchaſe

Bill

Particulars

Auditours Surueyors

And that the ſame patentees, grantees, & donees, their heires & aſſignes, and euery of them, ſhal from henceforth haue and take al & ſinguler ſuch profits, benefites, cõmodities and aduantages mentioned in the ſaid ſeueral ſtatutes, as though ỳ ſaide bils had bin ſigned and ſealed, & were ready to be ſhewed according to the true intent of the ſaid ſtatutes or any of them.

And to the intent the king ſhalbe truly anſwered of the ouerplus of the yerly value of ỳ ſaid manors, lands, tenementes & hereditaments contained, or to be contained, in any ſuch letters Patents as is aforeſaid, according to the true meaning of the ſaid act or actes, & the prouiſions of the ſame:

Bee it &c. that all and ſinguler ſuch patentees, grantees, & donees, as at any time from the making of the ſaide ſeuerall ſtatutes haue obtayned or gotten, or hereafter ſhall obteine or get any caſtles, manors, lands, tenements, tithes, penſions, portions, or other hereditamentes of the gift, graunt, ſale, or exchange of the ſayde late king, or of the king that now is, or of the only gift of the ſaid kings or of anie of them, of his or their moſt liberall diſpoſition, or of any of them, and not ſold, which at the date of the letters Patents thereof made, or hereafter to be made, ſhall bee of more, or better yeerely value to the ſaide late king, or to the king that nowe is, in yerely rent & farme, then is, or ſhalbe conteined, mentioned, or ſpecified in any ſuch letters patẽts, or particulars therof made by the ſaid Auditor or Auditors, ſurueyor or ſurueyors, or other officers: that then euery of the ſaide patentees, graunteès & donees, their executors & aſſignes, within one yere next after due prowfe and decree therof made & had in the court, within whoſe ſuruey ỳ ſame caſtles, manors, lands, tenements, & other the premiſes, or any parcell thereof then were or ſhalbee, ſhall content and paye to the king for the ſame ouerplus, & more value of the ſame manors, lands, tenements, tithes, penſions, or other hereditaments, to him or thẽ ſold or exchanged, or hereafter to be ſolde or exchanged, after ſuch rate as the other landes, & tenementes were before to him ſold or exchanged, or that hereafter ſhall be ſo ſolde or exchanged, and for the ouerplus and more value of ſuch lands & tenementes, as ſhould happen to bee giuen by the ſaide late king, or the kings Maieſtie that nowe is, or that hereafter ſhall bee giuen by the King that nowe is, and not ſold as is aboueſaide, the ſaide Patentee and Patentees, and his and their heires, execu-

Sale Exchange

Gift

Value

Rent

One yere

Ouerplus

Pay 20. yeres purchase

executors, and assignes, shall content and pay to the king after the rate of xx. yéres purchase, so that the same prouf, & decrée be or shalbe made, in forme abouesaid, within xvi. yeeres next after the date of such, & the same Letters Patents made or to bee made, in forme abouesaid.

Prouided alwaies and be it &c. that this act or any prouision therin contained, shal not in any wise extend to confirme, ratifie or make good, any lease or leases made, or hereafter to bee made for terme of life, liues or yeres, whereupon the olde and accustomed rents, or more, be not, or hereafter shal not be reserued, & yérely paiable, during the time & terme of the said Lease and Leases, nor to any Lease or Leases made in reuersion of any parte or parcell of any manours, lands, tenements, or hereditaments parcel of the Duchy of Lancaster, or within the suruey of the same Duchie. Prouided also, and bee it &c. that this act nor any thing therein contayned, shall extende to confirme, ratifie or make good any Letters P. heretofore made, or hereafter to bee made of estate of inheritance by any king or kings of this realm, but to such letters patents as were made by the said late K. Henry the viii. sithence ỳ said iiii. day of Februarie in ỳ said xxvii. yere of his raigne, or hath ben, or hereafter shalbe made by the kings maiesty that now is during his life (which God long preserue) any thing or matter contayned in this act, or any of the prouisions before rehearsed, to the contrary thereof in anie wise notwithstanding. And where also ỳ late king of famous memory Henrie the viii. & also our Soueraigne lord the kings Maiestie that nowe is, aswell by diuers bargaines & sales for diuers great sũmes of money, as by gifts, exchãges, or otherwise, haue giuen and granted by their seueral letters patents, vnder ỳ great seale of Englãd, or vnder the great seale of the Duchy of Lancaster, diuers mannours, lands, tenements, or other hereditamẽts with the appurtenances to diuers & sundry their louing subiectes of any estate of inheritance, to hold in Socage only & not in capite, for al maner of seruices, & without reseruation of any tenths or rentes in the same letters patents, as by the same seueral letters patents may appeare: And for asmuch as by certain statutes heretofore made, doubts & ambiguities may rise vpon such Letters patentes, for lacke of Tenure in Capite, or Reseruations of tenthes or rents, which might be hereafter to the vnquietnesse of such Patentées, their heires or assignes or successors, contrary to the intents and minds of the sayd late king, and of our said soueraigne lord the kings Maiestie that nowe is: for the auoyding of all doubts and ambiguities, and for the quietnesse of the kings louing subiects: Be it also enacted and established by the authoritie aforesaid, that al letters patents sealed, or hereafter to bee sealed with the great seale of Englande, or with the great seale of the Duchy of Lancaster, shall bee good, perfect, & availeable in the law, to al intents and purposes, according to the said letters patents, the nonage of our soueraigne the kings maiesty ỳ now is, as Duke of Lancaster, (albeit alwaies as king he is of ful age) or any act, statute, or lawes, for or concerning any tenures or reseruations of rentes or tenths to the contrary notwithstanding. Saning to all and euery person & persõs, bodies politike and corporate, their heires, successors, executors, and assignes, & to euery of them, other then the kings Maiesty, his heires and successors, as kings of this realme, or as Dukes of Lancaster, all & euery such rights, titles, leases, conditions, rents and interestes whatsoeuer, as they or any of them should, ought, or might haue had, if this acte had neuer bene had or made: this act or ante thing therein contayned to the contrary in ante wise notwithstanding.

Leases

Rents

Leasse in reuersion

Lancaster

Socage

K. nonage

Dukes of Lancaster

An. 7. E. 6. cap. 3.

15 ¶ Where sithen the vii. day of July, in the first yere of the Quénes Maiesties reigne, diuers & sundry Honors, Castles, manors, lands, tenements, rents, reuersions, seruices, & other hereditaments haue beene conueyed and assured to her Highnes, hir heires & successors, by or from diuers & sundry persons & bodies politike as well for the discharge and satisfaction of great debts, and summes of money, as for other good considerations, for the perfect assurance, confirmation, & further suretie whereof &c. Be it enacted, ỳ al feoffments, fines, surrenders, assurances, conueyances, and estates, in any wise conueyed, had or made, to or for our soueraigne Lorde & Lady the king and Quénes Maiesties, or to or for our saide soueraigne Ladie the Quéne, by or from any such persõ or persõs, bodies politik or corporat, of any such honors, castles, manors, lands, tenemẽts, rents, reuersiõs, seruices, or other hereditaments for any debt, summe or sũmes of money

Feoffments Fines Surrender

money, or other consideration whatsoeuer shal stād, remaine & be good & availeable in the law to al intents, constructions & purposes, according to ỹ true meaning, intēt and purport of the same: Saving to all & euery person and persons, & to their heires, bodies politike and corporate, & to their successors, and euery of them, (other then such person or persons, & their heires and wiues, & euerie of them, bodies politike & corporate, and their successors, and euerie of them, of or from whom the king & Quēnes highnes, or the Quēnes highnesse onely, hath obteined & purchased the said premisses, or anie parcell thereof by exchange, gift, bargaine, fine, feoffement, recouerie, deed inrolled, or otherwise) all such right, title, interest, vse, possession, rents, reuersiōs, remainders, offices, fees, cōmons, profites and cōmodities whatsoeuer, which they or anie of thē haue, might or ought to haue had, of, in, or to the premisses, or anie part thereof, in as large & ample maner, forme & condition, to all intents, constructions & purposes, as if this act had neuer bin had ne made: This present act or anie thing therein conteined to the contrarie notwithstāding. And where aswel our said soueraigne Lord and Lady, as our said soueraigne Lady the Quēnes highnes, sithen the said seuenth day of July, in ỹ first yere of her Maiesties reigne, aswell for diuers and great sums of money, as also for diuers & sundry other consideratiōs, haue and hath bargained, sold, giuen and granted by their or her graces sundrie letters patents, indentures or other writings, sealed vnder ỹ great seale of England, or the seale of the Duchie of Lancaster, aswel to bodies politike & corporate, as to diuers & sundrie other their louing and obedient subiectes, diuers and sundrie honors, castels, manors, lands, tenements, rents, reuersions, seruices, & other hereditaments in fee simple, fee taile, or for terme of life, liues, or yeres, as in the same seuerall letters patents, indentures and other writings is mentioned & declared: And to the intent the same letters patents, indentures and other writings, should be of good, availeable, & perfect force and effect to all and euerie her highnes louing subiects, according to the true meaning and effect of the same: Be it enacted and established, that aswell al and singular letters patents, indentures, and other writinges sealed vnder the great Seale of England, or vnder the seale of the Duchie of Lancaster, and heretofore made or graunted by our said soueraigne Lord and lady the king and Quēne, or by our soueraigne Lady the Quēne for any summes of money, or for and vpon any other cōsiderations, as all other letters patents hereafter to be made by our said soueraigne Lord and Ladie for anie summe or summes of money during the space of seuen yeres next ensuing the making of this act to any bodie politike or corporate, or to any other person or persons whatsoeuer, of any honors, castels, manors, lordships, graūges, meases, lāds, tenements, medowes, pastures, rents, reuersiōs, seruices, woods, aduowsons, nominatiōs, patronages, annuities, rights, interests, entries, cōditions, leetes, courtes, liberties, priuiledges, franchises, or of any other hereditaments with their appurtenāces, or of any part or parcel of them, sealed with or vnder the great Seale of England, or vnder the seale of the duchie of Lācaster, of whatsoeuer kinde, nature, or qualitie, they or any of them be, or shalbe reputed, knowen, or taken, with their appurtenāces, or any part or parcell of them, shalbe good, perfite, & effectuall in the law, & shall stand, be taken, reputed, dēmed, & adiudged good, perfect, sure, availeable & effectuall in the lawe, aswell against the king and Quēnes Maiestie, as against the Quēne, her heires and successors, according to the tenour of the said letters patents, the same to be expoūded, construed, dēmed and iudged most beneficial for the patentees, and grauntees of the same, according to the words and purport of euerie of the said letters patents, without anie confirmation, licence, or tolleration of the Quēne, heir heires or successors, anie misnaming, misrecitall, or non recitall of any of the same honors, castels, manors, lands, tenemēts and other the premisses, or any parcell thereof, or any lacke of finding of offices or inquisitions, of and in the premisses, whereby the title of the Quēnes highnesse therein ought to haue bin foūd before the making of ỹ same letters patēts or other writings, or any misrecitall or non recitall of leases thereof before made, aswell of record as not of record, or any lacke of ỹ certain miscasting, rating or setting forth of the yearely value and rate of the premisses, or of the yearely rents reserued of and for the premisses, or any parcell thereof mēcioned or conteyned in any the said letters patents

Bodies politike

Misnaming
Misrecitall
Non recitall

Offices Inquisitiō

Leases

Miscasting

Value

or other writings, or for that the premisses be, or any parcel thereof is valued to a more or lesse value in the said letters patents or writings, then the said manors, lands, tenements, & other the premisses, then were or shalbe in yerely value, or any naming of the townes, hamlets, parishes or counties where the same honors, castels, manors, lands, tenements, rents, hereditaments, & other the premisses, & euery parcell thereof, or any parcel thereof lien or bin, or any lacke of ỳ true naming of the lãds, tenements or hereditaments, or of the natures, kindes, sortes, or qualities of the said possessiõs or hereditamẽts, or any parcel therof, or any lacke of ỳ true naming of the corporatiõ, or anie lacke of

False naming Natures

Corporatiõ Attornement Liuery Seison Misnaming

attornemẽt, liuery or seison, or any misnaming of any the late tenãts or farmors of the same so sold or giuen notwithstãding.

Prouided that this acte, nor anie thing therein cõteined, shal not extend to make any letters patents of anie office or offices, to bee of any other effect, force, or strength then the same letters patents were or should haue bene, before the making of this act. Prouided, that all and singular such patentees, graunt̃ees, & donees, & euerie of them, which at anie time heretofore sithence the said seuẽth day of July, haue obteined and gotten of our said soueraigne Lord & lady the king & Queene, or of any of them, or at any time hereafter, during the space of vij. yeres, shal obteine & get of our said soueraigne Lord & Ladie the King & Queene that now be, or of ame of them, by way of exchange, or for anie summe or sums of money, any letters patents of any Monasteries, abbathies, priories, nunries, or other Ecclesiastical possessions, or of any parcell of them, or of any other manors, landes, tenements, or hereditaments whatsoeurr, which at the date & making of any the same letters patents, so made sithence the said 7. day of July, or hereafter to be made during the space of seuen yeeres as is aforesaid, were or shall be of better and more yeerely value to the King and Queenes Highnesse, or to any of them in yeerely rent & ferme, then was, is, or shall be conteyned, mentioned or specified in anie such letters patents, or in the particulars or rate thereof made or to be made by anie Auditors, Surueiors or Surueiors, or other officer, that then euery such patentee, graunt̃ee, and donee, their heires, executors, or assignes, & euery of them, within one yeere next after office & other due prowfe, order, and decree thereof made and had, or to be made and had within the space and terme of ten yeeres next after this present Parliament in the Court of the Eschequer, shall content and pay vnto the Queenes Maiesty, her heires and successors, for the same ouerplus, & more value of the same Monasteries, Abbathies, Priories, Nunries manors, lands, tenements, and other hereditamẽts whatsoeuer, with their appurtenantes, so solde, giuen, graunted, or exchanged as is aforesaid, after the rate of twentie yeeres purchase, and according to the yeerely value and rate, as the same manors, lands, tenements, & other hereditaments whatsoeuer, were at the time of the making of any such letters patẽts, so made or to be made in maner and forme aforesaid: any thing cõteyned in any such letters Patents, to the contrarie in anie wise notwithstanding.

Exchange

Value

Particulars

One yeere

10. yeeres

Eschequer

Ouerplus

20. yeeres purchase

Prouided, that this Act or any Prouiso therein conteined, shal not in any wise extend to confirme, ratifie or make good any Leale or leases made or to be made by our said soueraigne Lord & Lady the King and Queene, or by anie of them for terme of life, liues, or for yeeres, whereupon the old and accustomed rents or more be not, or hereafter shall not be reserued & yeerely payable, during the time and terme of euery such Leale, nor that this present act shal in any wise extend to reuiue or make good any letters patents made of any Office or Offices to anie Comptroller, Customer, Aulneger, Searcher, ne to anie letters Patents of the graunt of anie other Office or Offices heretofore graunted or made, by the king or Queenes Maiestie, or anie of them which now be, or at anie time heretofore haue beene annihilated, determined, or made voide, by iudgement, by authoritie of Parliament, or by decree, nor to any patent to be made to any perso or persõs for terme of yeers, or during the minoritie of anie heire, of any manors, lands, or tenements, whereof any trauerse hereafter shall be tendred within three moneths after anie Office found and certified into any of the kings courts of record, ne to make good any letters patents made by our said soueraigne Lord and lady, or any of them, of any Office or Offices to be of any other effect, force or strength, then the same letters patents were, or should haue beene before the making of this act.

Leale

Rents

Cõptroller Customer Aulneger, Searcher

Minority

Trauerse 3. Moneths

Prouided

Prouided, that this acte, or anie thing therein conteyned, shal not extend to anie letters patẽts, which at any time heretofore sithence the beginning of ỹ Quẽnes Maiesties reigne, haue bene, or hereafter shall be made by the King and Quẽnes highnesse, or by the Quẽnes Maiesty only to anie person or persons of anie manors, lands, tenements, rents, reuersiõs, seruices, or other hereditaments, by force of any information, suite, or suggestion made or to be made to her highnesse, that the same manors, lands, tenements, or other hereditaments so conteined in anie such letters patents, were concealed lãds, nor to any letters patẽts heretofore made by our said Soueraigne Lord & Lady the King and Quẽnes Maiesties, or anie of them, to Raulfe Jackeson Clerke, now Maister of the Hospitall of the Sauoy, in the Parish of S. Clements Dacorum, without the bars of the new Temple Lõdon, and to his brethren, being perpetuall Chaplaines of the same Hospitall, and to their successours: but that the same letters patents & euery of them shall stand, remaine, & be in the same force, strength, & effect, as they were before the making of this act, anie thing in this act mẽtioned to the contrarie notwithstanding. And where the Manno of Southwell in the Countie of Nottingham, and also the site & precinct of the Colledge of Southwell, in the same countie, togither with diuers other lands, tenements, & hereditaments, to the said late Colledge lately belonging or appertaining, were conueied and assured by indenture, fine, or otherwise, by or from John Beamount Esquire, vnto our late Soueraigne Lord king Edward the firth, & to his heires and successors, for the discharge and satisfaction of diuers great sums of money, wherein the same John Beamount was indebted to the said late king: Be it enacted and established by the authoritie aforesaid, that the said conueiance, and assurance shall be perfect, good, sufficient, and auaileable against the said Beamount and his heires to all intents, constructions and purposes, according to the purport, tenor, & true meaning of the same conueiances and assurãces. Sauing to all and euery person or persons, and bodies politike and corporate, their heires & successors, and euerie of them (other then the said John Beamount, his wife and his heires, and all other clayming anie estate or interest, by or frõ them, or any of them, sithence the same conueiance & assurance) all such right, title, interest, possession, estate, leases, rents, seruices, commons, and all other profites and commodities whatsoeuer, as they or anie of thẽ should or might haue had, if this acte had neuer bene had ne made: Any thing therein conteyned to the contrarie notwithstanding.

Concealed lands

Maister of the Sauoy

Anno 4, & 5. P. & M. cap. 1.

16 ¶ Where sithen the 18. day of November in the first yeere of the Quẽnes Maiesties reigne, diuers and sundrie honors, castels, manors, lands, tenements, rents, reuersiõs, seruices, and other hereditaments, haue bin conueyed and assured to her highnesse, her heires and successors, by and from diuers and sundry persons, & bodies politike, aswell for the discharge & satisfaction of great debts and summes of money, as for other good considerations: For the perfect assurance, confirmation, and further surety whereof: Be it enacted by the authoritie of this present Parliament, that all feoffements, fines, surrenders, assurances, cõueiances, and estates, in anie wise cõueied, had, or made, or to be had or made, at any time during the space of vij. yeres, next after the end of this present Session of Parliament, to or for our said soueraigne Lady the Quẽnes Maiestie, by or from any person or persons, bodies politike or corporate, of anie honors, castles, manors, lands, tenements, rents, reuersions, seruices, and other hereditaments, for anie debt, summe or summes of money, or other consideration whatsoeuer: shall stand, remaine, and be good and auaileable in the lawe, to all intents, constructions, and purposes, according to the true meaning, intent, and purport of the same. Sauing to all and euery person and persons, and to their heires, bodies politike and corporate, and to their successours, and euery of them, other then such person or persons, and their heires and wiues, being parties or priues to such cõueiances or assurances, & euerie of them, bodies politike and corporate, & their successors, & euery of them, of, or from whom the Quẽnes Highnesse hath had, obteyned or purchased, or shall obteine or purchase, during the space of vij. yeres, anie manors, mesuages, landes, tenements, rentes, reuersions, seruices, or hereditaments, by exchange, gift, bargaine, fine, feoffement, recouery, deede inrolled, or otherwise, all such right, title, interest, vse, possessions, rentes, reuersions, remainders,

Feoffements Fines Surrenders

Debt

Purchase

Exchange

bers, offices, fées, commons, profits, and commodities, whatsoeuer, which they or any of thē haue, might, or ought to haue had of, in, or to the premisses, or any part therof, in as large & ample maner, forme & condition, to all intents, constructions, and purposes, as if this acte had neuer bin had ne made: This present acte, or any thing therein conteined to the contrarie, notwithstanding.

And where our said soueraigne lady the Quēnes highnes, sithence the 18. day of Nouember, in the first yēre of her Maiesties reigne, aswel for diuers & great sums of money, as also for diuerse and sundrie other considerations, hath bargained, sold, giuen, graūted by her graces sundry letters patents, indentures, or other writings, sealed vnder ỳ great seale of England, or the seale of the Duchie of Lancaster, or the seale of the coūtie Palātine of Lācaster, aswell to bodies politike & corporate, as to diuers & sundry other her louing and obediēt subiects, diuerse and sundrie, honors, manors, landes, tenements, rents, reuersions, seruices, and other hereditaments, in fée simple, fée taile, or for terme of life, liues, or yéres, as in the same seuerall Letters Patents, Indentures, and other writings is mentioned and declared.

And to the intent the same Letters patents, Indentures, and other writings, should be of good, auaileable, and perfect force and effect, to all and euery her Highnesse louing subiectes, according to the true meaning and effect of the same: Be it enacted and established, by authoritie of this present Parliament, that aswell all & singular letters Patents, Indentures, & other writinges, sealed vnder the great seale of England, or vnder the seale of the Duchie of Lancaster, or the seale of the countie Palantine of Lācaster, and heretofore made & granted by our said Soueraigne Ladie the Quēne, for any sums of money, or for and vpon anie other considerations: as all other letters Patents hereafter to be made by our said Soueraigne Ladie the Quēne, for any summe or summes of money, or other considerations, during the said space of vij. yéres nert ensuing the making of this act, to any bodie politike or corporate, or to any other person or persōs whatsoeuer, of any honors, castels, manors, lordships, graūges, meases, lands, tenements, medowes, pastures, rents, reuersiōs, seruices, woods, aduowsons, nominatiōs, patronages, annuities, rights, interests, entries, conditions, léetes, courts, liberties, priuiledges, frāchises, or of any other hereditaments, vō their appurtenances, or of anie part or parcell of them, sealed with or vnder the great seale of England, or vnder the seale of the Duchie of Lancaster, or the seale of the Countie Palantine of Lancaster, of whatsoeuer kind, nature, or qualitie they or any of thē be, or shalbe reputed, knowen, or taken, with their appurtenāces, or any other part or parcell of them, shall be good, perfect, & effectuall in the law, & shall stand, be taken, reputed, déemed, & adiudged, good, perfect, sure, auaileable & effectuall in the lawe, against the Quēnes Maiestie, her heires and successors, according to the tenor & effect of the said letters patents, the same to be expoūded, construed, déemed, & adiudged, most beneficially for the patentées, and graunteés of the same, & their assignées, according vnto ỳ words and purport of euerie of the said letters patents, without any cōfirmation, licēce, or tolleration of the Quēne, her heires or successors, any misnaming, misrecitall or not recitall, of any the same honors, castels, manors, landes, tenements, and other the premisses, or any parcel thereof, or any lacke of finding of offices, or inquisitions, of & in the premisses, or anie part thereof, whereby the title of the Quēnes highnes therein ought to haue bin found before the making of the same letters patents, or other writings, or anie misrecitall, or nonrecitall of leases thereof before made, aswell of record, as not of record, or anie lacke of the certainety, miscalling, rating, or setting forth of the yéerely value and rate of the premisses, or of the yéerely rentes reserued, of and for the premisses, or anie parcell thereof mentioned or conteyned in anie of the saide Letters Patents, or other writings, or for that the premisses be, or anie parte thereof is valued at a more or lesse value in the said Letters Patents or writings, then the said manors, landes, tenementes, and other the premisses then were, or shall be in yéerely value, or any misnaming, or not true naming of the Townes, Hamlets, Parishes, or Counties, where the same honours, manours, landes, tenementes, rents, hereditaments, and other the premisses, & euery parcel thereof, or any parcell thereof, lien or béene, or any lacke of the true naming of the lands, tenemēts, or

Letters Patents

Misrecitall Leases

Miscalling

Value

Seuen yeeres

or hereditamẽts, or of the natures, kinds, sortes, qualities, or quantities of the said possessions or hereditaments, or any parcell thereof, or any lacke of the true naming of the corporation, or anie lacke of the attornement, liuery of seison, or of any misnaming of anie of the late tenements or Farmers of the same honours, manours, lands, tenements, and hereditaments, or any part thereof, so sold, grãted, or giuen notwithstanding.

Prouided, that this acte, nor anie thing therein cõteined, shall not extend to make any letters patents of anie office or offices, to be of anie other effect, force or strength, then the same letters patents were or should haue beene before the making of this act. Letters P.

Prouided also, that al and singular such patentees, grauntees, and donees, & euery of them, which at anie time heretofore sithence the said 18. day of Nouẽber, haue obteined & gotten of our said Soueraigne Lady the Quene, or at any time hereafter, during the said space of seuen yeeres, shal obteine and get of our said soueraigne Lady the Quenes Maiestie that nowis, by way of exchange, or for any summe or summes of money, or other considerations, any letters patents of any manors, lands, tenements, or hereditamẽts whatsoeuer, which at the date and making of any of the said letters patents, so made, sithence the saide 18. day of Nouember, or hereafter to be made, during ẏ said space of seuen yeeres, as is aforesaid, were or shalbe at the time of the making of such letters patents, of better & more yeerely value to the Quenes highnes, and so answered in yeerely rent and farme, then was, is, or shalbe conteined, mentioned, & specified in any such letters patents, or in the particulers or rats thereof, made or to be made by any Auditor or Auditors, Surueior or Surueiors, or other officer: That then euery such patentee, graũtee, or donee, their heires, executors, or assignes, & euery of them, within one yeere next after office or other due prowle, order, and decree thereof made and had, or to be made or had within the space and terme of .vi. yeres next after the ende of this present Session of Parliament, in the Court of the Eschequer, shall content & pay vnto the Queenes Maiesty, her heires and successors, for the same ouerplus & more value of the same manors, lands, tenemẽts, and other hereditamentes whatsoeuer, with their appurtenances, so sold, giuen, graunted, or exchanged as is aforesaid, after the rate of threescore yeeres purchase, and according to such yerely value and rate, as the same manours, lands, tenements, and other hereditaments whatsoeuer, were, and answered, at the time of the making of anie such letters patents, so made or to be made in maner and forme aforesaid: any thing conteined in any such letters patents, to the contrarie in anie wise notwithstanding. Auditors Surueiors

Prouided also that this act, or anie prouiso therein cõteined, shal not in any wise extend to confirme, ratifie, or make good, any lease or leases made or to be made by our said soueraigne Lady the Queene, for terme of life, liues, or for yeeres, whereupon the old & accustomed rents or more, be not, or hereafter shall not be reserued, and yeerely payable, during the time and terme of euery such lease: nor that this present acte shall in any wise extend to reuiue and make good, any letters patents made of any office or offices, to any Cõptroller, Customer, Aulneger, Searcher, nor to any letters patents of the graunt of any other Office or Offices heretofore graunted or made by the Queenes Maiestie, which now be, or at any time heretofore haue bin annihilated, determined, or made void by iudgement, by authoritie of Parliament, or by decree, nor to any patẽts to be made to any person or persons, for terme of yeeres, or during the minoritie of any heire of any manors, landes, or tenements, whereof any trauerse hereafter to be tryed within three moneths after any office found and certified into any the Queens Maiesties courts of Record, ne to make any letteres patents made by our said soueraigne Lady, of any office or offices, to be of any other effect, force, or strength, then the same letters patents were or should haue beene before the making of this act. Old rents Leas Controller Customer Aulneger Searcher

Prouided also, that this act, or any thing therein conteined, shall not extend to any letters patẽts, which at any time heretofore sithence the beginning of ẏ Queenes Maiesties reigne, haue bin, or hereafter shal be made by ẏ Queens highnesse, to any person or persons, of any manors, lãds, tenements, rents, reuersions, seruices, or other hereditamẽts, by force of any information, suite, or suggestion, made or to be made to her highnesse, that the same manors, lands, tenements and other hereditaments, Letters P.

Concealed lands

taments, so conteyned in anie such letters patents, were concealed landes, but that the same letters Patents, and euerie of them, shall stand, remaine, and be in the same force, strength, and effect, as they were before the making of this acte: anie thing in this act mentioned to the contrarie notwithstanding. Sauing to all and euerie other person or persons, and bodies politike and corporate, their heires and successours, and euerie of them, all such right, title, interest, possessions, estate, leases, rentes, seruices, commons, and all other profites, and commodities, whatsoeuer, as they or anie of them should or might haue had, before the letters patēts thereof made, if this Acte had neuer bēene had ne made: anie thing therein conteyned to the contrary notwithstāding. Anno 18. Eliz. cap. 2.

17 ¶ Anno 27. Eliz. an Acte not printed was made for the confirmation of the Quēenes letters patents graunted to the Quēenes Colledge in Oxford. And another Acte was there made, but not printed, for the confirmation of her letters patents to the Maisters, Fellowes, & Scholers of Clare Hall in Cambridge.

18 ¶ Forasmuch as diuers ambiguities, doubts, and questions haue risen and bēene moued aswell touching diuers surrenders, graunts, and conueiances made and graunted by sundrie late Abbats, Priours, and other Religious and Ecclesiasticall persons to the late King of famous memorie, King Henrie the eight, after the fourth day of Februarie, in the seuen and twentieth yēere of his reigne, of diuers their honours, manours, lands, tenementes, and hereditamentes, as also touching and concerning the validitie of the erections of such Deanes and Chapiters, and such Colledges as were erected, ordeyned, made or founded by the said late King Henry the eight, after the saide fourth day of Februarie, in the said seuen and twentieth yēere of his reigne: And forasmuch as the same doubtes, and questions seēme not to be sufficiently remedied or prouided for, by the Statute made in the foure & thirtieth yēere of the reigne of the said late king Henrie the eight, entituled, An Acte for confirmation of letters patents, (which see here before 12.) notwithstanding misnaming of any thing conteined in the same;

Be it therefore declared, explaned, and enacted by authoritie of this present Parliament, that al & euery honors, manors, landes, tenements, and hereditaments, which at anie time heretofore were the possessiōs of any abbey, monastery, priorie, nunrie, or other religious or Ecclesiasticall house or houses, & which after the said iiij. day of Februarie, in the said xxvij. yēere of the said late King Henrie the 8. came to the hands or possession of the said late king Henrie the eight, or which were put in charge to or for his Highnesse in his Court of Erchequer, or anie other Courts of the said late King concerning his Maiesties reuenues, or by anie Auditor, or other officer of the said late King, or which after the said iiij. day of Februarie, in the xxviij. yēere aforesaid, were grāted or conueied, or mentioned to be granted or conueied, in or by any letters Patents whatsoeuer, made by the said late King Henrie the eight, to anie person or persons, bodie politike or corporate, were and shall be reputed, taken, and adiudged to haue bēene lawfullie and perfectly in the actuall and reall possession of the said late King and his heires and successors, at such time as the same did so come to his Maiesties handes and possession, or were so put in charge, or graunted, or conueied by the said late King Henrie the eight as aforesaid, notwithstanding anie defect, want, or insufficiencie of or in anie surrender, graunt, or conueiance of the same honors, manors, lands, tenements, or hereditaments, or anie part thereof, to the said late King Henrie the eight, or anie other matter or cause whatsoeuer, by which his Highnesse was or might haue bēene entituled to the same.

Hands

Charge

Letters P.

Actuall possession

Defect

And be it further declared and enacted by the authoritie aforesaide, that all and singular letters patents made by the said King Henrie the eight, at any time after the said fourth day of Februarie, in the saide seuen and twentieth yēere of his reigne, for the erection, foundation, incorporation, or indowment of any Deane and Chapiter, or Colledge, were and shal be reputed, taken, and adiudged to haue bēene good, perfect, and effectuall in the laiwe for all things therein conteyned, according to the true intent and meaning of the same, anie thing, matter, or cause to the contrary thereof in any wise notwithstanding.

Erection Deane, Chapiter, Colledge

Sauing alwaies vnto all person and persons, bodies politike & corporate, their heires and successors, and euery of them, other

Sauing

other then the late Abbats, Abbesses, priors, Priorelles, and other gouernours of such Abbeis, Monasteries, Priories, Nunneries, and other Religious and Ecclesiasticall houses, and their successours, & such as pretended to be Founders, Patrons, or Donors of the same, or any of them: or of any manours, lands, tenements, or hereditaments belonging to the same, or to any of them: and their, and euery of their heires and successours, al such right, title, interest, claime, and demaund, as they or any of them, or their, or ante of their auncestors or predecessors might or ought to haue had of, in, to, or out of ante such honours, manours, lands, tenements, or hereditaments, before the said fourth day of February, in the xxvij. yeere of the reigne of the said king Henry the eight, or before the making of such letters patents by the said King Henrie the eight, as if the saide Letters Patents made by the said King Henrie the eight, and the said Statute made in the said xxxiiij. yere of his reigne, and this present act had neuer bene made: this act or any thing therein conteined to the contrarie notwithstanding. Anno 35. Eli. cap. 3.

Others right

¶ Pauing.

Strand crosse Charing crosse

ANno 24. H. 8. cap. 11. an Act is made for the pauing of Strand crosse and Charing crosse.

Holborne Southwarke

2 ¶ An. 25. H. 8. cap. 8. an Act is made for pauing of Holborne and Southwarke.

London

3 ¶ Anno 32. H. 8. cap. 7. an Act was made for pauing of diuers stretes & lanes in London.

London

4 ¶ Anno 34. H. 8. cap. 12. an Acte is made for pauing of diuerse stretes and lanes in London, and nere vnto London.

Calice

5 ¶ Anno 2. Edw. 6. cap. 37. an Acte is made for the pauing of Calice, and for the couering of the houses there with Tyle or Slate.

☞

London

Iust. of P.

6 ¶ Anno 13. Elizab. cap. 23. an Acte was made for the pauing of certaine stretes and lanes about Algate & Whitechappell in the Suburbes of London, and for clensing certaine ditches there abouts, and that Iustices of Peace of London and Middlesex, to enquire thereof, and to assesse fines for the defaults to the Quenes vse. And after Anno 23. Eliz. cap. 12. there is an addition to this Statute. And the Iustices of Peace within London and Middlesex shall appoint a Scauenger. *

Thichester

7 ¶ Anno 18. Eliz. cap. 19. an Act was made for the pauing of the Citie of Chichester.

8 ¶ Anno 27. Eliz. an Acte not printed was made for the pauing of the Citie of New Windsor in the coũtie of Berke. And at the same time an other was made, for the pauing of the towne of Newarke vpon Trent in the Countie of Notingham, but not printed.

¶ Peace.

☞

AS to the keeping of the Peace in time to come, it is ordeined and enacted that the Statutes made in time past with ỳ Statute of Winchester (after in robberies. S. 2.) shall be obserued and kepte in euerie point. And where it is conteyned in the ende of the saide Statute of Winchester, that the Iustices assigned shall haue power to enquire of the defaults, and to report to the King in his Parliament, and the K. remedis it, which no man hath yet seene: the same Iustices shall haue power to punish the disobeiours and resisters. Anno 2. E. 3. cap. 6. *

2 ¶ Our saide Soueraigne Lord the king, greatly desiring the tranquility and quietnesse of his people, wil and straightly cõmaundeth, that the peace within his Realme of England be surely obserued and kept, so that all his lawfull subiectes may from henceforth safely and peaceably goe, come and dwell after the lawe and vsage of the realme. And that Iustice and right be indifferently ministred to euerie of his said Subiects. Anno 1. Rich. 2. cap. 2.

Iustice

3 ¶ All the Kings lieges and subiects shall freely and peaceably vnder his safe protection, goe and come into his Courts, to pursue and to defend, without disturbance or impeachment of ante, and that Iustice and right be done to all, as well to the poore as to the rich, in his Courts aforesaid. Anno 2. R. 2. cap. 4.

Iustice

4 ¶ And that the peace within the Realme be holden and kept, so that al the Kings liege people and subiectes, may from henceforth safely and peaceably go, come, and abide, according to the lawes and vsages of the same Realme, and that good Iustice & euen right be done to euery person: Sauing to the same our Soueraigne

Iustice

K. Prerogatiue

neraigne Lord the King, his regality and Prerogatiue. Anno 1. H. 4. cap. 1. & An. 7. Hen. 4. cap. 1.

¶ Pedlers and Tinkers.

NO perſon or perſons, cõmonly called Pedler, Tinker, or pettie chapman, ſhal wander & goe from one towne to another, or from place to place, out of the towne, parith, or village where ſuch perſons ſhal dwel, & ſel pinnes, points, laces, gloues, kniues, glaſſes, tapes, or any ſuch kind of wares whatſoeuer, or gather coniſkins, or ſuch like thing, or vſe or exerciſe the trade or occupation of a Tinker, but only ſuch perſon or perſons as ſhal be thereunto licenced: And that in ſuch circuite or cõpaſſe, as ſhal be to him or them aſſigned by two Iuſtices of peace or moe of the ſame Shire, where he or they ſhall dwell, by writing vnder their handes and ſeales, vpõ paine that euery perſon which ſhal offend cõtrary to the meaning of this acte, ſhall (by anie Iuſtice of the Shire, where the ſame offence ſhalbe cõmitted, vpõ complaint and due proofe had by witneſſe or otherwiſe) be impriſoned by the ſpace of xiij. dayes at the leaſt. Anno 5. E. 6. cap. 21. But ſee now the ſtatute 14. Eliz. cap. 5. in Vagabondes 9.

Pinnes Pointes Gloues Knines Glaſſes Coniſkins Licence

Iuſt. of P.

Iuſt. of P.

Impriſon

*

¶ Penſions, Portions, and Corodies.

NO penſion ſhall hereafter bee aſſigned by the ordinarie, or by any other maner of agreement by collaterall ſuretie, or otherwiſe, vpon any reſignation of any dignitie, benefice or promotion ſpirituall aboue the value of the third parte of the dignitie, benefice or promotion ſpiritual reſigned. And if any penſion amounting aboue the value of the third parte of the dignitie, benefice, or promotion ſpirituall heretofore reſigned, be already limitted & made ſure to anie ſpirituall perſon or perſons, by decree of the Ordinary, or otherwiſe, by any collaterall ſuretie, or hereafter ſhall happen to be aſſigned, and made ſure to anie perſon or perſons ſpiritual, or to any other to their vſe, by decree of the ordinarie, or by any other collateral ſurety, vpon anie reſignation thereof, yet neuertheleſſe the Incumbent charged with ſuch penſion, nor his ſureties collaterall, ſhall not be compelled to pay anie more penſion, then the value of the third part of his dignitie, benefice, or promotion ſpirituall ſo reſigned ſhall mount vnto, but ſhal by authoritie of this act, be clearely acquited and diſcharged of ſo much of the ſaid penſion, as ſhall amount aboue the value of the third part of the dignitie or benefice reſigned, any decree, or aſſignment of the Ordinary, or any collaterall writings or ſureties heretofore made, or hereafter to be had or made for the ſame, to the contrary thereof notwithſtanding. An. 26. H. 8. cap. 3. And it is further enacted, that euery predeceſſour of Abbats, or Priors, hauing any penſion aboue ỳ yerely value of xl. li. ſhall be defanlked of the moitie thereof. And that euery Abbat, and all other charged for the payment of ſuch penſion aboue the yerely value of xl. li. ſhal be diſcharged of the moitie thereof.

3. Part

Ordinary

3. Part

Surety

Incũbent

Moitie

Diuers other matters be in this Acte, which I leaue out.

2 ¶ If anie perſon or perſons beyng farmer or occupier of any manors, lands, tenements, parſonages, benefices, or other hereditaments of any of the ſaid late Monaſteries, or Eccleſiaſticall houſes or places, or belonging to them or any of them, by the Kings highneſſe gift, graũt, ſale, exchange, or otherwiſe, out of which premiſſes, any ſuch penſions, portions, corodies, indemnities, ſinodies, priories, or anie other profites, haue bẽene heretofore lawfully going out, anſwered, or paied to anie of the Archbiſhops, Biſhops, Archdeacons, and other Eccleſiaſticall perſons aboueſaid, doe at anie time after the firſt daie of Aprill next comming wilfully denie the payment thereof, at the daies of paiment heretofore accuſtomed, of anie of the ſaid penſions, portions, corodies, indemnities, ſinodies, priories, or any other profites, whereof the ſaide Archbiſhops, Biſhops, Archdeacons, or other Eccleſiaſticall perſons, were in poſſeſſion, at or within ten yeres next before the time of the diſſolutiõ of any ſuch Monaſtery, or other Eccleſiaſticall houſes or places: that then it ſhalbe lawful for the ſame Archbiſhops, Biſhops, Archdeacons, or other eccleſiaſticall perſons aforeſaid, being ſo denied to be ſatiſfied and paied thereof, and hauing right to ỳ ſame thing in demaund, to make ſuch proces, aſwell againſt euerie ſuch perſon and perſons as ſhall ſo denie paiment of the ſame penſions, portions, corodies, priories, indempnities, ſinodies, or ame other profites, which of right ought to be paied, as is aforeſaid,

Farmer

Sinodies Priories

Archbiſhops Biſhops Archdeacõs

Eccleſiaſtical perſons

Proces

as

as againſt the Church or Churches charged with ỳ ſame, as heretofore they haue lawfully done, and as by & according to the lawes & ſtatutes of this realme they may now lawfully do, for ỳ true paiment & recouery thereof. And if the partie defendant be lawfully conuict in any ſuch ſute, cauſe, or matter, according to the eccleſiaſtical lawes: then the party plaintif ſhall haue and recouer againſt the partie defendant, the thing in demand, & the value thereof in damages, with his coſts for his ſute. And be it &c. that if it fortune the cauſe or matter of variance betweene any of the ſaid parties, be determinable at the Common lawe, that then the partie grieued to ſue for his recouerie & remedy therin at the common law. And if the partie defendant fortune to be by ỳ courſe of the Common law lawfully condemned to the partie plaintife, then the ſaid party plaintife ſhall likewiſe haue & recouer againſt the party defendant the thing in demand, and the value thereof in damages, with his coſts for his ſute.

Conuict

Damages

Common law

Damages Coſts

Prouided alway, and bee it &c. that all and ſinguler ſuch of the ſaid Archbiſhops, Biſhops, Archdeacons, and other eccleſiaſticall perſons, which haue right or title to claime, demand, or inioy any of the ſaid penſions, portiõs, corrodies, indemnities, ſynodies or proxies againſt any perſon or perſons, to whom the king hath made, or hereafter ſhall make in writing vnder ſeale, any ſale, gift, grant, or leaſe, for terme of life, liues, or yeeres, of any of the ſaid manors, lands, tenements, parſonages, benefices, and other hereditaments, charged or chargeable to or with anie of the ſaid penſions, portions, corrodies, indemnities, ſynodies, or proxies, and alſo hath couenanted, granted, promiſed, or agréed, or hereafter ſhal couenant, graunt, promiſe, or agrée by the ſaide writing, to acquite, diſcharge, or ſaue harmeleſſe the ſame perſon or perſons, of all penſions, portiõs, corrodies, indemnities, ſynodies, and proxies, going out of the premiſſes or any parcel thereof, as be or ſhal be mentioned in the ſame writings or any of them: ſhal ſue for the remedie & recouerie thereof, in the court of the augmentations of the reuenues of the kings crowne, and not elſewhere. And that the partie defendant hauing any ſuch diſcharges, being conuẽted, called, or ſued in anie other courte or place, or before any other Iudge for anie the cauſes aboueſaid, ſhall be diſcharged & diſmiſſed out of the ſame court or place, without anie thing paying for the ſame, by the onely ſhewing forth any of the ſaid writings, ſealed vnder any of the kinges ſeales, prouing or declaring the king to haue couenanted, promiſed, or agréed to acquite, diſcharge or ſaue harmeleſſe the ſaid partie defendant thereof, as is aforeſaid: anie thing contained in this acte to the contrarie notwithſtanding. An. 34. H. 8. cap. 16.

B. couenant

Augmentation

3 ¶ Al and euery perſon and perſons, that at anie time heretofore ſince the firſt Seſſions of the Parliament holden at Weſtminſter in the firſt yere of the raign of our ſaid ſoueraigne Lord the king that now is, by anie fraudulent or deceitfull waie or meanes, hath or haue gotten or obtained for monie or otherwiſe, any gift, grant, bargain, or promiſe, of anie penſioner or penſioners, of his or their ſaid patent or patentes, concerning his or their ſaid penſion granted, or to be granted, or aſſigned out of any manours, lands, tenements, and other hereditaments, that did belong or appertaine to anie of the late monaſteries, priories, religious houſes, colledges, chantries, guilds, fraternities, or other ſpiritual poſſeſſions, or by reaſon of the ſame, which came aſwel to the poſſeſſion of our ſoueraigne Lord the king that now is, as to the late king of famous memorie king Henrie the 8. by reaſon of diſſolution, attainder or ſurrender, and before the laſt day of June nert cõming, vpon a repaiment or lawful tender of the money or other thing taken for the ſame, by any ſuch penſioner or penſioners, patentee or patentees made to him or them, do not redeliuer to euery ſuch penſioner & penſioners, patentee or patentees, aſwel his or their ſaid patent and patents, as all other writing or writinges made concerning the ſame penſion: That then the ſaid gift, graunt, bargaine, & promiſe, made of euerie ſuch penſion and patent, and euery of them ſhalbe void.

Fraud

Redeliuer

Void

And alſo that then & from thenceforth euery ſuch penſioner & patentee, ſhal haue & inioy the penſion by him ſo giuen, granted, bargained, ſold, or promiſed, as though no ſuch gift, grant, bargaine, ſale, or promiſe, had bin made, of his or their ſaid penſion, fée, or annuitie: notwithſtãding anie writings made, ſealed, or deliuered betwẽn any ſuch parties cõcerning ỳ ſame.

And for the more true and ſure paiment of all and euery maner of perſon and perſons,

sons, of & for their seuerall pensions, fées and annuities, due and to be due vnto thē or to any of them, out of the premisses, or any part or parcel thereof, or by reason of the same. Be it &c. that if the receiuer or receiuers, or any of them, their assignes, deputies, clerkes or seruants, or the assignes, deputies, clerkes or seruants of any of them, hauing or which shall haue to do, with the paiment of any such pensiōs, fées, and annuities, or any part or parcell of them, doe not at all and euery time and times, before the tenth of June, and the feast of the Purificatiō of our Lady, next immediatly ensuing, euery day and feaste specified in euery such grant or patent for the paiment of the said pensions, fées, annuities, vpon a reasonable request thereof made to the said receiuer or receiuers, their assignes or deputies, assignee or deputie, or to his or their clerks or seruants aboue said, by any of the said pensioners or grantées, or their seueral deputies, atturnies, or assignes, or by the seueral deputy, atturney or assignee of any such pēsioner and grantée, wel and truely pay vnto the said grantées and pensioners, their seuerall deputie, atturnies or assignes, their pensions, fées, and yerely annuities to thē granted, and hereafter to be granted, during their seuerall liues or otherwise, according to the tenor and effect of their seueral grants, to euery of them made and hereafter to be made, without any further delay, not taking of the said grātées, pensioners, or any of thē, their deputies, atturnies or assignes, for the paiment of any of their saide pensions, fées or annuities or for the more spēdy paiment thereof to them or anie of them to be made, any other or more summe or summes of money, or any other thing or profite, but only for euery pound of euery such pension, fee, or annuitie to them paied, iiij.d. & for the acquitance of euery such partie truely paied of his said pension, fee or annuitie, if the saide partie, his deputie or deputies, bring & offer to deliuer, none ready made, foure pence, and not aboue: that then euerie such receiuer or receiuers, their deputy and deputies, clerkes & seruants, as aforesaid, to whom any such reasonable request shall be made for the paiment of the same, as is aforesaid, for euery time that the said officer or officers, or his or their deputie or deputies, or his or their clerke or clerkes, hauing to do with the office or offices of such receiuer or officer as is aforesaid, shall delay or cause to be delaied any the said grantees or pensioners of the paiment of their pensions, fee or annuities, or of anie part therof, after the x. day of June, & the feast of the Purification of our Lady as is aforesaid, shal forfait for euery such delay C.s. And that also if anie treasurer or treasurers, receiuer or receiuers, officer or officers, or his or their deputie or deputies, or his or their clerks, or anie of thē as is aforesaid, for euery time that they or any of them doe exact & take of the said pensioners, grantees, or any of thē their deputies, atturnies or assignes, or of the deputy, atturnie or assignee of any of them aboue the rates before declared, shal lose and forfait for euerie time so exacting & taking, tenne times so much as they or any of them shal so exact & take, or cause to be exacted & taken. All which forfaitures shalbe to the party that shal find himselfe grieued, if he will sue & demand the same within seuen moneths next after the said forfaiture, in any of the kings Maiesties courts of his bench, Common place, or Eschequer, by action of debt, or original writ, bill, plaint, or information: in which suite no essoine, protection, nor wager of lawe shall be allowed or admitted for the defendant.

Fourepence vpon the pound Acquitance

Receiuer

Foyl.

Treasurer Receiuer Officer

Exact.

Foyl.

Foyl.

Party grieued

7. moneths

And be it &c. that the kings Iustices of assise, and of oier and determiner, in their seuerall circuites, and the Iustices of P. in euerie countie within this Realme of England and Wales, at their generall sessions, shall haue full power and authority by vertue of this act, to inquire, heare and determine all and all maner offences hereafter to be done and committed contrarie to the tenor of this act, aswel by information, as by presentment of twelue men, and shal haue ful power and authority to award processe vpō euery presentment or information had before them or two of them, whereof the one to be of the Quorum, of all and euerie offence and offences done and committed contrarie to the tenor of this acte, as in case vpon indictment of trespasse.

Iust of ass. Iustice of Oier & ter. Iust. of P. Generall sessions

Oier & ter.

Proces

Quorum

Prouided alway, that if any such pensioner or grantee, doe not make request in proper person for paiment of his or their said pensiō or annuity, as is aforesaid, but doth require ẏ same by his deputie, atturney or assigne, that thē if such deputie, atturnie or assigne do not bring with him a letter subscribed with the hand of one Iustice of the peace of the same shire where the

Proper person

the same pensioner or grantee is dwelling, or els of ẏ surveyor of the same shire for the time being, witnessing the same pensioner or grantee to be then living: that then the said receiuer & all other officer & officers, their deputies, clerks, or seruãts, to whom request by any deputie, atturney, or assigne of any such pensioner or grantee, shal be made as is aforesaid, shal not be bounde to pay anie such summe of money, to any deputie, atturny, or assigne of any such pensioner or patentee, by vertue of this act, nor for non payment therof shall incurre the danger of any paine or forfaiture before mentioned: Any matter or thing before erpressed to the contrarie, in any wise notwithstanding.

Surueyor

Forf.

Prouided alway, and be it &c. that this act, nor any thing therein contained shall not extend to restraine any such receiuer or receiuers, or other officer or officers, as is aforesaid, but that they and euery of them shal & may pay or cause to bee paied to any of the said pensioners, patentees or grantees, their said pensions, fees, & annuities quarterly, according to the tenor and effect of their patents or graunts, as they haue heretofore done, any thing therin to the contrarie hereof, notwithstanding. An. 2. E. 6. cap. 7.

¶ Pardon.

Writ Chancerie

Murder Felonie

Iust. in eire

IT is prouided also, that no writte shall from henceforth issue out of the chancerie for the death of man to inquire, whether hee were slaine by misfortune, or in his defence, or otherwise for felonie. But the offender shall be in prison till the coming of the Iusticers in eire, or Iusticers assigned to the gaole deliuerie, & put himselfe before them for good and euil: in case it be founden by the countrie, that he did it in his defence or by misfortune: then the Iustices shal do the king to wit thereof, and the king shall take him to his grace, if it please him. Glocester capit. 9. An. 6. E. 1.

2 ¶ In Stat. de Tallagio non concedendo, the king pardoned diuers persons.

3 ¶ By a statute made An. 7. E. intituled, Ne quis occasionetur pro reditu Petri de Graueston, a pardon was giuen to the that toke his part. And by another statute made An. 7. E. intituled, Statutum ne quis occasionetur pro morte Petri de Graueston, a pardon was giuen, that none should be impeached of his death.

4 ¶ An. 1. E. 2. cap. the king pardoned al them that were with him & his mother in the pursuit against his father, & other, for all acts done in the pursuit.

5 ¶ An. 1. E. 3. stat 2. cap. 3. the king pardoned diuers issues and amerciaments.

6 ¶ Whereas offenders haue bene greatly incouraged, because that charters of pardon haue been so swiftly granted in times past, of mãslaughters, robberies, felonies, and other trespasses against the peace: It is ordained and enacted, that such charters shal not be granted but only where the king may doe it by his othe, that is to say, where a man slaieth another in his own defence, or by misfortune. An. 2. E. 3. cap. 2.

R. Othe

Misfortune

7 ¶ Anno 2. E. 3. cap. 11. the king pardoned all fines forfaited for writtes for a certaine time.

Fines

8 ¶ Anno 4. E. 3. cap. 8. the king pardoned diuers things.

9 ¶ Because diuers charters of pardon haue bin granted of felonies, robberies and manslaughters, against the form of the statute made at Northhampton, cõtaining ẏ no man should haue such charters out of the parliament, whereby such misdoers haue bin more bolde to offend: It is enacted that from henceforth the same statute shal be kept and maintained in all points. An. 4. E. 3. cap. 12.

Felonie. Mãslaughter

10 ¶ Whereas murderers, robbers, and other felons bee greatly incouraged to offende, by reason the charters of pardon of manslaughter, robberie, felonies, and other trespasses against the peace, haue been so lightly graunted before this time: It is ordered and established by our soueraigne Lord the king, by the assent of his Prelates, Earles, Barons, & at the request of the said knights and commons, that no such charters from henceforth shall be granted by our soueraigne Lord the K. against the forme of the statute late made at Northhampton the second yere of his raigne. And in case that our soueraigne Lord the king grant anie such charters in time to come, that within three moneths after the making of the same, they that haue the saide charters, shall come and finde before the said shirifes and Coroners of the said counties, where the felonies bee done, such mainprise, and also as before is saide of their good abearing. And the said mainprises sealed, shalbe returned into the Chancery within three weekes after the end of ẏ said

Murderers Felons

3. moneths

Shirifes Coroners Mainprise

Good abearing Chancerie

three

thꝛæ moneths. And if they that shal haue such charters will in time to come aid thẽselues thereby, and haue not found such mainpꝛises, oꝛ after such mainpꝛise found, Wilderman do beare thẽ otherwise against the peace then they ought, their charters shall bee Void holden foꝛ none, as afoꝛe is said. An. 10. E. 3. cap. 2. & 3.

11 ¶ An 14. E. 3 cap. 2. & 3. the King pardoned diuers foꝛfaitures, & his debtes Foꝛfaitures Debts due befoꝛe a certaine time, &c.

12 ¶ No charter of pardon of ꝑ death Felonie of a man, noꝛ of other felonie, shalbe from henceforth graunted to anie man, but in case where the King may the same doe, Othe sauing the oth of his crowne, as it is contained in statutes made befoꝛe this time. And if any charter bee from henceforth granted against the said statuts, the same shalbe holden foꝛ none. An. 14. E. 3. ca. 15.

13 ¶ An. 14. E. 3. Stat. Prælatorum cap. 3. the king pardoned diuers things.

14 ¶ From henceforth in euery charter of pardon of felonie which shalbe grãted at anie mans suggestion, the said sug- Felonie Suggestion gestion, & the name of him that maketh the suggestion, shall bee compꝛised in the same charter. And if afterward the same suggestion be found vntrue, the charter shalbe disallowed, and holden foꝛ none. Justices And the Justices befoꝛe whom such charters shall be alledged, shall inquire of the same suggestiõ, and aswel of the charters granted befoꝛe this time, as of charters which shall bee graunted in time to come. And if they finde them vntrue, then they Disallow shall disallowe the charters so alledged. And shall moꝛeouer thereof doe as the lawe demaundeth. Anno 27. Edw. 3. capit. 2.

15 ¶ Anno 31. E. 3. ca. 13. the King pardoned escapes, and goods of felons and fu- Escapes Felons goods gitiues.

16 ¶ Anno 36 Ed. 3. cap. 16. the king granted a great pardon.

17 ¶ Anno 42. E. 3. cap. 2. it is enacted that the pardon that the king granted in An. 36. E. 3. should be holden.

18 ¶ Ann. 43. E. 3. the King pardoned offences in his foꝛests, except certaine officers.

19 ¶ Anno 50. E. 3. cap. 3. the king by parliament gaue a generall pardon with exceptions.

20 ¶ Anno 1. Rich. 2. cap. 10. the king granted that the generall pardons that E. 3. made in An. 50. of his raigne, should be allowed.

21 ¶ An. 4. R. 2. cap. 2. the king pardoned al escapes except certaine.

22 ¶ An. 5. R. 2. cap. 5. and An. 6. R. 2. cap. 13. and Anno 6. R. 2. stat. 2. cap. 3. the king gaue a pardon of al offences done in the late insurrection.

23 ¶ No charter of pardon frõ henceforth shall be allowed befoꝛe anie Justicer, foꝛ murder, oꝛ foꝛ the death of a man Murder slaine by await, assault oꝛ malice pꝛepensed, treason, oꝛ rape of a woman, vnlesse Treason the same murder, death of the man slaine Rape by awaite, assault, oꝛ malice pꝛepensed, treason, rape of the woman, be specified in the same charter, and if a charter of the death of a man be alleged befoꝛe anie Justices, in which charter it is not specified, that he of whose death any such is arraigned, was murdered oꝛ slaine by awaite, assault, oꝛ malice pꝛepensed, the same Justices shall inquire by a good inquest of the Inquest vicine, where the dead was slaine, if hee were murdered oꝛ slain by await, assault, oꝛ malice pꝛepensed, and if they find that he was murdered oꝛ slaine by awaite, assault, oꝛ malice pꝛepensed, the charter shall Disallowed be disallowed, and further it shall be done as the lawe commandeth. Anno 13. R. 2. stat. 2. cap. 1. All this is enacted to be kept by Anno 16. R. 2. cap. 6. And it was further enacted in Anno 13. R. 2. stat. 2. cap. 1. that his name that sueth foꝛ such a char- Name indoꝛsed ter should bee indoꝛsed by the Chamber- Chamberlaine laine, oꝛ vnderchamberlaine, and that no such charter should be sealed by the Chã- Chancelor celoꝛ, without a warrant from the pꝛiuy Warrant seale, & that he that sueth foꝛ such a charter, should foꝛfait as there appeareth, but all this part of this act concerning the doing, and suing, and sealing of the charter, is repealed by 16. R. 2. cap. 5. Repealed

24 ¶ Anno. 21. R. 2. cap. 15. the king by Parliament gaue a pardon foꝛ manie things, but this Parliament was repea- Parliament Repealed led by 1. H. 4. cap. 15.

25 ¶ Anno 1. H. 4. cap. 2. it was enacted that none that came in aid of King H. the fourth, against king Richard the second, should be molested,

26 ¶ Anno 1. Henr. 4. capit. 20. The King by Parliament pardoned diuers things.

27 ¶ Anno 21. R. 2. cap. 13 the king by parliament gaue a pardon of diuers offẽces. And after An. 2. H. 4. cap. 13. It was enacted, that euery person might inioy the benefite of the pardon, notwithstanding that the Parliament holden An. 21. R. 2.

and

and al the ſtatutes therin made, were repealed by An.1.H.4.cap.3.

Indict Felonie Murder Rape

28 ¶ Becauſe that diuers common and notorious theeues bee indicted of diuers felonies, murders, and rapes, in diuers countries, and vpon the ſame aſwell before the Kings Iuſtices, as before the king himſelfe arraigned of the ſame felonies, and for ſafegard of their liues they become prayours to ſuch intent, that in the meane time by briefage, graunts, and giftes to bee made to diuers perſons, to purſue and haue their charters, and then after their deliuerance they become more ſtrong notorious theeues then they were before: It is ordained and eſtabliſhed, that if any perſon, of what eſtate or condition that he be, man or woman, pray or purſue, or do to be prayed or purſued from henceforth for any ſuch theefe, ſo attainted by his owne confeſſion, to haue anie charter of pardon, that the name of him or her that purſueth ſuch charter bee put in the ſame charter, making mention that the ſame charter is graunted at his or her inſtance. And if hee to whome ſuch charter is graunted, after his deliuerance becommeth a theefe againe, that the ſame perſon which did ſo purſue for his charter, ſhall incurre the paine of one hundred pounds to be leuied to the kings vſe. Anno 5. R.2. cap.2.

Prayours

Name

Fyne.

29 ¶ Anno 5. H.4.cap.15. the king by Parliament gaue a general pardon with diuers exceptions.

30 ¶ Anno 7. H.4.cap.18. the king by parliamẽt pardoned al ſuch as were with him, or at his commandemẽt, for puniſhment of riots or inſurrections.

Riots Inſurrections

31 ¶ Anno 4 H.5 cap.8. the king by parliament pardoned diuers offences.

32 ¶ Anno 27.H.6.cap.6. the king by Parliament pardoned all prieſts of felonies, of rape, and all ſtipendarie prieſts of all forfeitures, for taking of wages contrarie to the ſtatutes.

Prieſts Rape

33 ¶ It appeareth in the abridgemẽt of ſtatutes, that Edward the fourth gaue a pardon, but I cannot find it in any booke of ſtatutes printed.

34 ¶ Anno 1.H.7.cap.6. a pardon and diſcharge is giuẽ to them that came with the king, or were with him in the field againſt king Richard, for murder, ſpoile, or treſpaſſe done then or after, to certaine perſons.

35 ¶ Anno 5.H.8. cap.8. it is enacted, that thoſe that would ſue for letters Patents of generall Pardon (which the King had graunted to all his ſubiectes) ſhould be allowed without writ of allowance.

Letters P.

36 ¶ It appeareth in the abridgment, that H.8.anno 7. cap.8. and anno 8.H.8. ſtatut. per ſe, gaue pardons, but I cannot finde anie of theſe two ſtatutes, in anie printed booke of ſtatutes.

37 ¶ Anno 21.H.8.cap.1. the king by Parliament gaue a general pardon with manie exceptions.

38 ¶ Anno 22.H.8.cap.15. the king by Parliament gaue a general pardon to the clergie (with manie exceptions, and diuers perſons there excepted) in conſideration of a ſubſidie graunted to him by the clergie.

Clergie

39 ¶ Anno 22. H.8.cap.16. the King by parliament gaue a pardon to the temporaltie of all offences of Præmunire.

Temporaltie Præmunire

40 ¶ Anno 23.H.8.cap.19. the King by parliament gaue a generall pardon with many exceptions.

41 ¶ Anno.26.H.8.cap.18. the king by Parliament gaue a general pardon with manie exceptions.

42 ¶ Anno 32.H.8.cap.49. the king by Parliament gaue a general pardon with many exceptions.

43 ¶ Anno 33. H.8. cap. 21. a pardon by Parliament was made to them that ſpake or did any thing againſt Quene Katherine Hayward.

44 ¶ Anno 35.H.8.cap.18. the king by parliament gaue a generall pardon with many exceptions.

45 ¶ Anno 1.E.6.cap.15. the king by parliament gaue a generall pardon with many exceptions.

46 ¶ Anno 2.E.6.cap.39. the king by parliament gaue a generall pardon with manie exceptions.

47 ¶ Anno 3.E.3. cap.24. the king by parliament gaue a generall pardon with manie exceptions.

48 ¶ Anno 7.E.6.cap. 14. the king by parliament gaue a generall pardon with manie exceptions. And the like granted 5.Eliz.

49 ¶ The like graunted 8. Eliz. and the like granted 13. Elizab. and again the like granted 18. Elizab.cap.24. And again the like graunted 23. Elizab. cap.16. And againe the like was graunted 27. El. and the like 29. El. And the like was graunted 31. El. cap.16.

¶ Periurie.

¶ Periurie.

ANno vndecimo Henrici ſeptimi, capitulo vigeſimo quinto, An act was made to indure to the next Parliament, for the puniſhment of periurie, by examination of the Chancellor, Treaſorer, &c. And after An. 12. H. 7. cap. 2. that act was continued to the next Parliament, and then it expired.

Chancellor Treaſurer

2 ¶ Foraſmuch as the penalty contained in the ſtatute made 33. H. 8. ca. 9. (before in Maintenance 7.) againſt ſubornation of periurie, in the courts there mentioned, is ſo ſmall that the offence daylie increaſeth: and for that by wilfull periury committed by ſubborned witneſſes, diuers haue ſuſtained great loſſe in their goods and lands: Be it therfore enacted &c. that all & euery ſuch perſon and perſons, which at any time after the tenth day of Aprill next comming, ſhall vnlawfully and corruptly procure any witneſſe or witneſſes, by letters, rewards, promiſes, or by any other ſiniſter and vnlawful labour or meanes whatſoeuer, to commit anie wilful or corrupt periurie in any matter or cauſe whatſoeuer, now depending, or which hereafter ſhall depende in ſute and variance, by any writte, action, bill, complaint or information, in any wiſe touching or concerning any landes, tenements or hereditamentes, or any goods, cattels, debts, or damages, in any of the courts before mentioned, or in any the Quéenes Maieſties Courts of Recorde, or in any Leet, View, Franke pledge, or lawday, ancient demeane, Courte hunored, Courte Baron, or in the Courte or Courts of the Stannerie, in the counties of Deuonſhire & Cornwall, or ſhall likewiſe vnlawfully and corruptly procure, or ſuborne any witneſſe or witneſſes, which ſhall from and after the ſaid tenth day of Aprill, be ſworne to teſtifie In perpetuam rei memoriam, that then euerie ſuch offender or offenders, ſhall for his, hers, or their ſaid offence, being thereof lawfully conuicted or attainted, loſe and forfait the ſumme of forty pound. And if it happen any ſuch offender or offenders, ſo being conuicted or attainted, as aforeſaid, not to haue any goods or cattels, lands, or tenements to the value of fortie pound, that then euery ſuch perſon ſo being conuicted or attainted of any the offences aforeſaid, ſhal for his or their offence, ſuffer

Procure Witneſſe

Periurie

Courts

Court of record
Leet
Ancient demeane
Court Baron
Stannerie

Perpetuam rei memoriã

Forf.

impriſonment by the ſpace of one halfe yere, without baile or mainperiſe, and to ſtand vpon the pillorie by the ſpace of one whole houre in ſome market towne, next adioyning to the place where the offence was committed, in open market there, or in the market town it ſelfe where the offence was committed.

Impriſ.
Mainperiſe
Pillorie

And that no perſon or perſons, being ſo conuicted or attainted, to be from thencefoorth receiued a witneſſe to be depoſed or ſworn in any court of Recorde within any of the Quéenes Highneſſe dominions of England, Wales, or the Marches of the ſame, vntil ſuch time as the iudgemẽt giuen againſt the ſaid perſon or perſons ſhal be reuerſed by attaint or otherwiſe, and that vpon euery ſuch reuerſal, the parties grieued to recouer his or their damages againſt al and euery ſuch perſon and perſons, as did procure the ſaid iudgement ſo reuerſed to be firſt giuen againſt them, or any of them, by action or actions, to be ſued vpõ his or their caſe or caſes, according to the courſe of the common lawes of this realme.

Diſabled
Judgement
Reuerſed
Damages
Actiõ of the caſe

And be it further enacted, that if any perſon or perſons, after the ſaid tenth day of Aprill next comming, either by the ſubornation, vnlawful procurement, ſiniſter perſwaſion or means of any others, or by their owne acte, conſente or agreement, wilfully and corruptly commit any maner of wilfull periurie, by his or their depoſition in any of the Courts before mentioned, or being examined (ad perpetuam rei memoriam) that then euerie perſon or perſons ſo offending, & being thereof duly cõuicted or attainted by the lawes of this realme, ſhall for his or their ſaid offence, loſe & forfait twentie pounds, and to haue impriſonment by the ſpace of 6. moneths without baile or mainperiſe, and the othe of ſuch perſon or perſons ſo offending, frõ thencefoorth not to bee receiued in anie Court of Recorde within this Realme of England, or Wales, or the Marches of ỹ ſame, vntill ſuch time as the iudgement giuen againſt the ſaid perſon or perſons, ſhalbe reuerſed by attainte or otherwiſe. And that vpon euery ſuch reuerſall, the parties grieued to recouer his or their damages againſt all and euerie ſuch perſon and perſons, as did procure the ſaid iudgement ſo reuerſed to be giuẽ againſt them or any of them, by action or actions vpon his or their caſe or caſes, according to the courſe of the Commun Lawes of this Realme.

Suborne

Wilfull periurie

Forf.
Impriſon

Diſabled

Judgement

Reuerſed

Damages

Actiõ of the caſe

Realme. And if it happen the said offender or offenders so offending, not to haue any goods or cattels to the value of twentie pounds, that then he or they to be set on the pillorie, in some market place win the shire, citie or borough, where the said offence shalbe committed, by the shirife or his ministers, if it shall fortune to bee without any Citie or Towne corporate, then by the said head officer or officers of such Citie or towne corporate, or by his or their ministers, and there to haue both his eares nayled, and from thencefoorth to be discredited, and disabled for euer to bee sworne in any of the courts of Record aforesaid, vntill such time as the iudgment shalbe reuersed, and thereupon to recouer his damages in maner and forme before mentioned. The one moitie of all such summes of money, goods, and cattels to be forfeited in maner and forme aforesaide, to be to the Queene our soueraigne Ladie, her heires and successors, and the other moitie to such person or persons as shalbe grieued, hindred, or molested, by reason of any of the offence or offences before mentioned, that will sue for the same by action of debt, bill, plaint, information, or otherwise, in any of the Quenes Maiesties courts of Record, in which no wager of law, essoine, protection or iniunction to be allowed.

Pillorie
Shirife
Eares nailed
Disabled
Reuerse
Damages
Moitie
Party grieued

And be it also enacted by the authoritie aforesaid, that aswel the Iudge and Iudges of euery such of the said courts, where any such suite is or shal be, and wherupon any such periurie is, or shall happen to be committed, as also the Iustices of assises & gaole deliuerie in their seueral circuits, and the Iustices of the Peace in euerie countie within this realme, or in Wales, at their quarter sessions both within the liberties and without, shal haue ful power and authority by vertue hereof to inquire of all and euery the defaults and offences perpetrated, committed or done contrary to this acte, by inquisition, presentment, bil or information before them exhibited, or otherwise lawfully to heare and determine the same, & thereupon to giue iudgment, award proces and execution of the same, according to the course of the lawes of this realme.

Iudges
Iust. of assi.
Iust. of g.
Iust. of P.
Quarter sessions
Inquire
Dier & ter.
Iudgment
Proces

And be it further enacted by authority aforesaid, that the Iustices of Assi. of euery circuite within this realme, and elswhere within the Quenes dominions, shall in euery countie within their circuites, two times in the yere, that is to say, in time of their sittings make open proclamation of this statute or of the effect thereof, to the intent no person or persons shall be ignorant or misconsuisant of the penalties herein contained.

Iust of assi.
Proclamation

Prouided also, that this acte nor anie thing therein contained, shal not extend to any Spirituall or Ecclesiasticall court or courts, within this realm of England or Wales, or the Marches of the same: but that all and euery such offender or offenders, as shall offend in forme aforesaide, shal & may be punished by such vsuall and ordinarie lawes, as heretofore haue bin & yet is vsed and frequented in the said Ecclesiastical courts: Any thing in this present act contained to the contrarie, in any wise notwithstanding.

Prouiso
Spirituall courts

Prouided also, and be it further enacted by the authoritie aforesaide, that if anie person or persons, vpon whom any proceese out of any of the courts of Record, within this realme or Wales, shalbe serued, to testifie or depose, concerning anie cause or matter depending in any of the same courts, & hauing tendred vnto him or them, according to his or their countenance or calling, such reasonable summes of money for his or their costs & charges, as hauing regarde to the distance of the places, is necessarie to be allowed in that behalfe, doe not appeare according to the tenor of the said proces, hauing not a lawful and reasonable let or impediment to the contrarie: that then the partie making defaulte, to lose & forfaite for euerie such offence x. li. and to yeeld such further recompence to the partie grieued, as by the discretion of the Iudge of the courte, out of the which the said proces shal be awarded, according to the losse and hinderance that the partie which procured the said proceese, shal sustaine by reason of the non appearãce of the said witnes or witnesses: the said seueral summes to be recouered by the partie so grieued, against the offender or offenders, by actiõ of debt, bill, plaint, or information in anie of the Quenes maiesties courts of Record, in which no wager of law, essoine or protection to be allowed.

Witnes
Charges
Forf.
Losse

Prouided alwaies, that this act or anie thing therin contained, shal not extend in any wise, to restraine the power or authoritie giuen by act of Parliament, made in the time of king Henry the seuenth to the Lord Chancelour of England, and others

Chancelor

of

of the kings counſel for the time being, to examine and puniſh riots, routs, hainous periurie, and other offences & miſdemeanings, which the L. Chancelor and others ſithence the making of the ſaid act, haue moſt commonly vſed to heare & determine ſuch matters in the Court at Weſtminſter, cõmonly called the Star-chamber: not to reſtraine the power or authoritie of the Lord Preſident & counſel of the marches of Wales, or of the L. Preſident and counſell in the North, nor of any other Judge having abſolute power to puniſh periurie, before the making of this eſtatute: But that they and euery of them ſhal and may proceede in the puniſhment of all offences heretofore puniſhable, in ſuch wiſe as they might haue done and vſed to doe before the making of this act to all purpoſes, ſo that they ſet not vpon the offender or offenders leſſe puniſhment, then is contained in this act. This acte to continue vnto the end of the next Parliament. An. 5. Eliz. cap. 9. This acte is continued 13. Eliz. cap. 25. vntil the end of the next Parliament. And 14. Eliz. cap. 11. likewiſe, vntill the end of the next Parliament after that. This act is continued by An. 27. Eliz. cap. 11. vntill the ende of the next Parliament. And An. 28. Eliz. cap. 5. it is made perpetuall.

Riot

Starre chamber

L. Preſident of Wales

¶ Parſon, Vicar, and Parſonage.

PArſons, Vicars, Wardens of chappels, and Prouoſt, Wardens and Prieſts of perpetuall Chanteries, ſhall haue their writtes of Iuris vtrum of lands and tenements, rentes and poſſeſſions annexed giuen perpetually in almes to vicarages, Chappels, or Chantries, and recouer by other writs in their caſe, as far forth as Parſons of Churches or Prebends. Ann. 14. E. 3. cap. 17.

Iuris vtrum

¶ Pewterers.

AT the ſute of the honeſt Pewterers and Braſiers of the cities of London and Yorke, and other places, foraſmuch as much Pewter and Braſſe is ſtollen and conueied into corners, and ſo caried ouer ſea, and much euill ſtuffe made and ſold for good, and manie deceiuable beames and ſeales vſed. Bee it &c. that no perſon nor perſons, vſing the ſaide craftes of Pewterers and Braſiers, from henceforth ſhall ſell or change any pewter or braſſe, new or old, at anie place or places within this your realme, but onely in open faires or markets, or in their owne dwelling houſes, but if they be deſired by the ſaid buyers of ſuch ware, vpon paine of forfaiture to our Soueraigne Lorde the King for euery ſuch default tenne pound.

Pewterers Braſiers

Braſſe

Faires Markets

Forf.

Alſo that it may bee &c. that no perſon nor perſons, of what condition or degree ſoeuer hee or they bee, from henceforth within the ſaid cities of London & Yorke or without, either caſte or worke anie pewter veſſel, or braſſe, at anie place or places within this your Realme, but that it be as good fine mettall, as is the Pewter and Braſſe caſte and wrought after the perfite goodneſſe of the ſame, within the citie of London, and by the ſtatutes of the ſame ought to be, vpon paine of forfaiture of all ſuch pewter and braſſe ſo caſt and wrought, or worſe pewter and braſſe then ought to bee wrought in the ſame cities. The one halfe of euery ſuch forfaiture to bee to the vſe of your highneſſe, and the other halfe to the vſe of the finders thereof.

London Yorke Worke

Goodneſſe

Forf.

Moitie

Prouided alway, that this forfaiture in no wiſe ſtretche or extend to braſſe or pewter being in the poſſeſſion of any perſon, other then the workers of the ſame, or ſuch as haue the ſame to ſell, or being of the crafts or myſteries.

Alſo that it may &c. that no manner of perſon or perſons of what degree or condition ſoeuer he or they be, from henceforth make no hollow wares of pewter, that is to ſay, ſalts & pots that are made of pewter called lay mettal, but yͤ it may be after the aſſiſe of pewter lay mettall, wrought within the citie of London. And that the makers of ſuch wares ſhall marke the ſame wares with ſeuerall markes of their owne, to the intent yͤ the makers of ſuch wares ſhall anow the ſame wares by the, as is aboueſaid, to be wrought. And that all and euery ſuch wares not ſufficiently made & wrought, & not marked in forme aboueſaide, founde in the poſſeſſion of the ſame maker or ſeller, to be forfaited. And if the ſame ware be ſold, the ſaid maker to forfaite the value of the ſame ware ſo vnlawfully wrought & ſolde, the one halfe of the ſaid ware, or the value therof, to be to the vſe of your highneſſe, & the other halfe to bee to the vſe of the finder or finders or ſearchers thereof.

Hollow wares

Marke

Forf.

Forf.

Moitie

Alſo that it maie &c. that if anie perſon

or

or persons, hereafter vsing buying & selling of pewter or brasse, that hereafter occupy any deceiuable or false beames or weightes of the saide wares, that euery such person or persons vsing or occupying such deceiuable or vntrue beames or weights, to forfait xx.s. the one halfe to the king, & the other half to the party that therfore shall sue by action of debt. And that in the said action, no protection, nor essoine shalbe allowed. And also the saide parties so offending, shal forfait his beame to him y shal seise it, & if the said offender or offenders be not sufficient to pay y said summe or summes by them so forfaited, y then it shalbe lawful to the Maiors, bailifes, or other head officer of such place or places where any such offenders shal bee found, to put them in the stocks, and them so to keepe til the next market day next ensuing, & in the market place to put them on the pillory all the market time.

False weights

Forf. Moitie

Forf.

Maiors Bailifes

Stocks

Pillory

And furthermore, that it be lawfull by the said authoritie, that the maister & wardens of the said craft of Pewterers, within euery citie & borough of this Realme, where such wardens are, & where no such wardens are, the head officers or gouernors of the same Citie or Borough, to appoint certaine persons most expert in knowledge of the same, to make search within the said Cities or boroughs where they dwell, And ouer this, the Justices of peace within euery shire, at the generall Sessions, holden at Michaelmas shall assigne & appoint two certaine persons, hauing experience to make search in y premisses, in euery part of that shire, as well within the franchise as without, sauing in Cities or boroughs where Searchers be appointed by the heads or gouernours of the same, and that of all such vnlawfull Pewter or Brasse, as the said Searchers shal finde, the one halfe to the vse of your grace, and the other halfe to the said searcher, and that in the default of the saide maisters and wardens of the occupations not searching in fourme as is aforesaide, and whereby that any such vnlawfull mettall is cast or made, or vnlawfull weights vsed: That then it shalbe lawful to any person or persons, hauing sufficient cunning and knowledge in the said occupations by ouersight of the Maiors, Bailifes, and head officers of the said Cities & boroughes, to search all the said places, & to put the said authoritie and act in execution in forme aforesaid.

Wardens

Search Iust of P. Generall sessions at Michaelmas

Moitie

Maiors Bailifes

Search

Prouided alway, that this present acte continue and endure to the next Parliament, and no longer. Anno 19. H.7. cap. 6. This acte is made perpetuall in Anno 4 H.8. cap. 7. as here followeth.

2 The said act (s. Anno 19. H.7. cap. 6. before 1.) may endure for euer. And ouer that be it &c. that if any vntrue or deceiuable mettal or workmanship of tinne or pewter bee founde either in platters, chargers, dishes, sawcers, potengers, trenchers, basons, flagons, bottels, pots, saltsellers, goblets, spoones, cruets, or candlesticks, or any other such wares of Tinne or Pewter, whatsoeuer it be, cast, made, or wrought within this realme or without, and brought to be sold within the same realme: that then it shalbe lawful to the Maior of the Citie of London, and the Maister and wardens of the craft of Pewterers (of the said citie for the time being) and their Deputies, to haue search of the same within the Citie of London, and the Suburbs of the same. And that in all other Cities, Boroughes and Townes where any Wardens bee or shall bee, the Maiors, Bailifs, or head officers & Wardens to haue like authoritie. And where no Wardens be, then the head officers or gouernours of the same Cities, boroughs and townes, to appoynt certaine persons most expert and cunning in knowledge of the same, to make search within the sayde cities, boroughs and townes where they dwell. And if ante such newe wares wrought of tinne and pewter as is afore-saide, bee found defectiue, and being in the possession of the seller, that the same person or persons that putteth any such new wares of pewter to sale, shall forfet the same wares, the one halfe to the vse of our soueraigne Lorde the king, and the other halfe to the searchers and finders of the same. Prouided alway, that this acte concerning the forfaiture, be not preiudiciall nor hurtfull to any person or persons hauing grant of our soueraigne L. the king, or of any of his noble progenitors by his letters patents of such forfaiture, but that they and euery of them shal haue & enioye the same, according to their former grants and liberties. An. 4. H.8. cap. 7.

Untrue mettall Tinne

Maior London Wardens

Search

Pewter

Forf. Moitie

L. patents

3 That no person or persons hereafter at any time now inhabiting, or which hereafter shal inhabit within this realm, shall buy or otherwise take by exchange for other wares, any maner wares made, or hereafter to be made out of this realm,

Tinne

of Tinne or mixt with Tinne, as platters, dishes, saucers, pots, basons, ewers, flagons, goblets, salts, saltsellers, spones or any other thing made of Tinne or

Pewter

Pewter, as is aforesaide, whatsoeuer it

Forf.

bee, vpon paine of forfaiture of the same ware in whose handes soeuer it may bee found or taken, and also lawfull money

Poltie

currant in this realme, to the full value thereof, the one halfe of the same forfeiture to be to the vse of the kings highnes, and the other halfe to be to the vse of the finders of the same. And further more be it &c. that it shalbe lawfull to the Master

Wardens

and wardens of the said craft of Pewterers, aswell within the Citie of London

London Citie Borough

as within euery other citie, borough and towne of this realme, where such Wardens be, and where no such Wardens be, to the head officer or gouernour, head officers or gouernors of the same citie, borough or towne for the time being, to appoint diuers persons most expert in the

Officers

Search

knowledge of the same, to make search and seisure, and to take into their handes and possessions, all such wares, as hereafter shall be brought, contrarie to the true intent and effect of this present acte, in whose soeuer hands or possessions any such shal be found.

And also be it &c. that no person nor persons occupying the said craft or occupation of Pewterers within this realm, shal set on worke, or reteine in his or their seruice any person or persons to bee his or

Apprentice Iourneyman Stranger Forf. Charged

their apprentice or iourneyman, being a stranger, borne out of this realme, vpon paine to forfait for euery such apprentice & iourneyman, x.li sterling. And that no stranger borne out of this realme, shall occupy, exercise or vse, from the feast of Pentecost next comming, the said craft of Pewterers, ne worke any maner of vessell or other ware aforesaid, to be made of Tinne or Pewter, within any place or places of this realme, vpon paine of forfaiture of x.li sterling. And also vpō paine

Forf.

of forfaiture of ỳ same Pewter or Tinne so wrought, in whose hands soeuer it shal be found or taken.

Borne in the realme

And also be it &c. that no persons being borne within this realme, occupying or exercising ỳ said craft of Pewterers, shal at any time hereafter resort into any strange regions & countries there to vse, teach or exercise the said craft of Pewterers, vpon paine to lose the priuilege and benefite of an Englishman. And if in case any of the kings subiectes, at this present time being dwelling in any strange countrey or region and other occupying ỳ said craft of pewterers, doe not repaire into

3. monthes

this realme within three monethes next after request and warning to him to bee giuen by writing, sealed with the commō seale of the Wardens of the said craft

Wardens London

within the saide citie of London, and here in this Realme continually from henceforth dwell and inhabite, that then, and from thencefoorth he shall be reputed and taken as no Englishman, but shall stande

No Englishman

and be from thencefoorth out of the kings protection.

And forasmuch as sundry euill disposed persons, which commonly beene called hawkers, by authoritie of the kings Letters patents or Placard, do not onely goe

Hawkers Letters P.

about from place to place within this Realme, vsing buying & selling of brasse

Brasse Pewter

and pewter, and by colour and pretence of the same licences or placardes, vse vnlawful and deceiuable weights & beams,

Weights

but also do vse to sell both Brasse & pewter, which is not good nor truely nor lawfully mixt nor wrought, to the great deceit of the kings liege people, contrary to the forme and effect of the saide good acte & statute made in the said fourth yere of the kings most noble raigne (s. ca. 7. before 2.) Be it therefore &c. That all such licences

Placards

and placardes heretofore had, made, or graunted to any such person or persons, contrary to the true meaning, forme and effect of this statute, shall be from henceforth by authoritie of this present parliament, clearely voide and of none effect.

Voyd

And whereas in the said acte of Parliament concerning the craft of pewterers and brasiers, made the said fourth yere (s. ca. 7. before 2.) for diuers causes and considerations in the same acte contained, amongst other things it is expressed, that no person or persons vsing the said craft of pewterers or brasiers, shoulde from thencefoorth sell or exchange any pewter or brasse, newe or olde, at any place or

Sell Change

places within this Realme, but onely in open Faires and Markets, or in their

Faires Market

owne dwelling houses, but if they were desyred by the buyers of such wares, vpon paine of forfaiture for euery such default tenne poundes. Forasmuch as the

Forf.

same forfaiture is to the onely vse of the kings highnesse, and that any party searching or finding the same, is not intituled to haue any benefite thereby, it hath not

beene

bene knowen, that any person or persons haue taken any paine to search or make any inquirie therof, by reason wherof diuers and many ill disposed persons, vsing buying or selling both of brasse and pewter, and not regarding the saide good acte, neither the saide penaltie, daily goe about from village to village, towne to towne, and from house to house, to sell such pewter and brasse, which is not good, & also vse deceiueable weightes & beames, as they did before the making of the saide acte, to the great hurt and deceit of the Kinges true liege people and subiectes. Wherefore be it &c. that as well the moitie of the said forfaiture of x.li. limitted in the saide Statute made in the fourth yere (1. cap. 7. before 2.) as also the moitie of all other forfaitures before expressed, and euery of them bee and shall be to the vse of the kings highnesse, his heires and successours, and the other moitie of the same forfaitures, and euery of them, to the vse of him or them that shall sease, finde or present y saide forfaitures or any of them, or that shall sue for the same. &c. wherein the defendant shall in no wise be admitted to wage his laiwe nor &c. shalbe alowed. This acte to endure to the last daye of the nexte parliament, Anno 25. H. 8. cap. 9. This acte is continued. Anno. 28. H. 8. cap. 9. & Anno 31. H. 8. cap. 9. And after Anno 33. Henr. 8. cap. 7. it is made perpetuall, as here following appeareth.

Weights Beames

Moitie

4 ¶ That all and euery of the said acts and statutes (1. Anno 4. Henr. 8. cap. 7. before 2. & Anno 25. Henric. 8. cap. 9. before 3.) and all and euery article, sentence and clause comprised in the same, may from henceforth stande and abyde in as full strength and effect for euermore from henceforth to endure, according to the purport, tenor, and effect of the same acte and actes, as though the saide articles, sentences, and clauses were specially limitted, recited, or declared in this present act.

And that no person ne persons from henceforth buy, or take by exchange, or otherwise take into or within this realm, to the intent to sell, any such things or wares aboue rehearsed, made or to bee made out of this Realme, vpon paine of like forfaiture and penalties, as are and were expressed in the saide seuerall actes, the same penalties and forfaitures to bee leuied as is afore expressed. And that it may be &c. that if any person or persons do lawfully withstand, interrupt, disturb or let the maister and wardens, or their deputies of the said craft of Pewterers for the time being, or the head officer or gouernour, head officers or gouernours of Cities, Townes or boroughs within this realme, wherein no such maister & wardens are or shall bee, or any of them, in searching, trising, and taking into their hands and possessions, such wares as shal happen to be bought or brought into this realme, contrarie to the purport and effect of the said estatute, made in the saide xvi. yere of the raigne of our saide Soueraigne Lorde (cap. 9. before 3.) that then euery such person and persons so offending in letting, disturbing, or withstanding the saide seisure, or taking of such wares as is aforesaid, shal lose and forfait for euery time so doing, the summe of fiue pound sterling, the one halfe whereof shalbe to the kings vse, and the other half to him or them that will or shall sue for the same by action of debt, wast, bil, plaint or information, in any the kings courtes of Record, &c. In which action or sute, no protection, &c. shalbe allowed nor admitted. Anno 33. H. 8. cap. 4.

Disturbe. Clarcents

Brought into England

Forf.

Moitie

¶ Physicions and Surgeons.

NO person within the citie of London nor within seuen miles of the same, take vpon him to exercise and occupie as a Physitian or surgeon, except he be first examined, approued and admitted by the Bishop of London, or by the Deane of Paules for the time being, calling to him or them foure doctors of Physicke, and for Surgerie other expert persons in that faculties, and for the first examination such as they shall thinke conuenient, & afterward alway iiii. of them that haue bin so approued, vpon the paine of forfaiture for euery moneth that they doe occupie as Physitians and Surgeons, not admitted nor examined after the tenor of this acte, of fiue pound, to be employed, the one half thereof to the vse of our soueraigne Lorde the king, and the other halfe thereof to any person that will sue for it by action of debt, in which no wager of laime, nor protection shalbe allowed. And ouer this, that no person out of the said citie and precinct of seuen miles of the same, except hee haue bene (as is aforesaide) approued in the same, take vpon him to exercise and

London 7 miles

Examined Bishop of London Deane of Paules 4. Doctors

Forf. Monethly

Moitie

Approued

occupie as a Physician or Surgeon in any diocesse within this Realme, but if hee be first examined and approued by the bishop of the same diocesse, or (he being out of the same diocesse) by his vicar generall, either of them calling to them such expert persons in the said faculties, as their discretion shal thinke conuenient, & giuing their letters testimonials vnder their seales to him that they shall so approoue, vpon like paine to them that occupy contrary to this acte (as is abouesaide) to bee lemed and employed after the forme beforerecited.

Letters testimoniall Fees.

Prouided alway, that this acte nor any thing therein conteined, be preiudiciall to the vniuersities of Oxford & Cambridge, or either of them, or to the priuileges granted to them. Anno. 3. H. 8. cap. 11.

Oxford Cambridge

¶ From henceforth your said suppliants (that the Wardens and fellowship of Surgeons in London) be discharged and not chargeable of Constableship, watch & all maner of office, bearing any armour, & also of all enquestes & iuries within the citie of London. And also that this acte in all things do extend to all Barbours surgeons, admitted & appointed to exercise the said mysterie of Surgeons, according to the forme of the Statute lately made in that behalfe, so that they excede nor bee at one time aboue the number of twelue persons. An. 3. H. 8. cap. 6.

Wardens London, Constable Watch Bearing armour, Enquestes London Barbours Appointed

12. persons

¶ In their most humble wise they weth vnto your highnes, your true & faithfull subiects and liegemen, John Chamber, Thomas Linacre, Fernandes de Victoria, your Physicions, and Nicholas Hallywel, John Frances, & Robert Yarley, and all other men of the same facultie within the citie of London, & seuen miles about, that where your highnes (by your most gracious Letters Patents bearing date at Westm. the 23. day of September the tenth yere of your most noble reigne, for the cõmon wealth of this your realm, in due exercising and practising of the facultie of Physike, and the good ministration of medicines to be had) haue incorporated & made of vs & of our cõpany aforesaid, one body and perpetual comminaltie or fellowship of the facultie of Physike, & to haue perpetuall succession and commõ seale, and to choose yerely a President of the same fellowship and comminaltie, to ouersee, rule, and gouerne the same fellowship and comminaltie, and all men of the same facultie, with diuers other liberties and priuiledges by your highnes to vs granted, for the common wealth of this your realme, as in your said most gracious letters patents more at large is specified and conteined, the tenor whereof followeth in these wordes.

London 7. miles

L. patents

President

The letters patents

HEnricus Dei gratia Rex Angliæ & Franciæ, & Dominus Hiberniæ, omnibus ad quos præsentes literæ peruenerint, salutem. Cum regij officij nostri munus arbitremur, ditionis nostræ hominum fœlicitati omni ratione consulere, id autem vel inprimis fore, si improborum conatibus tempestiue occurramus: apprime necessarium duximus, improborũ quoque hominum, qui medicinam magis auaritiæ suæ causa, quam vllius bonæ conscientiæ fiducia profitebuntur, vnde rudi & credulæ plebi plurima incommoda oriantur, audaciam compescere: Itaque partim bene institutarum ciuitatum in Italia, & alijs multis nationibus, exemplum imitati, partim grauium virorum, Doctorum, Iohannis Chambre, Thomæ Linacre, Ferdinandi de Victoria, medicorum nostrorum, Nicholai Halliwell, Iohannis Franciſci, & Roberti Yarley medicorum, ac præcipue Reuerendissimi in Christo patris, ac Domini Thomæ tituli sanctæ ecclesiæ, trans Tiberim, sacrosanctæ Rom ecclesiæ presbiteri, Cardinalis Eboracensis Archiepiscopi, & regni nostri Angliæ Cancellarij thanistimi precibus inclinati, Collegium perpetuum Doctorum & grauium virorum, qui medicinam in vrbe nostra Londino & suburbibus, intráque septem millia passuum ab ea vrbe quaqua versus publice exercent, instituí volumus atque imperamus. Quibus tum sui honoris, tum publicæ vtilitatis nomine curæ, vt speramus, erit, malitiosorum, quorum meminimus, inscitiam temeritatemque tam exemplo grauitateque sua deterrere, quam per leges nostras nuper editas, ac per constitutiones per idem collegium condendas punire. Quæ quo facilius rite peragi possint, memoratis doctoribus Iohanni Chambre, Thomæ Linacre, Ferdinando de victoria Medicis nostris, Nicholao Halliwel, Iohanni Francisco, & Rõb. Yarley Medicis, concessimus, quod ipsi omnesque homines eiusdẽ facultatis de & in ciuitate prædicta, sint in re & in nomine vnũ corpus & communitas ꝑpetua, siue collegiũ perpetuum,

& quod

& quod eadem communitas siue collegium singulis annis in perpetuum eligere possint, & facere de communitate illa, aliquem prouidum virum, & in facultate medicinæ expertum, in Præsidentem eiusdē collegij siue communitatis, ad superuidendum, recognoscendum, & gubernandum pro illo anno, collegium, siue communitatem prædictam, & omnes homines eiusdem facultatis, & negotia eorundem. Et quod idem Præsidens & collegium, siue communitas, habeant successionem perpetuam, & commune sigillum, negotijs dictæ communitatis & Præsidentis in perpetuum seruiturum. Et quod ipsi & successores sui in perpetuum sint personæ habiles & capaces ad perquirendum & possidendum in fœdo, & perpetuitate, terras & tenementa, reddit⁹, & alias possessiones quascunque. Concessimus etiam eis & successoribus suis pro nobis & hæredibus nostris, quod ipsi & successores sui, possint perquirere sibi & successoribus suis, tam in dicta vrbe, quam extra, terras & tenementa quæcunque ad annuum valorem duodecim librarum non excedenda, statuto de alienatione ad manum mortuam non obstante. Et quod ipsi per nomina Præsidentis collegij, seu communitatis facultatis medicinæ London, placitari & implacitari possint coram quibuscunque iudicibus in curijs & actionibus quibuscunque. Et quod prædictus præsidens & collegium siue communitas, & eorum successores, congregationes licitas & honestas de seipsis, ac statuta & ordinationes pro salubri gubernatione superuisa & correctione Collegij seu communitatis prædictæ, & omnium hominum eandem facultatem in dicta ciuitate, seu per septem milliaria in circuitu eiusdem ciuitatis exercendum secundum necessitatis exigentiam (quoties & quando opus fuerit) facere valeant licitè & impunè, sine impedimento nostro, hæredum vel successorum nostrorum, iusticiariorum, escaetorum, vicecomitum, & aliorum ballliuorum, vel ministrorum nostrorum, hæredum vel successorum nostrorum quorumcunque. Concessimus etiam eisdem Præsidenti & Collegio seu communitati & successoribus suis, quod nemo in dicta ciuitate, aut per septem milliaria in circuitu eiusdem, exerceat dictam facultatem, nisi ad hoc per dictum Præsidentem & communitatem, seu successores eorum, qui pro tempore fuerint, admissus sit per eiusdem præsidentis & Collegij literas, sigillo suo communi sigillatas, sub pœna centum solidorum pro quolibet mense, quo non admissus, eandem facultatem exercuit, dimidium inde nobis, & hæredibus nostris, & dimidium dicto Præsidenti & collegio applicandum. Præterea volumus & concedimus pro nobis & successoribus nostris (quantum in nobis est) quod per Præsidentem & collegium communitatis pro tempore existen & eorum successores in perpetuum, quatuor, singulis annis per ipsos eligantur, qui habeant superuisum & scrutinium, correctionem & gubernationem omnium & singulorum dictæ ciuitatis medicorum, vtentium facultate medicinæ in eadem ciuitate, ac aliorum medicorum forinsecorum quorumcunque, facultatem illam medicinæ aliquo modo frequentantium & vtentium infra eandem ciuitatem & suburbia eiusdem, siue infra milliaria in circuitu eiusdem ciuitatis, ac punitionem eorundem pro delictis suis in non bene exequendo, faciendo, & vtendo illa, nec non superuisum & scrutinium omni modo medicinarum, & eorum receptionem per dictos medicos, seu aliquem eorum, huiusmodi ligeis nostris pro eorum infirmitatibus curandis & sanandis, dandis, imponendis & vtendis, quoties & quando opus fuerit pro commodo & vtilitate eorundem ligeorum nostrorum: Ita quod punitio huiusmodi medicorum, vtentium dicta facultate medicinæ, sic in præmissis delinquentium, per fines, amerciamenta, imprisonamenta corporum suorum, & per alias vias rationabiles, & congruas exequatur. Volumus etiam & concedimus pro nobis, hæredibus & successoribus nostris (quantum in nobis est) quod nec Præsidens, nec aliquis de collegio prædicto medicorum, nec successores sui, nec eorum aliquis exercens facultatem illam quoquo modo in futurum infra ciuitatem nostram prædictam, & suburbia eiusdem, seu alibi summoneantur aut ponantur, neque eorum aliquis summoneatur, aut ponatur in aliquibus assisis, iuratis, inquestis, inquisitionibus, attinctis & alijs recognitionibus infra dictam ciuitatem, & suburbia eiusdem imposterum coram maiore ac vicecomite seu coronatoribus dictæ ciuitatis nostræ pro tempore existentibus capiendum, aut per aliquem officiarium, seu ministrum suum, vel officiarios, siue ministros suos, summonendos, licet eadē iurata, inquisitiones, seu recognitiones summonitæ fuerint super breui, vel breuibus nostris, vel hæredum nostrorum

Purchase

Twelue pound land

Implead

Fort.

Imprit.

Inquest

de recto, sed quod dicti magistri siue gubernatores, ac communitas facultatis antedictæ, & successores sui, & eorum quilibet, dictam facultatem exercentes versus nos, hæredes & successores nostros, ac versus Maiorem & Vicecomites ciuitatis nostræ prædictæ, (pro tempore existent) & quoscunque officiarios & ministros suos, sunt inde quieti, & penitus exonerati in perpetuum per præsentes. Prouiso quod literæ nostræ, seu aliquid in eis contentum non cedent in præiudicium ciuitatis nostræ London, seu libertatis eiusdem. Et hoc absque fine seu fœodo pro præmissis, seu sigillatione præsentium nobis facienda, soluenda vel aliqualiter reddenda, aliquo statuto, ordinatione, vel actu in contrarium ante hæc tempora facto, edito, ordinato, seu prouiso in aliquo non obstante. In cuius rei testimonium has literas nostras fieri fecimus patentes. Teste me ipso, apud Westmonasterium 23. die Septemb. Anno regni nostri decimo. Per ipsum regem, & de data prædicta, authoritate Parliamenti Tunstall.

London

Corporatiõ

AND forasmuch that the making of the saide corporation is meritorious, and verie good for the common wealth of this your Realme, it is therefore expedient and necessarie to prounde, that no person of the saide politike bodie and comminaltie aforesaide, be suffered to exercise Physike, but onely those persons that bee profound, sad, and discreet, groundly learned, and deepely studied in Physike. In consideration whereof, and for the authorising of the same letters patents, and also entarging of further articles for the said common wealth to be had and made, pleaseth it your highnesse &c. to enact &c. that the saide corporation of the saide comminaltie and fellowship of the facultie of Physike aforesaide, and all and euery graunt, article, & other thing contained and specified in the saide Letters patents be approued, granted, ratified, and confirmed in this present Parliament, and clearely authorized and admitted by the same, good, lawfull, and auailable to your saide bodie corporate, and their successours for euer, in as ample and large manner as may bee taken, thought and construed by the same. And that it shall please your highnesse &c. further ly to enact, &c. that the fire persons aforesaide, in your saide most gracious letters Patentes, named as principals, and first named of the saide comminaltie and fellowship, choosing to them two or moe of the saide comminaltie from hence forwarde bee called and cleped elects. And that the same elects yeerely choose one of them to bee President of the saide comminaltie, as oft as any of the roomes and place of the same elects shall fortune to bee voyde by death or other wise, then the superuisors of the same elects (within thirtie or fourty dayes next after the death of them or any of them) shall chuse, name, and admit one or moe, as nede shall require, of the most cunning and experte men, of, and in the sayde facultie in London, to supply the saide room and number of eight persons.

Approued

Elects President

Superuisors

London

viii. persons

So that bee or they that shall be so chosen, be first by ỳ said superuisors straightly examined after a forme deuised by the saide elects, and also by the same superuisors approued.

And where that in the dioceses of England out of London, it is not light to finde alway men able sufficiently to examine (after the Statute) such as shall be admitted to exercise physik in them. that it male be enacted in this present parliament, that no person from henceforth be suffered to exercise or practise in Physike throwout England, vntill such time that he be examined at London by the sayde President and three of the saide elects, and to haue from the saide president or elects, letters testimonials of their approuing and examination, except he be a graduate of Oxford or Cambridge which hath accomplished all thing, for his forme without any grace. Anno. 14. H. 8. cap. 5.

Examine

Graduate Oxford Cambridge

4 ¶ In most humble wise shewen vnto your Maiestie, your true & faithfull subiectes and liegemen, the President of the corporation of the Comminaltie and Fellowship of the science & facultie of Physike in your Citie of London, & the commons & felowes of the same, that whereas diuers of them many times hauing in cure as well some of the Lordes of your most honorable counsel, and diuers times many of ỳ nobilitie of this realme, as many other of your faithfull and liege people, cannot giue their due attendance to them & other their pacients wt such diligẽce, as their duetie were & is to doe, by reason they bee many times compelled as well within the said citie of London and

President

London

Fourre sons

Othe

Fire persons

suburbs

suburbes of the same, as in other townes and villages, to kæpe watch and warde, & be chosen to the office of Constable and other offices within the said citie and Suburbs of the same, as in other places within this your realm, to their great fatigation & vnquieting, & to the perill of their patients, by reason they cannot be conueniently attended: It may therfore please your most excellent Maiestie with ẏ assent &c. to enact &c. that the Presidẽt of the said communaltie & fellowship for the time being, & the commons & fellowes of the same, & euery fellow therof that now be or at any time hereafter shalbe, their successors and the successors of euery of them, at all time and times after the making of this present act, shalbe discharged to kæpe any watch or warde in your saide citie of London, or the suburbs of ẏ same, or any part thereof: And that they nor any of them shalbe chosen Cõstable or any other officer in the said citie or suburbes. And that if at any time hereafter the said Presidẽt for the time being, or any of ẏ said Commons or Fellowes for the time being, by any wayes or means be appointed or elected to any watch or ward, office of Constable, or any other office within ẏ said citie or suburbs, the same appointmẽt or election to be vtterly voide and of none effect, any order, custome or law to ẏ contrarie before this time vsed in the said citie notwithstanding. And that it may please your most royall Maiestie &c. for the Common wealth and suertie of your louing Subiects of this your Realme, in, and for the administration of medicines to such of your saide subiectes as shal haue næde of the same, that from henceforth the said president for the time being, commons and fellowes and their successors, may yærely at such time as they shall thinke most mæte and conuenient for the same, elect and choose foure persons of the saide commons and fellowes of the best learned, wisest, and most discræte, such as they shall thinke conuenient, and haue experience in the saide facultie of Physike: And that the saide foure persons so elected and chosen, after a corporall othe to them ministred by the saide Presidẽt or his Deputie, shall and may by vertue of this present acte, haue full authoritie and power, as often as they shall think mæte and conuenient, to enter into the house or houses of all and euery Apothecary, nowe or any time hereafter vsing the mysterie or craft of an Apothecarie within ẏ saide Citie, onely to search, viewe and sée such Apothecarie wares, drugs, and stuffe as the saide Apothecaries or anye of them haue, or at any time hereafter shal haue in their house or houses. And all such wares drugs and stuffes as the same foure persons shall then finde defectiue, corrupted, and not mæte nor conuenient to be ministred in any medicines for the health of mans bodye, the same foure persons calling to them the Wardẽs of the saide mysterie of Apothecaries within the said Citie for the time being, or one of them, shal cause to be burnt, or otherwise destroye the same as they shal think mæte by their discretion. And if the said Apothecaries or any of them at any time hereafter doe obstinately or willingly refuse or denye the said foure persons yærely elected and chosen as is beforesaide, to enter into their said house or houses for the causes, intent and purpose before rehearsed: That then they and euery of them so offending contrary to this act, for euery time that he or they doe so offende, to forfeite an hundred shillings, the one halfe to your Maiestie, and the other halfe to him that will sue for the same by action of debt, bill, plaint, or information in any of the kings courts, wherin no wager of lawe, essoine, or protection shalbe allowed. And if the saide foure persons or any of them so elected & chosen, as before is saide, doe refuse to bee sworne, or after his saide othe to him or them administred, do obstinately refuse to make the said search and view once in the yære, at such time as they shal think most conuenient by their discretions, hauing no lawfull impediment by sickneſſe or otherwise to the contrary: That then for euery such wilfull and obstinate default, euery of the saide foure persons making default, to forfeit xl.s. And forasmuch as the science of Physike doeth comprehend, include & conteine the knowledge of Surgerie as a speciall member and part of the same, Therefore be it enacted, that any of the said company or felowship of Physicions being able, chosen and admitted by the saide Presidẽt and fellowship of Physicions, may from time to time as well within the citie of London, as elsewhere within this Realme, practise & exercise the said science of Physike in al and euery his members and part, any act, statute, or prouision made to ẏ contrary notwithstanding. An. 32. H. 8. cap. 40.

Marginalia: Match Ward Constable; Presidẽt Felowship; Match London; Constable Officers; Voide; Foure persons; Othe; Apothecary Search; Wardens; Destroy; Refuse; Forf. Moitie; Refuse; Forf.; Surgery; London

5 The king our soueraigne lorde by the aduise &c. duly pondring among other things necessary for the Common wealth of this Realme, that it is very expedient and needeful to prouide for men expert in the science of Physike and Surgerie, for the health of mans body, when infirmitie and sickenesse shall happen, for the due exercise and maintenance whereof, good & necessarie acts be alreadie made and prouided: Yet neuertheles, forasmuch as London within the citie of London where men of great experience as wel in speculation as in practise of the science & facultie of Surgerie, be abiding and inhabiting, and haue more commonly the daily exercise and experience of the same science of Surgerie, then is had or vsed within other partes of this realme, and by occasion therof many expert persons be brought vp vnder them as their seruants, apprentises & others, who by the exercise and diligent information of their said masters, as well now as hereafter shall exercise the saide Science within diuers other parts of this realme, to the great relefe, comfort and succour of much people, and to the sure safegarde of their bodily health, their limmes and liues: And forasmuch as within the saide citie of London, there be now two seuerall and distinct companies of Surgeons occupying and exercising the saide science & facultie of Surgerie, the one company being commonly called the Barbors of London, and the other company called the Surgeons of London: which company of Barbors be incorporated to sue and to be sued by the name of masters and gouernors of the mysterie and comminaltie of the Barbors of London, by vertue and authoritie of the letters patents vnder the great seale of the late king of famous memory king Edwarde the fourth dated at Westminster the foure and twentieth day of February, in the first yere of his reigne, which afterwarde aswell by our now most dread soueraigne lord, as by the right noble & vertuous prince K. Henrie the 7. Father vnto the kings most excellent highnes now being, were & be confirmed, as by sundry letters patents thereof made, among other things in the same conteined, more at large may appeare: And the other company called the Surgeons, be not incorporate, nor haue any maner of corporation, which two seuerall and distinct companies of Surgeons were necessarie to bee vnited and made one bodie incorporate, to the intent that by their vnion and often assemblies togeither, the good and due order, exercise and knowledge of the said science or facultie of Surgerie, should be aswel in speculation as in practise, both to themselues, and all other their said seruants and apprentices, now, & hereafter to be brought vp vnder them, and by their learnings and diligent and ripe informations, more perfect, speedie, and effectuall remedie should bee, then it hath bene or should bee, if the saide two companies of Barbours and Surgeons should continue seuered asonder, and not ioyned together, as they before this time haue bene and vsed themselues, not medling together: wherefore in consideration of the premisses, be it &c. that the said two seuerall and distinct companies of Surgeons, that is to say, both the Barbours and the Surgeons, and euery person of them being a free man of either of the saide companies, after the custome of the saide citie of London, and their successours from henceforth immediatly, be vnited and made one entire and whole body corporate, and one comminalty perpetuall, which at all times hereafter shal be called by the name of masters and gouernours of the mysterie and comminaltie of Barbours and Surgeons of London for euermore, and by none other name. And by the same name to implead and bee impleaded, before al manner of Iustices, in all courts, in al maner of actions & sutes. And also to purchase, enioy, & take to them & to their successors all manner of lands, tenements, rents, and other possessions whatsoeuer they be, & also shal haue a common seale to serue for the busines of the saide company & corporation for euer. And by the same name peaceably, quietly, & indifferently haue possession, & enioy to them and to their successors for euer, all such lands & tenements, & other hereditaments whatsoeuer, which the saide company or cõminalty of barbours haue and enioy to the vse of the saide misterie & comminaltie of barbours of London. And also shall peaceably and quietly haue and enioy all and singuler benefits, graunts, liberties, priuiledges, franchises, and free customes, and also all manner of other things at any time giuen and graunted vnto the sayde companies of Barbours or Surgeons, by whatsoeuer name or names they or anie of them were called, and which they or any of them now haue,

Two companies

Barbours

Surgeons

Barbours & Surgeons

Purchase

Common seale

or

or any of their predecessours haue had by acts of Parliament, letters patents of the kings Highnesse, or other his most noble progenitors, or otherwise by any lawfull meanes haue had, at any time afore this present act, in as large and ample manner and forme, as they or anie of them haue had, might or should enioy the same, this vnion or coniunction of the sanie companies togeither notwithstanding. And as largely to haue and enioy the premisses, as if the same were & had bene specially & particularly expressed and declared with the best & most clearest wordes & termes in the lawe, to all intentes and purposes. And that all persons of the said companie now incorporate by this present acte, and their successors, that shalbee lawfully admitted and approued, to occupy surgerie, after the forme of the statute in that case ordained and prouided, shal be exempt for bearing of armour, or to bee put in anie watches of inquests. And that they & their successors shal haue the search, ouersight, punishment and correction, aswel of frémen as of forreines, for such offences as they or any of them shal commit or doe against the order of barbery or surgery, as afore this time among the saide mistery & company of barbors of London, hath ben vsed and accustomed, according to the good and politike rules & ordinances by them made & approued by the Lord Chãceller, Treasurer, and two chiefe Iustices of either bench, or any three of them, after the forme of the statute in that case ordained & prouided. And further bee it &c. that the said maisters or gouernours of ỳ said mysterie and comminaltie of Barbors and Surgeons of London, and their successors yeerely for euer, after their saide discretions, at their frée liberty and pleasure, shal and may haue and take without contradiction, foure persons condemned, adiudged, and put to death for felony, by ỳ due order of the kings lawes of this Realme, for anatomies, without any further sute or labour to bee made to the kings highnes, his heires or successors for the same. And to make incision of the same dead bodies or otherwise to order the same after their said discretions at their pleasures for their further & better knowledge, instruction, insight, learning, and expertience in the said science or faculties of Surgery: sauing vnto all persons their heires & successors all such right, title, interest, and demaunde, which they or any of them might lawfully claime or haue, in or to any of the lands and tenements, with the appurtenances belonging vnto the said cõpany of Barbors & Surgeons or anie of them, at any time afore ỳ making of this act, in as ample maner and forme as they or any of them had or ought to haue had heretofore: Any thing in this present acte comprised to the contrary hereof, in anie wise notwithstanding. And forasmuch as such persons vsing the mistery or faculties of surgery, often times meddle and take into their cures & houses such sicke & diseased persõs as be infected with the pestilence, greate pocks, & such other contagious infirmities, do vse or exercise barbery, as washing or shauing and other feates thereunto belonging, which is very perillous for infecting the kings liege people resorting to their shops & houses, there being washed or shauen: Wherefore it is now enacted &c. that no manner of person within the Cittie of London, suburbs of ỳ same, & one mile compasse of the saide cittie of London, after the feast of the Natiuity of our Lord God next comming, vsing any barbery or shauing, or that hereafter shall vse any barbery or shauing within the saide Cittie of London, suburbs, or one mile circuite of the same city of London, be nor they, nor none other of them, to his or their vse, shal occupy any surgery, letting of blood, or any other thing belonging to Surgerie, drawing of teeth onely except. And furthermore in like maner, whosoeuer that vseth the mysterie or crafte of Surgerie within the circuite aforesaide, as long as he shall fortune to vse the saide mistery or craft of surgery, shal in no wise occupy nor exercise the feate or crafte of Barbery or shauing, neither by himselfe nor by none other for him, to his or their vse. And moreouer, ỳ al maner of persons vsing surgery, for ỳ time being, aswel frémen as forreiners, aliens and strangers within the said cittie of London, ỳ suburbs thereof, and one mile compas of the same citie of London, before the feast of S. Michael the Archangell next comming shal haue an opẽ signe on the strẽt side, where they shal fortune to dwell, that al ỳ kings liege people there passing by, may know at all times whither to resort for their remedies in time of necessitie. And further be it &c. that no maner of person after the saide feast of S. Michaell the Archangell next comming, presume to kẽpe anie shop of barbery or shauing within the city

of

Bearing of armour Watches

Bumish

Chancelor Treasorer Chiefe Iust

Foure persons yerely for anatomits

Right

Pestilence Pockes

London

Barbery

Suburbs One mile

Surgery Letting of blood Drawing of teeth except No Surgeon shalbe a Barbor

Signe

of London, except it bee a freeman of the ſame corporation and company. And furthermore, at ſuch times heretofore accuſtomed, there ſhall bee choſen by the ſame company foure Maiſters or gouernours of the ſame corporation or companie, of the which foure, two of them ſhall bee expert in Surgery, & the other two in barbery, which foure Maiſters, and euery of them, ſhal haue full power and authoritie from time to time, during their ſaid office to haue the ouerſight, ſearch, puniſhment & correction of all ſuch defaults & inconueniences as ſhal bee found among the ſaide company vſing barbery & ſurgery, aſwell of freemen as forreiners, aliens & ſtraungers within the citie of London and the circuite aforeſaid, after their ſaid diſcretions. And if any perſon or perſons vſing any barbery or ſurgery, at any time hereafter offend in any of theſe articles aforeſaid, then for euery moneth the ſaid perſõs ſo offending, ſhal loſe, forfait and pay v.li. The one moitie thereof to the king our ſouereigne lord, & the other moitie to any perſõ that wil or ſhal ſue therfore by action of debt, bil, plaint, or information in any the kings courtes, wherein no wager of law, eſſoine or protection ſhalbe admitted or allowed in the ſame. Prouided that the ſaid barbors and ſurgeons, & euerie of them ſhall beare and pay lot & ſcot, & ſuch other charges as they and their predeceſſours haue bene accuſtomed to pay within this Citie of London: This acte or any thing therein contained to the contrarie thereof in any wiſe notwithſtanding.

Freeman

Foure gouernours

Search

Aliens. Straungers

Forf. Moitie

Lot and ſcot

Prouided alway and bee it &c. that it ſhall bee lawfull to any of the kings ſubiects, not being a Barbor nor Surgeon, to reteine, haue and kéepe in his houſe as ſeruant, any perſon being a Barbor or Surgeon, which ſhall and may vſe and exerciſe thoſe Artes and faculties of Barbery and Surgery, or either of them in his maiſters houſe, or elſe where by his maiſters licence or commaundement, anie thing in this acte aboue written to the contrary being, notwithſtanding. Anno 32. H. 8. cap. 2.

Seruant

Licence

6 At al times from henceforth it ſhal be lawful to euery perſon being the kings ſubiect, hauing knowledge and experyence of the nature of herbes, rootes & waters, or of the operation of the ſame, by ſpeculation or practiſe, within any part of the Realme of England, or within any other the kings dominions, to practiſe, vſe, and miniſter in and to any outwarde ſore, vncome, wound, apoſtemation, outwarde ſwelling or diſeaſe, any herbe or herbes, oyntment, bathes, pultes, & emplaiſters, according to their cunning, experience, & knowledge in any of the diſeaſes, ſores, or maladies beforeſaide, and all other like to the ſame, or drinks for the ſtone, ſtrangurie, or agues, without ſute, veration, trouble, penaltie, or loſſe of their goods: The foreſaide ſtatute, in the foreſaid third yere of the kings moſt gracious raigne, or any other acte, ordinance, or ſtatute to the contrary hereof heretofore made in anie wiſe notwithſtanding. Anno 34. H. 8. capit. 8.

Practiſers

7 The ſaide ſtatute or act of Parliament (5. 14. H. 5. c. 5. before 3.) with euery article, and clauſe therein conteined, ſhall from henceforth ſtand and continue ſtil in ful ſtrength, force, & effect: any act, ſtatute, law, cuſtome, or any other thing, made, had, or vſed to the cõtrary in any wiſe notwithſtanding. Bee it &c. that whenſoeuer the Preſidẽt of the college, or comminalty of the facultie of phyſike of London, for the time being, or ſuch as the ſaid preſidẽt and colledge ſhall yerely according to the tenor and meaning of the ſaid acte, authoriſe to ſearch, examine, correct, and puniſh all offenders and tranſgreſſors in the ſaid faculties, within the ſame Citie & precinct, in the ſaid act expreſſed, ſhal ſende or commit any ſuch offender or offenders, for his or their offences or diſobediẽce cõtrary to any article or clauſe conteined in the ſaid graũt or act, to any ward, gaole or priſon within the ſame citie & precinct (the tower of London except) that then from time to time the warden, gaoler or kæper, wardens, gaolers or kæpers, of the wardes, gaoles and priſons within the citie or precinct aforeſaid, except beforeexcepted, ſhal receiue into his or their priſons al & euery ſuch perſon and perſons ſo offending, as ſhalbe ſo ſent, or cõmitted to him or them as is aforeſaid, and there ſhal ſafely kæpe the perſon or perſons ſo committed in any of their priſons, at the proper coſtes and charges of the ſaid perſon or perſõs ſo cõmitted, without baile or mainprize, vntill ſuch time as ſuch offender or offenders, or diſobedients, be diſcharged of the ſaid impriſonment by the ſaide Preſident, & ſuch perſons as by ỳ ſaid colledge ſhalbe thereunto authoriſed: vpon paine that all & euery ſuch warden, gaoler or kæper, doing the contrary, ſhal loſe & forfait the double

Preſident

Search

Impriſ.

Gaoler

Mainprize

Gaoles Forf.

of

of such fines and amerciamẽts as such offender and offenders, or disobedients, shal be assessed to pay, by such as the said Pre-sident and colledge shall authorise, as aforesaid, so that the same fine and amerciament be not at one time aboue the sum of twenty pounds. The moitie thereof to be imployed to the vse of our soueraigne lady the Quéene, her heires & successors, the other moitie vnto the saide Presidẽt and colledge. All which forfaitures to be recouered by action &c. against any such Warden, gaoler, or keeper so offending. In which suite no &c. And bee it &c. for the better execution of the search, & view of the Apothicarie wares, drugges & compositi-on, according to the tenour of a Statute made in the two and thirtieth yere of the raigne of the late king Henry the 8. that it shall bee lawful for the Wardens of the Grocers, or one of them, to goe with the said Physitions in their view and search. that if the said warden or wardens do refuse, or delay his or their comming thereunto, forth with & immediatly when ỳ said Presidẽt or foure of his college, elect as is aforesaid, do cal vpon him or them, that then the said Physitions may & shall execute the search and view, and the due punishmẽt of the Apothecaries for any their euill and faultie stuffe, according to the statute last before mentioned, without ỳ assistance of any of the said wardens: any clause in the aforenamed Statute, to the contrary hereof notwithstanding. And euery such person or persons as wil or shal resist such search, shal forfeit for euery such resistance x.li. The same penaltie to be recouered in forme aforesaid, without any of the delaies aforesaid to be had in suite thereof. And further be it &c. that all the Iustices, Maiors, shirifs, bayliues, constables, and other ministers and Officers within the citie and precincts aboue written, vpon request to them made, shall helpe, ayde and assist the Presidẽt of the said college, and al persons by them from time to time authorized, for the due executiõ of the said actes or statutes, vpon paine for not giuing of such ayde, helpe, and assistance, to runne in contempt of the Quéenis Maiestie, her heires and successors. Anno 1. M. 1. Parl. cap. 9.

Apothicarie

Wardens Grocers

Refuse

Resist Forf.

Iustices Maiors Shirifes Bailifes Constables

Assist

Contempt

¶ Pillorie.

A Pillorie of conuenient strength, which may be vsed without bodily peril either of man or woman shal be had in euery lybertie, Anno 51. H. 3.

¶ Pinnes.

AN. 34. H. 8. cap. 6. an acte was made for pinnes, but it is repealed by 37. H. 8. cap. 13. Repealed

¶ Playes and Games.

AN 12. R. 2. cap. 6. An. 11. H. 4. cap. 4. An. 17. Ed. 4. cap. 3. An. 11. H. 7. c. 2. & An. 19. H. 7 ca. 22. be acts made against vnlawfull games, but all those bee repealed by 33. H. 8. cap. 9. by a generall repeale of all statutes made against vnlawful games vt patet hic 2. Repealed

2 ¶ Forasmuch as the former lawes haue bene defrauded by inuenting of new vnlawful games, whereby diuine seruice is stil neglected, and archerie also decaied, and therupon many Bowyers and Fletchers haue left the Realme, and practised their sciences in forreine countreys, and manie of them are come to dwell about London, and do forsake the countrey, and so the feate of archerie, (whereby greate victories haue bene heretofore atchieued) is little vsed, and the lesse, by reason that the poore people bee not able to buy long bowes of Yew: Be it &c. that euery man being the kings subiects, not lame, decrepit, nor maimed, nor hauing any other lawful or reasonable cause or impedimẽt, being within the age of lii. score yeres, except spirituall men, Iustices of the one bench and of the other, Iustices of the assise, and Barons of the Exchequer, shall from the feast of Pentecost next cõming, vse & exercise shooting in any long bowes, and also haue bowe and arrowes readie continually in his house to vse himselfe, and doe vse himselfe in shooting. And also the father, gouernours, and rulers of such as be of tender age, do teach and bring vp them in knowledge of the same shooting. And that euery man hauing a man childe, or men children in his house, shall prouide, ordeine, and haue in his house, for euery manchild, being of the age of seuen yeres and aboue, till hee shall come to the age of seuenteene yeeres, a bowe and two shafts, to induce and learne them & bring them vp in shooting, and shall deliuer all the same bowes and Arrowes to the same yong men to vse and occupie. And if the same yong men be seruaunts, ỳ then their maister shall abate the monetie that they shall paye for the same Bowe and Arrowes of their wages. And after all such yong

Spiritual men

Iustices of both bẽches

Iust of ass.

Barons of Exchequer

Shooting

Long bows

Bow and arrowes

Fathers

Maisters

Yr children

A bow and two arrowes

Seruants

Wages

yong men shall come to the age of seuentéene yeres, euery of them shall prouide & haue a bow & foure arrowes continually for himselfe at his proper costes and charges, or else of the gift and prouision of his friendes, and vse and occupy the same in shooting as is afore rehearsed.

A bow and 4. Arrowes

And if the maister suffer any of his seruants taking wages, being in his household, & vnder the age of seuentéene yeres, or the father suffer any of his sonnes, being in his household and vnder the age of seuentéene yeres to lacke a bow and two arrowes, contrary to the forme of this statute, by the space of one moneth together, then the master or father in whome such negligence shalbe, shal for euery such default forfait vi.s.viii.d. And that euery seruaunt passing the age of xxii. yeeres, & vnder the age of threescore yeeres, and taking wages, which can or is able to shoot, and shal lacke a bowe and foure arrowes by the space of one moneth together, shall for euery such default, forfait and lose vi.s.viii.pence. Be it also enacted &c. that no man vnder the age of foure and twentie yéeres shall shoote at any standing pricke, except it bee for a rouer, whereat hee shall change at euery shoote his marke, vpon paine for euery shoote doing the contrary iiii.d. And that no other person aboue the saide age of foure and twentie yeres shall shoote at anie marke of eleuenscore yards or vnder, with any pricke shaft or flight, vnder the paine to forfait for euery shoote vi.s.viii.d. And that no person vnder the age of seuentéene yéeres, except hee or his father or mother haue lands or tenemẽts, to the yéerely value of tenne pounds, or bee worth in moueables, the summe of fortie marke sterling, shall shoote in any bowe of Yew, which shall bee bought for him after the feast of the Purification of our Lady next comming, vnder the paine to lose and forfait vi.s.viii.d. And also that buttes be made on this side the feast of S. Michaell the archangel next comming in euery citie, towne and places, by the inhabitants of euery such Citie, towne & place, according to the lawe of auncient time vsed. And that the inhabitãts and dwellers in euery of them, bee compelled to make and continue such butts, vpon paine to forfait for euery three Moneths so lacking, xx.s. And that the saide inhabitantes shall exercise themselues with long bowes in shooting at the same, and else where in holie dayes, and other times conuenient.

Maister

Father

Lacke

1. moneth

Forf. Seruant

Pricks Rouers

Forf.

Pricke shaft Flight Forf.

Seuenteene yeers

Lands Goods

Yew bow

Forf. Buts

Forf. Three moneths

And to the intent that euerie person may haue bowes of meane price: Be it &c. that euerie Bowyer dwelling out of the Citie and Suburbes of London, shall after the said feast of the Purification of our Ladie nert comming, for euery Bowe that he maketh of Yew, make foure other bowes meete to shote in, of Elme, Witchhasell, Ash, or other wood apte for the same, vnder the paine to lose and forfaite for euery such Bowe so lacking, three shillings foure pence. And euery Bowyer dwelling within the said Citie or Suburbs of London, shall after ỳ said feast of ỳ Purification of our Lady nert comming, for euery bowe of Yew that he shal make, shal also make two other bowes apt for shoting, of Ash, Elme, Witchhasell, or other wood meete for the same, vnder like paine and forfaiture. And be it &c. that no Bowyer shall sell any bow of Yew, for any person being betweene the age of vij. yeeres and xiiij. yeeres, aboue the price of xij.s. And that the same Bowyers shal haue bowes of Yewe of all prices from vj.s. the piece to xij.s. the piece, for youth betweene the said ages of seuen yeeres and fourteene yeeres. And likewise haue bowes of Yew for youth betweene the age of xiiij yeeres and xxj. yeeres, and shall sell the same at reasonable prices. And moreouer, that no Bowyer shal sell or put to sale to any the kings subiects, anie bowe of Yewe, of the tare called Elke, aboue the price of three shillings foure pence, vnder the paine to forfait twentie shillings for euery bowe sold to the contrarie aboue ỳ same price of three shillings foure pence, as appeareth by a statute made in the two & twentieth yeere of the raigne of king Edward the fourth (which see in bowes 2. but see there 7. this clause, and certaine of the other former braunches also changed in some parte) And that bowstaues of Yew hereafter to be brought into this realme, shall be sold open and not in bundels, nor close, to the intent that buyers of them may haue perfect knowledge of the goodnesse of them, and giue the better price for them, if they be so worthy. (See bowes 3.) And furthermore be it &c. that Fletchers of London, and the suburbs of the same, may at their libertie sell seasonable Timber to euerie Fletcher of the Countrey, without falling into any penaltie or danger to any of the wardens for so doing, and that all ordinances and other Lawes made or to be made, by their Wardens or otherwise to

Bowes Bowyer

Elmbowes Witchhasel Ash Forf.

London

Forf.

Twine price

Prices

iii.s. viii.d.

Forf.

Bowstaues Sold open

Fletchers London

Ordinances

Wardens

to the contrary, shalbee from henceforth clerelie frustrate and voyde. And also bee it &c. that the Bowyers, Fletchers, stringers and Arrowhead makers, repayring and resorting vnto the said city or the suburbes of the same, and there making their dwelling, or abiding, not free men of the said city, bearing neither scot nor lot within the said city, shal at al times, by the appointmẽt of your graces most honorable Counsel, the lord Chancellor of England for the time being, L. Treasorer, or ẏ lord priuie seale, or one of them, goe and inhabite in such cities, boroughs, & townes as be destitute of such artificers, and there to exercise, occupy & practise their said crafts & faculties, for the maintenance of artillerie and archerie. And if any such person to whom warning shal be so giuen by the kings most honorable counsell, the Lord Chãceller, the lord Treasurer, or the lord priuy seale, as is aforesaid, to depart vnto other townes or places of the said realme of England from the said city of London, the suburbs, stretes, leues & places nere to the same, refuse to accomplish the same: that then he or they so refusing, shal forfet for euery day that he shal make his abode cõtrary to this act, fourty shillings. Be it also enacted &c. That no straunger borne out of the kings obeysance, not being denizen, shall conuey, or doe to be conueyed, giue, sel, or exchange into any parties out of the kings obeysance, any long bowes, arrowes, or shafts, wout ẏ kings speciall licence, vpon paine of forfeiture of ẏ same where soeuer they shalbe taken or ẏ value thereof, within the kings power, and vpõ paine of imprisonment without bayle or mainprise, vnto such time as he or they being in ward, haue made a reasonable fine to the king, for his or their offences afore the Justices of peace, or ii. of them in their sessions in the same Countie where hee or they shal be committed to warde, or finde sufficient surety for the payment of the same fine: And that no manner person not being borne within the kings obeysance, or made denizen, vse within the kings obeysance, shooting with long bows, without the kings licence, vpon paine of forfaiture of such bowes, arrowes & shaftes, as they shall be founden so shooting with, and euery of the kings subiects, may haue authoritie to take & seise the same forfaitures to his owne vse. And the Justices of assise, of goale deliuerie, Justices of peace, and Stewardes of franchises, letes and

Clothe Stringes Arrowhead makers

Artillerie

Refuse

Forf.

Stranger

Denizen

Long bowes Arrowes. Licence Forf.

Imprisõ. Mainprise

Fine

Iust. of P.

Suretie

Stranger

Shoote Licence

Forf.

Seise

Iust. of ass. Iust. of G. Iust. of P. Stewards

lawdayes, haue power to inquire of all the premisses in their sessions, letes and lawdayes, and heare and determine the same, and also by their discretion, examine all persons lacking & not hauing bowes, shafts, & arrowes according to the forme aforesaid. Bee it also &c. that no manner of person or persons of what degree, qualitie or condition soeuer he or they be, from the feast of the natiuitie of S. John Baptist now next comming, by himselfe, factour, deputie, seruãt or other persõ, shal for his or their gaine, lucre or liuing, kepe, haue, holde, occupie, exercise, or maintaine any common house, alley, or place of bowling, coiting, closh, cailes, haise bowle, trumpe, dicing, tables, or carding, or any other maner of game prohibited by any Statute heretofore made, or any vnlawfull new game now inuented or made, or any other new vnlawfull game hereafter to bee inuented, found, had or made, vpon paine to forfait and pay for euery day keeping, hauing, or maintaining, or suffering any such game to be had, kept, executed, plaied or maintained, within any such house, garden, alley, or other place contrarie to the fourme and effect of this statute, fortie shillings. And also euery person vsing and haunting any of the saide houses and places, and there playing, to forfait for euery time so doing vi. s. viii. d. And if anie person hereafter sue for anie placarde to haue common gaming in his house, contrary to this statute, ẏ then it shalbe contained in ẏ same placard what game shal be vsed in the same house, & what persons shall play thereat, & euery placard graunted to the contrary to bee voyde: And also that the partie obtayning any such placard, before he put the same in execution, shal be bound with sufficiẽt sureties with him by recognisance in the Chauncery in a certaine summe, to bee appoynted by the discretion of the Lord Chancelor of England, that he shal not vse the said platarde contrary to the forme thereof. Bee it further &c. That it shalbee lawfull to all and euery the Justices of peace in euery shire, Maiors, shirifes, bayliffes, and other head Officers, within euery Citie, towne, and borough within this Realme from tyme to time aswell within liberties as without, as nede and cause shall require, to come, enter, and resort into all and euerie house, places & alleyes, where such games shall bee suspected to bee holden, exercised, vsed, or occupied contrary to the fourme

Enquirt

Diet & ter. Examine

Bowling alley

Vnlawfull games

Forf.

Haunting

Forf.

Placard

Voyd

Sureties Recognisance

Chancelor

Euery Iust of P. Maior Shirife Bailife

Enter

of

of this estatute, & aswel the keepers of the same, as also the persons there haunting, resorting and playing, to take, arrest, and imprison, & them so taken and arrested to keepe in prison vnto such time as the keepers and maintainers of the saide playes & games haue founde sureties to ꝑ kings vse, to be bound by recognisance or otherwise, no longer to vse, keepe, or occupie any such house, play, game, alley, or place, & also that the persons there so founde be in like case bounden by themselues, or else with sureties by the discretion of ꝑ Justices, Maiors, Shirifes, Baylifes, or other head officers, no more to play, haunte or exercise from thencefoorth, in, at, or to any of the saide places or at any of the sayde games. Also bee it &c. That the Maiors, shirifes, bailifes, constables & other head officers within euery citie, borough and towne within this realme where any such officers shall fortune to be, aswell within the franchises as without, shal make due search weekely, or at the furthest at all times hereafter once euery moneth in all places where any such houses, alleyes, playes or places shall bee suspected to bee had, kept & maintained. And if ꝑ said Maiors, shirifes, bailifes, constables or other head officers wõn their cities, boroughs, & townes, aswell within franchises as without, do not make due search at the furthest once euery moneth, if the case so requireth according to the tenor of this act, & doe not execute the same in all things, according to the purport & force of the same, ꝑ then euery such Maior, shirifes, baylifes, constable or other head officer, to pay & forfeit for euery moneth, not making such search nor executing the same xl.s. Be it also &c. that no maner of Artificer or crafts man, of any handy craft or occupatiõ, husbandman, apprentice, labourer, seruant at husbandry, iourney man, or seruant of artificer, mariners, fishermen, watermen, or any seruing man, shal from the said feast of the Natiuity of S. Iohn B. play at the tables, tennys, dice, cardes, bowles, clash, coyting, logating, or any other vnlawfull game out of Christmas, vnder the paine of xx.s. to bee forfait for every time, and in Christmas to play at any of ꝑ said games in their maisters houses, or in their maisters presence. And also that no manner of persõ shall at any time play at any bowle or bowles, in open places out of his garden or orchard, vnder the paine for euery time so offending, to forfeit fiue shillings eight pence. And that all Justices of Peace, Maiors, bayliffes, shirifs, and all other head officers, and euery of them, finding or knowing any maner person or persons vsing or exercising any vnlawfull games contrary to this present estatute, shal haue ful power and authority to cõmit euery such offender to ward, there to remaine without baile or mainprise, vntil such time that they so offending, bee bounden by obligation to the kings vse, in such summes of money, as by the discretion of the said Justices, Maiors, bailifes, and other head officers shall bee thought reasonable, that they or any of them shall not from thencefoorth vse such vnlawfull games. Bee it &c. that all other statutes made for ꝑ restraint of vnlawfull games, or for ꝑ maintenance of artillerie, as touching the penalties, or forfaitures of the same, shalbe from thencefoorth vtterly void. And that all informations, plaintes, actions, or sutes that shalbe taken or sued vpon any part of this estatute, shal bee commenced within the yeere after the offence committed & done, or otherwise no aduantage or sute therof to be take. And where any such forfaitures shall happen to bee found, within the precinct of any frãchise, Leete, or law day, then the lord of ꝑ same franchise, Leet or law day to haue the one moitie thereof, and the other moity therof to anie of the Kings subiects that will sue for the same in any of the Kings courtes, by Action, information, bill or otherwise, in which action or sute, the offendant shall not be admitted to wage his lawe &c. And where such forfaiture shall bee founden out of the precinct of any franchise, Leete, or lawday, that the moitie of all such forfaitures shall bee to the king our Soueraigne Lorde, and the other moitie therof to any the Kings subiects that wil sue, &c. in which sute &c. And to the intent that euerie such person maie haue knowledge of this Acte, and auoyde the dangers and penalties of the same, Bee it enacted, &c. that all Maiors, Bayliffes, shirifes, & all other heade Officers, shall foure times in the yeere, that is to saie, euery quarter once make open proclamation of this present acte, in euery market to bee holden within their seuerall iurisdictions and authorities. And also that the Justices of goale deliuery, Assises, and Justices of P. do cause ꝑ same to be proclaimed in their seuerall circuits & sessions befor them holden, & that this estatute shal begin to take his

Arrest Imprisl.

Sureties

Recog.

Discretion Maiors Shirifes Bailifes

Constables

Search

Euery moneth

Forf.

Craftesman Artificers Husbandman Seruantes

Tables Tennys Dice Bowles Cardes Forf. Christmas

Bowles Garden

Forf.

Iust. of P. Maiors Baylifes Shiriffes

Imprisl. Mainprise

Obligation

Repeale of statute

Informatiõ

One yere

Lord of franchise Moitie

Moitie

Maiors Bayliffes Shiriffes

Proclamation Market

Iust. of G. Iust. of Ass. Iust. of P. Sessions

his effect, concerning the penalties of the same, from the said feast of S. John Baptist nowe next comming, and to continue and endure for euer. Prouided alway and be it &c. that if any person or persons, haue take by lease, whether it be by word, writing, or otherwise, anie house, alley, or place wherein any such vnlawfull game now is, and at the time of such lease made was vsed: that then euery such lease shall at the liberty of him or them, to whome such lease is made, their executors, administrators or assignes, from the said feast of the natiuitie of S. John Baptist be vterly voyde, except it be for breach of couenants or agreements or payment of rent due, or to bee due at the said feast, or anie time before, so that then at the same feast, or within one moneth next after ỳ same, the said lessee giue knowledge to such lessor or lessors, their heires or assignes, that he will no longer occupie the same, & that then it shalbe lawful to the inheritor, lessor or owner therof, or to his heires or assignes, in the same house, alley or place to reenter. Prouided also and be it &c. that it shalbe lawful for euery master to licence his or their seruaunts to play at cardes, dice, or tables with their saide maister, or with any other Gentleman repayring to their saide maister openlie in his or their house, or in his or their presence, according to his or their discretion. And that it shall be lawful to euery such seruant, for euery time so being commaunded or licenced by his said master as is aforesaid, to playe at cards, dice, or tables, with his said master or other Gentleman so to him repayring, any thing in this act to the contrary notwithstanding. Prouided also and be it &c. that it shalbe lawful to euery noble man & other, hauing, manors, lands, tenemẽts, or other yeerely profite, for terme of life in his owne right, or in his wiues right, to the yerely value of C.li. or aboue, to command, appoynt, or licence by his or their discretion, his or their seruants, or family of his or their house or houses, for to play within the precinct of his or their houses, gardens or orchardes, at cardes, dice, tables, bowles, or tennys, as well amongst themselues, as other repayring to the same house or houses. And that they so playing by commaundement, appoynment, or licence as is aforesaid, shall not incurre any danger or penaltie conteyned in this act for ỳ same, this act or anything therein contained to the contrary thereof in any wise notwithstanding.

Prouided alway and be it &c. that al informations actions and suites now depending in any of the Kings Courtes, for or cõcerning any penalty or forfaiture contained in any of the saide statutes, by this act repealed, and no iudgement therin yet giuen, the same information, actions and suites shalbe, remaine, & stand as good and effectual in ỳ law, to all intents, constructions and purposes, as if this acte had neuer bin had ne made, any thing in this act contained to the contrarie therof in anie wise notwithstanding. An. 33. H. 8. cap. 9.

¶ That from & after the feast of the birth of our Lord God next comming, euery licence, placarde, or graunt, made to any person or persons, for the hauing, maintenance or keeping of any bowling alleyes, dicing houses, or any other vnlawful games, prohibited by the lawes & statutes of this realme, shalbee from the said feast vterly voyde and of none effect. An. 2. & 3. P. & M. cap. 9.

Prouided
Lease
Voide
Reenter
Master
Licence
Seruants
Cardes
Dice
Tables
Gentleman
Noblemen
100. li. land
Licence
Cardes
Dice
Tables
Bowles
Tennys
Licence Placard
Bowling alleys
Dicing houses
Voyd

¶ Pleading and Pleaders.

ALl pleas, which be to be pleaded in anie of his Courtes before any of his Iustices, or in his other places, or before anie of his other ministers, or in the Courtes and places of any other Lordes within the realme, shalbe pleaded, shewed and defended, answered, debated, and iudged, in the English tongue, and that they be entred and enrolled in latine. And that the lawes and customes of the same realme, termes and processes, be holden and kept, as they be and haue beene before this time, & that by the ancient termes & formes of the declarations, no man bee preiudiced, so that the matter of the action be fully shewed in the demonstration, and in the Writ. And it is accorded by the assent aforesaid, that this ordinance & statutes of pleading, begin and hold place at the xv. day of S. Hilarie next comming. An. 36. E. 3. cap. 15.

Pleading in courtes
English Latine

¶ Pleas of the Crowne.

NO Shiriffe, Constable, Escheator, Cozoner, nor any other bailifes, shall holde pleas of our Crowne. Magna Charta cap. 17.

Shiriffe
Constable
Escheator
Cozoners
Baylifes

¶ Plumsted marsh.

ANno 22. H. 8. ca. 3. an acte was made for the inning & sauing of Plumsted marsh,

Tares

marſh, and for the payment & leuying the tares and ſcottes for the ſame. And 14. El. the like, but not in print. And An. 23. Eliz. 13. a new act made which is printed.

Anno 27. Elizab. cap. 27. A newe acte was made for the inning of Earith and Plumſted marſh with diuers braunches for the prouiſion of reede & earth: And the ſame ſtatute is in print.

¶ Poole.

Windmill
Conduit

ANn̄ 34. H. 8. cap. 25. an act is made that the inhabitants of the towne of Poole in Dorſetſhire, may erect a Windmil and a Conduit in a waſt ground of the kings.

¶ Poore people.

Action
Chancelor
Writs
Without payment
Clerkes
Counſel
Atturneys
Juſtices
Counſel
Atturneys
Officers
Without rewards
Common place
Exchequer

EVery poore perſon or perſons which haue and hereafter ſhall haue cauſe of action or actions againſt any perſon or perſons within this Realme, ſhall haue by the diſcretion of the Chancellor of this Realme for the time being, writ or writs originall, and writs of the Sub pœna according vnto the nature of their cauſes, therefore nothing paying to your Highnes for the ſeales of the ſame, nor to anie perſon for the writing of the ſame writ or writts to bee hereafter ſued, & that the ſaid Chancellor for the ſame time being, ſhall aſſigne ſuch of the clerks which ſhal do and vſe the making and writing of the ſame writtes, to write the ſame ready to be ſealed. And alſo learned counſell, and atturneis for the ſame, without any reward taking thereof. And after the ſaide writ or writtes be returned, if it be afore the king in his Bench, the Juſtices there ſhall aſſigne to the ſame poore perſon or perſons counſel learned, by their diſcretions, which ſhal giue their counſels, nothing taking for the ſame, & in likewiſe the Juſtices ſhall appoynt atturney & atturneyes for the ſame poore perſon and perſons, and al other officers requiſit and neceſſarie to be had, for the ſpeed of ỳ ſayd ſutes to be had and made, which ſhall doe their dueties without any rewardes, for their counſels, helpe and buſineſſe in the ſame: and the ſame lawe and order ſhall be obſerued and kept in al ſuch ſutes to be made afore the kings Juſtices of his common place, and Barons of his Exchequer, and all other Juſtices in Courtes of Record where any ſuch ſutes ſhall bee. Anno 11. H. 7. cap. 12.

¶ Prærogatiua Regis.

FOraſmuch as the King hath ordained theſe things, that is to ſay (Statut of Weſtminſter 1.) vnto the honour of God and holy Church, and for the Common wealth, and for the remedie of ſuch as be grieued, he would not that any other time it ſhould turne in preiudice of himſelfe, or of his Crown, but that ſuch rights as appertaine to him ſhould bee ſaued in all points. Weſtm̄ 1. ca. 48.

¶ Preſentment to benefices.

Aduowſons Parliament repealed

ANno 21. R 2. cap. 8. it was enacted, that the king ſhould haue the preſentments of the aduowſōs which were of certaine attainted, but this Parlyament was repealed by 1. H. 4. capit. 3.

¶ Preſident of the counſell.

Chancelor Treaſorer Keper of the priuie Seale Shirifes Wines

SEe of authoritie giuen to the preſident of the Counſell. Anno. 3. H. 7. ca. 1.

2 ¶ The Preſident of the kings ſaide moſt honorable Counſell for the time being, if hee be then preſent, may bee at all times hereafter aſſociate with the Chancelor, Treaſorer of England, & keeper of the kings priuie ſeale for the time being, aſwell at the naming of ſhirifes, and ſetting of prices of wines, as at al other acts limitted & appointed by any ſtatute to be done by the ſaid Chancelor & Treaſorer, or keeper of the kings priuy Seale for the time being: Any act, ſtatute, or vſe heretofore made or vſed to the cõtrary notwithſtanding. An. 21. H. 8. cap. 20.

¶ Primer ſeyſon.

Thiefs
Homage

ALſo the King ſhall haue Prymer ſeyſon after the death of ſuch as helde of him in chiefe, of all lands and tenements, wherof they were ſeiſed in their demeane, as of fee, of what age that their heires bee, taking the iſſues of the ſame lands and tenemẽts, vntil inquiſition be made (as the maner is) & vntill hee hath taken homage of ſuch heires. Prærogatiua Regis cap. 3. Anno 17. Ed. 2.

¶ Priſon, priſoners, impriſonment.
Gaole and Iaylors.

Shirifs Gaolours

TO eſchewe the damage and deſtruction that often doth happen by ſhirifes, Iaylours, and keepers of priſons within franchiſes and without, which haue payned

Appealours

Just. of either bench Just. of all.

Inquire

Oier & ter.

Indictmēt

Marshal

Baile

Prisons

Imprisony Ransomed

Vierge

Escape

painted their prisoners, and by such euill meanes compel and procure them to become appealours, & to appeale harmeles and guiltles people, to the intent to haue ransome of such appealed persons, for feare of imprisonment of other cause: The Justices of either bench, & Justices of Assise and gaole deliuerie, shall by force of this statute inquire of such compulsions, punishments, & torments, & heare the complaints of al them that wil complaine by bill: And to hear & determine such plaints aswell at the suite of the partie, as at the kings suite. An. 1. E. 3. cap. 7.

2 ¶ Whereas persons indicted of felonies, robberies, and theft, in times past haue remoued the same indictment before the king, and there yelded themselfe, and by the Marshals of the kings bench haue bin incontinently let to baile: And afterward haue done manie euil deeds, and lien in a wait to slay and euil intreate their indictors: And also persons appealed of felonie, after the exigend awarded, haue yeelded themselfe before the king, & haue been let to baile by the said Marshals: It is accorded and established, that such indictees and appellees shalbe safely & surely kept in prison, as belongeth after the charge, as the said Marshals shal haue of the Justices. And if anie Marshal doe otherwise at the complaint of euerie man that will complaine, the Justice shal doe him right during the terme. And that in the ende of the terme, the saide Marshals shal chuse before the said Justices, before they depart the places, in what towne they wil keepe such prisoners at their perill. And in the same towne they shall allow to the houses to keepe such prisoners at their owne costs & charges, and there they shall keepe them in prison, & shall not suffer them to goe wandring abroad, nor by baile nor without bail. And if any such prisoner be found wandring out of prison, by baile or without baile, & that be found at the kings suit, or at the suite of the party: The Marshals which shall bee found therof guiltie, shal haue halfe a yeres imprisonmēt, & besides that, to be ransomed at the kings will: And the Justices shall therof make inquirie when they see time. And as to the Marshals it shalbe done within the vierge that that reason wil. And in case that the Marshals suffer by their assent such prisoners to escape, they shall be at the law, as before this time they haue bin. And the K. intendeth not by this statute, to lose the escape where he ought to haue the same. An. 5. E. 3. cap. 8.

Shirifes

3 ¶ Item in the right of the gaoles, which were wont to bee in warde of the Shirifes, & annexed to their bailliwikes: It is assented and accorded, that they shal be reioined to the shirifes, and the shirifes shal haue the custodie of the same gaoles, as before this time they were wont to haue: And they shall put in such keepers for whome they will answere. And if it happen, that the keeper of the prison, or vnderkeeper, by too great dures of imprisonment, and by paine, make any prisoner that he hath in his warde, to become an appealer against his will, and thereof be attainted, hee shall haue iudgement of life and of member. And that the kinges Justices before whom such case shall happen, shall inquire vpon the truth: And if they finde by inquest thereupon taken, that anie keeper or vnderkeeper hath done ẏ same, he shalbe thereof arraigned, and if hee be found guiltie, hee shall haue iudgement of life and of member, as afore is said. Anno decimo quarto Edw. 3. cap. 10. ★

Keeper

Appealer

Judgement

Inquest

Arraigned

Castles

4 ¶ That the kings castles & gaoles, which were wont to be ioyned to the bodies of the counties, and be now seuered, shall bee reioyned to the same counties. An. 13. R. 2. cap. 15.

Just. of P.

5 ¶ Because diuers constables of castles being assigned Justices of the peace, haue by colour thereof taken persons, to whom they beare euill wil, & haue imprisoned them in such Castles, till they haue made fine & ransome with them for their deliuerance: Be it, &c. that none bee imprisoned by any Justice of peace, but only in the commō Jaile, sauing the lords and other which haue Jailes their franchises in this case. Anno 5. H. 4. cap. 10. ★

Just. of K. bench

6 ¶ Where diuers felons and murderers vpō vntrue furmises, haue oftētimes remoued their bodies and indictmēts by writ or otherwise, before the King in his bench, & cannot by the order of the cōmon law be sent down to the Justices of gaole deliuerie, or of the peace, nor to other Justice or commissioner, to proceed vpon the after the course of the common lawe: Be it &c. that the Justices of the kings bench (for the time being) haue full power and authoritie by their discretions to remand and send downe aswell the bodies of all felons and murderers, brought or remooued, or that shall bee remooued or

brought before the King in his Bench, as their Indictmentes into the Counties, whereas ye same murders or felonies haue been committed and done. And to command all Iustices of Gaole deliuerie, Iustices of peace, and all other Iustices and Commissioners, and euerie of them to proceede and determine vpon all the foresaid bodies and indictments so remooued, after the course of the commō law in such maner as the same Iustices of Gaole deliuerie, Iustices of Peace, and other Cōmissioners, or anie of thē might or should haue done, if the said prisoners or indictments had neuer been brought in the said kings Bench. An. 6 H. 8. cap. 6.

Command Iust. of g. Iust. of P. Commissioners

Shirife

7 ¶ That euery shirife within euerie Countie within this realme of England, haue the custodie, rule, keeping & charge, from the quindecim of Pasc. nerte coming, of euery of the Kinges common gaoles, prisons and prisoners in the same, in euerie of the said counties, where he is shirife, during the time of his office. Except all Gaoles whereof anie person or persons spirituall or tempozall, or bodie corporat, haue the keeping of estate of inheritance or by succession. Anno 19. H. 7. cap. 10.

Prisons

Patents

And by that statute, all Patentes before made for life or yeeres, of the keeping of anie Gaoles of Castles, wherin is such common Gaoles, be made voide and repealed, and euerie such Shirife to bee charged with the said Gaoles and prisoners therein. And in the said statute be certaine seuerall fines set for escapes, to endure to the next Parliament. And that letters Patentes before made for life, of keeping of Castles, Fortresses and places, and of other offices there recited, be made void and repealed.

Void

Escapes

Castles Fortresses Void

Shirife of Surrey

K. bench gaole Marshalley

Prouided that the Shirife of Surrey, or any other Shirife, shal not haue the gaoles of the Kings Bench and Marshalsey, and diuers persons that had letters Patents to bee keepers, &c. be excepted. And in the saide statute bee certaine seuerall fines set for escapes, but they were made to indure but to the end of the next Parliament.

Iust. of P.

¶ Forasmuch as it is méete, that common Gaoles should bee substantially edified in such Townes as stand indifferently for euery part of the shire, and specially in Townes where the assemblies and sessions bee vsually kept, that by the more resorte thither, fewer offenders should escape, and charitie the better ministred: Be it &c. that the Iustices of peace of euery of the shires of Essex, Suffolke, Norf. Suffex, Surrey, Nottingham, Glocester, Bedford, Bucking. Huntingdon, Wiltshire, Kent, Warwicke, Staffordde, Dron. Barkshire, Lecester, Rutlande, Lincolne, Hereford, Northampton, Salop, Norfolke, and Cornwal, or the most part of the said Iustices of peace in euerie of the said shires within the limits of their commission, shall haue ful power and authoritie to limit and appoint at anie time within the terme of one yeere from the end of this present parliament, the townes and places wherein they shal think most necessarie to haue a common Gaole newly edified and made.

Appoint

Towne

Gaole

And that also the said Iustices of peace in euery of the said shires, or the most part of the said Iustices of Peace within the limits of their commission, shall haue full power and authoritie to call before them at times and places by them to be appointed, al high constables, tithingmen, or borough holders of euery hundred, lathe, or wapentake in the shire, whereof they be Iustices, and in their presence & by their assents and agrémēts, or in the presence and by the assent of the most part of thē, shall conclude and agrée vpon such conuenient and certaine summes of money, as shall be thought good by their discretions, and by examination of workemen to suffice for the making and perfect finishing of a new Gaole in the shire whereof they be Iustices of peace, and thereupon shall forthwith by their assents, agreements, & discretion, taxe and set euerie person and persons as then shalbe resiant in the same shire, aswel within liberties as without, hauing lands, tenements, rents, or annuities, of estate of inheritance, or for terme of life, to the cleere yerely value of xl. s. or aboue, or being worth in moueable substance the cleere value of twentie pound or aboue, to such reasonable aid and sums of money as shall be thought conuenient by their discretions, to and for the ful building, making, & finishing of the said common gaole of the shire, where such assessemēt shalbe made. And after such taratiō, to name & appoint such number of Collectors for the leuying thereof, as shall seeme best by their discretions. And that the said collectors and euerie of them, shall haue power and authoritie to distraine euerie suche person, as shall bee set or tared by the said Iustices of peace as is aforesaid in their landes or goods, aswell within

Call

High constables

Tithingmē

Money

Discretion

Taxe

Landes

Goods

Name Collectors

Distraine

Appraisement

Refuse

Overplus

Just. of P.

Appoint

Surveyors

6. Just. of P.

Account

Refuse

Imprison. Attach

Shirife

Bailife

within liberties as without, & to sell the distresses by them taken, by the appraisement of foure honest persons, for the payment of the said summes to be tared, if the person or persons tared, refuse to paie the same within ten daies next after such distresse taken, taking vpō euerie such sale, but onely the money tared with reasonable costes, for taking of the distresse: and the overplus of such sales to be deliuered to the owner of the said distresse. And that also the said Justices of peace in euerie of the said shires or the most parte of them within the limits of their commission, shall haue power and authoritie to name and appointe two honest persons inhabiting in the said shire wherein they be Justices, which two persons shall surueie, see and prouide, that the said gaoles shall bee surely and substantially made & finished: to whose handes the said Collectors shall pay and deliuer the money by them collected of the kings subiects, by ỹ appointment & assignement of the said Justices of peace, or fiue of them at the least. And that aswell euerie of the said collectors, as euerie of the said two persons to bee named, their heires, executors and administratours shall declare a true and iust accompt to the said Justices of peace in euerie of the said shires, or to fiue of them at the least, from time to time, when they shalbe required. And in case anie of them refuse to make accompt, or refuse to paie and imploy such sums of money as shall come to their hands, in such wise as shall be limitted & appointed by the said Justices of peace, or 6. of them (as is aforesaid) that then the same Justices of P. or 6. of them in euery shire, where such gaoles shalbe new made, shall haue full power & authoritie (if the said offenders be present) to commit them to Warde, and if they be absent, to make attachments vnder their seales by their discretions, against euerie such Collector and person, to whose hands any of ỹ said summes of money tared shal happen to come, their heires, executors, & administrators, and euery of them, into euery shire and part of this realme, aswel within liberties as without, to be returnable afore the said Justices of peace, at such day and places as by them shalbe appointed, & to be directed to the shirif or shirifes of the shire, wherin the party or parties, against whom such attachment shal be directed, shalbe resident and abiding, if it be within the bailiwike of the shirife, and if it be without, then to be directed to the bailife of the libertie wherin such partie shall abide.

Shirife

Attache

Default

Fort.

Imprif.

Mainprise

Overplus

Almes

And that euerie shirife and bailife of libertie, to whose handes such attachments shal come, without fauour or corruption, shall attach the said offenders, and personally bring them before the said Justices, according to the tenour of attachment to them directed, or else declare by his returne of the said attachment, some reasonable cause why he cannot so doe, vpon paine for euery default by them or anie of them, committed contrarie to this acte, to lose and forfaite an hundred shillings to the king our Soueraigne Lord. And vpon the apparance of euery such person so attached, the said Justices, or 6. of them, shall haue full power and authoritie to committe them to prison, there to remain without baile or mainprise, til they haue truely accounted & paid all such summes of money as come to their handes by the assignement of the said Justices by authoritie of this act. And in case there happen to remaine any overplus of money after the gaoles fully and wholly finished: then it is ordered that the same overplus shall be imployed and bestowed in almes to the prisoners to be cōmitted to the said gaole, by the discretions of the saide Justices of peace or the more part of them, as long as it will last.

Proud

Cities Boroughs

Prouided alway, that this acte extende not to charge any persōs inhabited within any cities, townes or boroughs corporate, which haue common Gaoles for felons taken in the same, and haue Justices of peace for deliuerance of such felons, for any tares or lots to the making of the said common Gaoles of anie of the Shires aboue named, but that euerie such inhabitant in anie such citie, towne, or borough corporat, shall be vtterly discharged therof. And be it further enacted, that seuerall commissions vnder the kings great seale,

Cōmissions

Just. of P.

with this present act therto affixed, shalbe directed to the Justices of Peace of the shires afore named, authorizing them to accomplish and execute this present acte, according to the tenour thereof in euerie behalfe.

Collectors

And that the said Justices of P. in euerie of the shires aforenamed, haue power and authoritie to limit to euery of the said collectors and persons by them to bee named, that shall take paines for leuying of the money tared, or for the surueying of

Allowances

the making of the said gaoles, such reasonable summes for their paines & labours for the collection of the said money & surueying the making of the saide Gaoles. And be it further enacted by the authoritie &c. that all murderers and felons shall be imprisoned in the said common gaoles, and not elsewhere.

Murderers Felons Imprisl.

And that the shirifes shal haue the keeping and charge of the same new gaoles. And that euery shirife bee allowed vpon his accompt in the Eschequer for all and euery such summes of money as he shall hereafter happen to expend, in and about the necessarie reparations or amendment of the said gaole, after they be once made, from time to time, as often as neede shall require. And that the barons of the kings Eschequer haue power to allowe euerie shirike in euerie such case, by their discretions, without any bill or warrant to bee shewed from the Kinges highnes in that behalfe.

Shirike Eschequer

Reparatiõs

Barons of the Eschec.

Warrant

Prouided alwaies, that this act be not in any wise hurtfull or preiudicial to any person or persons, hauing anie common gaoles by inheritance for terme of life or for yeres, but that they shal haue and enioy their said gaoles, and the profites, fées and commodities of the same, as they had or might lawfully haue had before ỳ making of this, and as if this acte had neuer been had ne made. Be it &c. that like prouision in euerie behalfe be had for a newe gaole to bee made within the Countie of Derby, in like forme as is prouided for other shires aforesaid. Ann. 23. H. 8. cap. 8. This act was by diuers Parliaments continued till Anno 5. Eliz. And there cap. 24. continued and inlarged. And also after An. 13. Eliz. cap. 11. continued and further inlarged as you may see here 10. and 11.

Inheritãce

Derbie

9 ¶ Where in the last parliament holden at Westmin. (See An. 1. & 2. P. & M. cap. 13. See this Statute in maineprise 7.) amõgst other things it was enacted, that such Iust. of the peace as haue authoritie to baile any prisoner brought before them for anie manslaughter or felonie, before anie bailement or mainprise, should take the examination of the said prisoner, and informatiõ of them that bring him, of the fact and circumstances thereof, & the same or as much thereof as shall bee materiall to the felonie, shall put in writing before they make the same bailment, which said examination together with the said bailement, the said Iust, should certifie at the next generall gaole deliuery, to be holden within the limits of their Commission, as by the same act more plainly is contained and may appeare. And forasmuch as the said act doth not extend to such prisoners, as shall be brought before anie Iustice of peace for manslaughter or felonie, and by such Iustice shall be committed to warde for the suspition of such manslaughter or felonie, and not bailed, in which case the examination of such prisoner, and of such as shall bring him, is as necessarie or rather more, then where such prisoner shall be let to baile or mainprise.

Iust. of P. Baile Mãslaughter Felonie

Examine

Examination Certifie

Be it therefore enacted by the authoritie of this present Parliament, that from henceforth such Iustices or Iustice before whome any person shall bee brought for manslaughter or felonie, or for suspition thereof, before he or they shall commit or send such prisoner to ward, shall take the examination of such prisoner, & informatiõn of those that bring him, of the fact and circumstance thereof, and the same or as much therof as shalbe material to proue the Felonie, shall put in writing within two daies after the said examination, and the same shal certifie in such manner and forme, and at such time as they should and ought to doe if such prisoner so committed or sent to Ward, had been bailed or let to mainprise, vpon such paine, as in the said former act is limitted & appointed for not taking or not certifiyng such examinations as in the said former acte is expressed. And bee it further enacted, that the saide Iustices shall haue authoritie by this act to bind al such by recognisance or obligation, as doe declare anie thing materiall to proue the said manslaughter or felonie against such prisoner as shall be so cõmitted to ward, to appeare at the next general gaole deliuery to be holden within the County, Citie or towne corporate, where the trial of the said manslaughter or felonie shall bee, then and there to giue euidence against the partie, and that the said Iustices shall certifie the saide bondes taken before them in like manner, as they should and ought to certifie the bondes mentioned in the said former act, vpon the paine as in the said former act is mentioned, for not certifiyng such bondes, as by the said former act is limitted and appointed to be certified. Anno 2. & 3. P. & M. cap. 10.

Iust. of P. Mãslaughter Felonie Suspition

Examine

Certifie

Paine

Recogn. Obligation

Euidence

10 ¶ Forasmuch as the said Acte for the making of gaoles, made in the laide

thir-

thre and twentie yere of the raign of the ſaid late king Henrie the eight (before 8.) is verie good and profitable for the common wealth of this realme. Be it therefore enacted and eſtabliſhed by the authoritie of this preſent Parliament, that the ſaid act for making of gaoles, and al clauſes, articles, and prouiſions in the ſame contained, ſhal continue and indure in ful force and effect, and be obſerued and kept in all thinges, vnto the ende and terme of tenne yeres next enſuing the laſt day of this preſent parliament.

Gaoles

x. yeres

And be it further enacted by the authoritie aforeſaid, that the Juſtices of peace in euery of the Shires named and expreſſed in the ſaid Act, or the moſt part of the ſaid Juſtices of Peace, in euery of the ſaid Shires, within the limits of their Commiſſion, ſhal haue ful power and authoritie by vertue of this Act, at all time and times within the ſaid terme of x. yeres, to doe, make and execute, and cauſe to bee done, made, & executed, all and euery ſuch Act and Acts, thing and things requiſite for the making and building of the ſayd gaoles, as they or any of them might or ought at any time haue done by vertue of the ſaid Act, made in the ſaid 23. yeere of the ſaid late king Henrie the eight.

Juſt. of P.

Prouided alwaies, and be it enacted by the authoritie aforeſaid, that the Juſtices of Peace of the Counties of Pembroke, Glamorgan, Cardigan, Radnor, and Mountgomerie in Wales, or the moſt part of them, reſiant within euerie of the ſaid Counties, and al ſuch ſurueyors, collectors, and other perſons to whom the execution of the ſaid firſt recited eſtatuts doth or may appertain, ſhal haue ſuch and like power and authoritie to do and execute al and euerie ſuch thing & things for and concerning the building & newe making of gaoles, as the Juſtices of Peace and other perſons before mentioned of any of the Counties contained in the ſaide firſt recited ſtatute, haue in that behalfe. And that alſo the moſt part of the Juſtices of peace, reſiant within any the counties ſpecified in the ſaide firſt recited eſtatute, ſhall and may doe and execute all and euery thing and things mentioned in the ſaid firſt recited eſtatute, touching or concerning the ſaid gaoles: Any doubt or ambiguitie heretofore had or mooued, or hereafter to be had or mooued, notwithſtanding.

Juſt. of P. Wales

Surueyors Collectors

Juſt. of P.

Prouided alſo, that the inhabitants of any of the Counties ſpecified in the ſaide firſt recited Act, or in any of the Counties of Wales, ſhall not bee charged by force hereof, or of the ſaid firſt recited Acte, to beare and ſuſtaine any coſtes or charges for the building, repairing, or newe making of any gaole or gaoles, where any other perſon or perſons, bodie politike or corporate, ought by lawe, preſcription, or by anie other good or lawfull waies or meanes, to builde, make, or repaire the ſame. An. 5. El. cap. 24.

11 ¶ Be it enacted that the ſaid acts, (S. 23. H. 8. before 8. & 5. Eliz. cap. 24. before 10.) ſhall extend to the ſaid countie of Cambridge, and to and for the making and repairing of gaoles in the ſame countie, in all and euerie thing and article, as fully and in as ample maner and forme, as the ſame acts and either of them doe extend to counties and gaoles in them, and either of them ſpecially mentioned, and as though the ſaid countie of Cambridge, and the gaole in the ſame couhtie, had bin in the ſame actes, & either of them ſpecially mentioned. And that the ſaid acts, and euerie clauſe, ſentence, and prouiſion in them and either of them contained, ſhall continue and indure, and be obſerued in all things aſwel within the ſaid countie of Cambridge, as in other the counties or ſhires in the ſame acts and in either of the ſpecified for tenne whole yeres next enſuing the end and determination of the ten yeeres mentioned in the ſaid acte, made in the ſaide fifth yeere of the raigne of our Soueraigne Ladie the Quenes Maieſtie that nowe is. Anno 13. Eliz. cap. 25. *

Cambridge

x. yeeres

¶ Probate of Teſtaments.

WHere as the Miniſters of Biſhops & other ordinaries of holy Church take of the people grieuous & outragious fines for the probate of teſtaments, and for the acquitance thereof to be made: The king hath charged the Archbiſhop of Canterburie, & the other biſhops, that they thereof make amendment, and if they doe not, it is ordred, that the king ſhall doe to be inquired by his Juſtices, of ſuch oppreſſions, & extortions, to heare them and determine aſwel at the kings ſute, as at the ſuite of the partie, as in olde time hath been vſed. Anno 31. E. 3. cap. 4.

Archbiſhop Biſhops

Juſtices Extortioners Diter & ter.

2 ¶ Anno 3. H. 5. cap. 8. it was enacted to endure to the nert Parliament, what

ordinaries should take for the probate of testaments.

3 ¶ From the first day of April, in the yere of our Lord 1530. that nothing shal be demanded, receiued, nor taken by any Bishop, Ordinarie, Archdeacon, Chancelour, Commissarie, official, nor any other manner of person or persons whatsoeuer they be, which now haue, or which at any time hereafter shall haue authoritie or power, to take, or receiue, probation, insinuatiõ, or approbation of testamẽt or testaments, by himselfe or themselues, nor by his or their registers, scribes, praisers, summoners, apparators, or by anie other of their ministers, for the probation, insinuation, & approbation of any testament or testaments, or for writing, sealing, praising, registring, making of Inuentories, and giuing of acquitances, or for any other maner of cause concerning the same, where the goods of the testator of the said testament or person so dying, do not amount cleerely ouer & aboue the value of C.s. sterling, except onely to the Scribe, to haue for writing of the probate of testament of him deceased, whose goods shal not be aboue the same cleare value of C.s. vj d. and for the Commission of ministration of the goods of any man deceasing intestate not being aboue like value of C.s. cleare, vj.d. And that neuertheles the Bishop, Ordinarie, or other person or persons, hauing power or authoritie, to take or receiue the probation or approbation of testaments, refuse not to approue any such testament, being lawfully tendred or offered to them to be proued or approued, whereof the goods of the testator or person so dying, amount not aboue the value of C.s. sterling, so that the same testament bee exhibited to him or them in writing, with ware thereunto affixed redy to be sealed, & that the same testament be lawfully proued before the same Ordinary, (before the sealing) to bee the true, whole & last testament of the same testator, in such forme as hath bẽn commonly accustomed in that behalf. And when the goods of the testator doe amount ouer and aboue the cleare value of C.s. and doe not exceed the summe of fortie pound sterling, that then no Bishop, Ordinarie, or other manner of person or persons whatsoeuer he or they be, now hauing or which hereafter shal haue authority to take probate or approbation of anie testament or testaments, as is aforesaid, by themselues or any of their said Registers, Scribes, prayers, summoners, Apparators, nor to any other their ministers for the probatiõ, insinuation, and approbation, of anie testament or testaments, or for the registring, sealing, writing, praysing, making of Inuentories, giuing of acquitances, fines, or any other thing concerning the same, shal take or cause to be taken of any person or persons, but only iij.s. vj.d. and not aboue, whereof to be to the said Bishop or Ordinarie, or to the other person or persons, hauing power and authoritie to take the probation or approbation of any Testament or testaments, for him or his ministers v. s. vj.d. and not aboue, and xij.d. residue of the said iij.s. vj.d. to bee to the Scribe for the registring of the same. And where the goods of the testatour or person or persons so dying, doe amount ouer and aboue the cleere value of fourtie pounde sterling, that then the Bishop nor Ordinarie, nor other person or persons nowe hauing or which hereafter shall haue authoritie or power, to take probate of testaments, as is aforesaid, by him or themselues, nor ante of his or their said Registers, Scribes, praisers, summoners, apparatours, or any other their ministers, for the probation, insinuation or approbation, of anie testament or testamentes, or for ye registring, sealing, writing, praising, making of inuentories, fines, giuing of acquitances, or any thing concerning the same probate of testament, shall from the said first day of April, take or cause to be taken of any person or persons, but only v.s. and not aboue, whereof to be to the said bishop, ordinarie, or other person, hauing power to take the probation of such testament or testaments, for him and his ministers v s. vj.d. and not aboue, & v.s. vj d. residue of the saide v.s. to bee to the Scribe for registring the same, or els the same Scribe to be at his libertie to refuse those iij.s. vj.d. and to demand and haue for writing of euery tenne lines of the same testament whereof euerie line to contain in length tenne inches i.d. And that euen such Bishop or Ordinarie, and other person or persons so hauing, or which hereafter shall haue authoritie or power to take or receiue the probation or approbation of anie testament or testaments as is aboue saide, their Registers, Scribes, and ministers shall approue, insinuate, seale, and register from time to time the saide testaments, and deliuer the same, sealed with

Bishop Ordinarie Archdeacon Chancelor Cõmissarie Official Fees

Registers Scribes Apparators

C. shillings

vi.d.

Refuse

xl pound

iij.s. vj.d.

v.s.

Bishops

Scribe

Ten lines

i.d.

with the seale of their office, to the executour or executors named in any such testaments, for the said summe or summes aboue said, and in maner and forme as is aboue rehearsed, to deliuer it with conuenient spéed, without anie frustratorie delay. And in case anie person die intestate, or that the executors named in anie such testaments refuse to proue the said testament: Then the said Ordinarie or other person or persons hauing authoritie to take probate of testaments, as is aboue said, shal grant the administration of the goods of the testator or person deceased to the widdowe of the same person deceased, or to the next of his kin, or to both, as by the discretion of the same Ordinarie shall be thought good, taking suertie of him or them, to whom shall be made such Commission, for true administration of the goods, cattels, and debts, which he or they shalbe authorised to minister. And in case where diuers persons claime the administration, as next of kinne, which be equal in degree of kindred to the testator or person deceased, and where anie person onely desireth the administration as the next of kin, where indéede diuers persons be in equalitie of kindred, as is aforesaid: Then in euery such case the Ordinarie to bee at his election and libertie to accept any one or moe, making requeſt where diuers do require the administration. Or where but one or moze of them, and not all being in equalitie of degree do make requeſt: then the Ordinarie to admit the widowe, and him or them only making requeſt, or any one of thē at his pleasure taking nothing for the same, vnleſſe the goods of the person so deceased, amount aboue the value or summe of C.s. And in case the goods of the person so deceased, amount aboue the value of C.s. and not aboue the value or summe of xl.li. then the said Bishop, Ordinarie, or other person or persons so hauing authoritie to take probate of testamēts, as is aforesaid, their ministers and officers, shall take onely v.shillings vi.d. sterling and not aboue. And that the executor and executors named by the testator, or person so deceased, or such other person or persons to whom such administration shall be committed, where anie person dieth intestate, or by way of intestate, calling or taking to him or them of such person or persons, two at the least, to whō the said person so dying was indebted, or made any legacie, and vpon their refusall or absence, two other honeſt persons being next of kinne to the person so dying, & in their default or absence two other honeſt persons, and in their presence, and by their discretions shall make or cause to be made a true & perfect inuentorie of all the goods, cattels, wares, marchandiles, aswel moueable as not moueable whatsoeuer, that were of the said person so deceased, and the same shall cause to be indēted, whereof the one part shalbe by the said executor or executors, administrator or administratours, vpon his or their othe or othes to be taken before the said Bishops, Ordinaries, their officials, or Commissaries, or other persons hauing power to take probate of testaments, vpon the holy Euangelist to be good and true, and the same one parte indented shall present and deliuer into the kéeping of the said bishop, Ordinarie or Ordinaries, or other person hauing power to take probate of Testaments, and the other parte thereof to remain with the said executor or executors, administratour or administratours, and that no Bishop, ordinarie, or other whatsoeuer person, hauing authoritie to take probate of testament or testaments, as is aboueſaide, vpon the paine in this statute hereafter contained, refuse to take anie such Inuentorie or Inuentories to him or them presented or tēdred to be deliuered, as is aforesaid.

Prouided alwaies, that if the person so deceased, will by his Testament or last will, anie landes, tenements, or hereditaments to be solde, that the money thereof comming, nor the profites of the saide landes, for any time to be taken, shal not bee accompted as any of the goods or cattels of the said person so deceased, and that the same Bishop, Ordinarie, or other person or persons, hauing authoritie to take probate of Testament or testaments, as is aforesaid, vpon the deliuery of the seale and signe of the testator, doe cause the same seale to be defaced, and therupon incontinently redeliuer the same seale vnto the saide executor or executors, without claime or challenge thereunto to be made. And in case anie person or persons at any time hereafter require a copie or copies of the said testamēts so proued, or of the said Inuentorie so made: that then the said ordinarie or ordinaries, and the other persons hauing authoritie to take probate of testaments, or their ministers, shall from time to time with conuenient spéed, without

Executor

Intestate

Refuse

Administration Widdow

Next of kin

Suertie

Diuers of equalitie and kindred

Ordinarie

Widdowe

C. shillings

xl. pound

ii. s. vi. d. Executor Administrator

2. creditors

Inuentorie

Indent

Othe

Refuse

Lands solde Money

Deface the seale

Copies

Inuentorie

out any frustratorie delaie, deliuer or cause to be deliuered, a true copy or copies of the same, to the saide person or persons so demanding them or anie of them, taking for the search, and for the making of the copy, of either of the said testament or Inuentorie, but only such fee, as is before rehearsed, for the registring of the said testament, or else the scribe or registar to be at his election & libertie to demand, haue, and take for euerie ten lines thereof, being of the proportion before rehearsed, i.d.

Search
Fee
x. lines i.d.

Prouided alwaies, that where any person or persons, hauing power or authoritie to take probate of testaments, haue vsed to take lesse summes of money then is abouesaid for the probate of testaments, or commissions of administrations, or other cause concerning the same, shal take and receiue such summe or summes of money for the probate of testaments & commissions of the administrations, & other causes concerning the same, as they before the making of this acte haue vsed to take and not aboue. And it is enacted, that euerie Bishop, Ordinarie, Archdeacon, Chancelour, Commissarie, Official, and other person and persons, hauing, or they which hereafter shall haue authority to take probate of testaments, their registers, and scribes, praisers, summoners, apparators, and all other their Ministers whatsoeuer they bee, that shall doe or attempt, or cause to bee done and attempted against this act or ordinãce in anything, shall forfait and lose for euerie time so offending to the partie grieued in that behalfe, so much money as any such person abouesaid, shal take contrarie to this present act. And ouer that shall lose and forfait tenne pound sterling, whereof the one moitie shalbe to the King, and the other moitie to the party grieued in that behalf that will sue &c. in any of the kings courts for the recouerie of the same, in which action no essoine shalbe admitted or allowed. And that euery of the same Bishops & other persons, which shall hereafter incurre or fal into the danger of such penaltie or forfaiture, shalbe charged onely for himselfe, and none of them to be chargeable to the penaltie of others offence.

Archdeacons Chancelor Cõmissary Official
Forf.
Forf.
Moitie
Bishops

Prouided that this act be not preiudicial to any ordinary or other person, which now haue, or hereafter shall haue authoritie for probate of testaments, but that euerie of them shall and may conuent before them all & euery person and persons made and named executor or executours of anie testament, to the intent to proue or refuse the Testament or testaments of their testator or testators, and to bring in Inuentories, and to do euery other thing concerning the same, as they might doe before the making of this Acte, so that alwaies any such Ordinarie, or other person or persons, hauing such authoritie by themselues, their Cõmissaries, Scribes, Registers, or other ministers aforesaide, shall not in any wise take for the same aboue the fees limited by this Acte, ne in anie wise attempt anie thing contrarie to anie part of the same Acte. Anno 21. H. 8. cap. 5.

Ordinarie
Conuent

¶ Processe.

Summons Attachmits

IN summons and attachments in plea of land, the Writs from henceforth shal containe fiftéene daies full at the least after the Common lawe, if it bee not in attachmẽt of assises taken in the kings presence, or of pleas before Justices in Eire, during the Eire. Articuli super Chartas, cap. 15 An. 28. E. 1.

Pleas Just. in eire

2 ¶ Such processe shalbe made of trespasse done in the time of king Edw. father to the king that nowe is, as in trespasse done in the time of the king that nowe is. An. 1. E. 3. cap. 14.

Trespas

3 ¶ Where in times past some persons appealed or indicted of diuers felonies in one Countie, or outlawed in the same Countie, haue been dwelling or receiued in anie other countie, wherby such felonious persons indicted and outlawed, haue bẽn encouraged in their mischiefe, because they may not be attached in anie other county: It is enacted that the Justices assigned to heare & determine such felonies, shal direct their writ in al the coũties of Englãd where nẽd shalbe, to take such persons indicted. An. 5. E. 3. cap. 11.

Felon Countie
Justices

4 ¶ Such Processe shall be made in a Writte of debt and detinue of cattels and taking of beasts by Writ of Capias, & by proces of exigend by the shirife, as is now vsed in a writ of accompt. Anno 25. Ed. 3. cap. 17.

Debt Detinue
Exigent Shirife

5 ¶ In Writs to be purchased against those that forge or make vntrue charters or minuments, and them proclaime or cause to be read, like proces shal be made by Capias and exigend, as in Writtes of trespasse. Anno 7. H. 5. cap. 1.

Forgerie

6 ¶ Because that diuers of the kings faithful

faithfull ſubiects by falſe imagination, cotin and conſpiracie of certaine offenders, Indictmẽt be indicted before our Soueraigne Lord the king in his Bench, of diuers Felonies and Treaſon, by ſuſpect Iurours, hired and procured to the ſame by confederacie Conſpiracy and couin of the ſaid conſpirators, by force of which indictments a Capias is awarded to the Shiriffe of the Countie, where the ſaid Bench is, returneable within two or foure dayes: at which day if the partie ſo indicted come not, an Exigend is awarded, whereby the goods and cattels of ſuch perſons indicted, bee forfeit to our Soueraigne Lord the king, to the final deſtruction of diuers of the Kings faithfull ſubiects, as the ſame our Soueraigne Lord the King hath conceiued by the grieuous complaint of the Commons made to him in this Parliament: Therefore hee hath ordeined, that before that any Exigend be awarded againſt ſuch perſons indicted before the King in his ſayd bench, writs of Capias ſhall be directed as well to the ſhirife or Shiriffes of the Countie, whereof they be named in the indictmẽts, the ſame Capias hauing the ſpace of fiue weekes at Capias di. weekes the leaſt, or longer time, by the diſcretion of the Iuſtices, if the caſe that require, before the returne of ỹ ſame, which writs ſo returned, the Iuſtices ſhall proceede in the manner as they haue done before this time, and if any Exigend be awarded, or Outlagarie any Outlagarie pronounced hereafter againſt ſuch perſons indicted, before the returne of the ſaid Writs, the ſame Exigend ſo awarded with the Outlagarie Void thereof pronounced, ſhall be void and holden for none. And this ordinance ſhal endure ſo long as ſhal pleaſe the king. Anno 6.H.6.cap. 1.

7 ¶ For aſmuch as diuers perſons haue bene by ſubtill imagnations indicted of treaſons, felonie, & treſpaſſes before Iuſtices of peace and other cõmiſſioners in forreine Counties and liberties, in which the ſaid perſons bee not, nor at anie time were conuerſant, and thereby haue bẽne outlawed, and haue forfeited their goods & lands, and bin in ieopardie of their liues, for that they neuer had knowledge of ſuch indictments, appeales or outlagaries: Be Indictment it, &c. that vpon euerie indictment or Appeale appeale, by the which any of the ſaid lieges, Countie dwelling in other Counties then there where ſuch indictment or appeale is, or Treaſon Felonie Treſpas ſhall be taken of treaſon, Felonie or treſ- Iuſt. of P. paſſe, to be take hereafter before Iuſtices of the Peace, or before any other, hauing power to take ſuch indictmẽts or appeals, or other commiſſioners or Iuſtices in any countie, franchiſe or liberty of England, before any exigend awarded vpon any indictmẽt, or appeale in the forme aforeſaid to be taken, that forthwith after the firſt writ of Capias, vpon euery ſuch indictmẽt Capias or appeale awarded and returned, another Writ of Capias ſhall be awarded, directed to the Shirife of the County, wher- Shirife Countie of he which is ſo indicted, is, or was ſuppoſed to be conuerſant in the ſame indictment, returneable before the ſame Iuſtices or commiſſioners, before whom he is indicted, or appealed at a certaine day, cõteyning the ſpace of three moneths from 3. moneths the date of the ſaide laſt Writ where the Counties be holden from moneth to Countie moneth, and where the Counties bee holden from ſix weekes to ſix weekes, he ſhal haue the ſpace of foure moneths, vntill the day 4. moneths of the returne of the ſame writ, by which Writ of ſecond Capias it be conteined and commaunded to the ſame Shirife, to take him which is ſo indicted or appealed by his bodie, if hee may bee found within his Bailiwike, and if hee may not bee found within his Bailiwike: that the ſaid Shirife ſhal make Proclamation in two cõ- Proclamation ties before the returne of the ſame writ, that hee which is ſo indicted or appealed, ſhall appeare before the ſaide Iuſtices or Appeare Iuſtices Commiſſioners in the Countie, libertie and Franchiſe, where he is indicted or appealed, at the day contemed in the ſaid laſt writ of Capias, to anſwere to our Soueraigne lord ỹ king, or to the partie of the felonie, treaſon or treſpaſſe, whereof he is ſo indicted or appealed, after which ſecond 2. Capias writ of Capias ſo ſerued and returned, if he which is ſo indicted or appealed, come not at the day of the ſame Writ of Capias returned, the Exigend ſhall be awarded a- Exigend gainſt ſuch perſons indicted or appealed, & euery of thẽ. And if any Exigend hereafter be awarded in anie ſuch indictmẽt or appeale, againſt ỹ forme aforeſaid, or anie Outlagarie bee vpon that pronounced, as Outlagarie wel the Exigend ſo awarded, as the outlagarie vpon that pronounced, and euery of them, ſhalbe holden for none and void, and Void that the partie, vpon whom ſuch Exigend againſt the forme aforeſaid is awarded, or outlagary pronounced, be not indamaged nor put to loſſe of his goods or cattles, lãds or tenements, nor of his life.

Prouided alwaies that ỹ ſtatute made

in

in the laſt parliament (before 6.) of proces to be made in ſuch caſe before the king in his bench, ſtād in his force. And moreouer the ſame our Soueraigne Lord the King hath granted by authoritie aforeſaid, that euery perſon indicted or appealed in the forme aforeſaid, frō henceforth after that he be duely acquit by verdict, that he ſhall haue a writ & action vpon his caſe againſt euery procurer of ſuch inditemēts or appeales. And like proceſſe ſhal be vpon and in the ſame writ, as in a writ of Treſpas done with force and armes. And if ſuch procurer be attainted in this behalfe, that the plaintife ſhall recouer his treble dammages. Prouided alwaies that this ordinance ſhall not extend to inditements or appeales taken or to be taken within the Countie of Cheſter.

Acquited
Action of the caſe
Procurer
3. damag:s
Cheſter

Prouided alſo, that if anie of the ſaid lieges, or any their heirs, be or ſhalbe appealed or indicted of felonie or treaſon, & at the time of the ſame felonie or treaſon ſuppoſed he is and was conuerſant within the Countie, whereof the indictment or appeale maketh mentiō, the like proceſſe be made againſt ſuch indicted perſon or appealed, as hath bin vſed alwaies before this time. An. 8. H. 6. cap. 10.

8 ¶ The ſaid ſtatute, that is to ſay (An. 8. Hen. 6. cap. 10. before 7.) be holden and kepte, and put in due execution in all points. Joyned to the ſame that if anie ſuch indictments, taken or to be taken before any Juſtices of Peace, or before anie other hauing power to take ſuch indictmentes or appeales, or other Juſtices or Commiſſioners in anie Countie, Franchiſe, or libertie of England, ſhalbe remoued before the king in his Bench, or elſewhere by Cerciorare or otherwiſe, that then after ſuch remouing before any Erigend awarded vpon anie ſuch indictment or appeale, in the forme aforeſaid taken or to be taken, that forthwith after the firſt writ of Capias vpon euerie ſuch indictement or appeale awarded and returned, that another writ or Capias be awarded, directed to the Shiriffe of the Countie, whereof he that is ſo indicted or appealed, is, or was ſuppoſed to bee conuerſant by the ſame indictment or appeale, returnable before the King in his Bench at a certaine day, conteining the ſpace of iij. moneths or foure, of the date of the ſaide laſt writ of Capias, according to the maner & forme that the Juſtices of peace, & other in the ſaid firſt ſtatute conteined, ought to

Inditemēts Juſt. of P.
Remoue Certiorare
3. moneths
Juſt. of P.

haue done, before ſuch remouing after the maner of the ſaid firſt Statute. And if any ſuch Erigend bee hereafter awarded vpon any ſuch indictment or appeale after ſuch remouing againſt the forme aforeſaid, or any outlagarie thereupon pronoūced, as wel the ſame Erigend ſo awarded, as the outlagarie thereupō pronounced, and euery of them ſhal be holden for none and void, according as in the ſaid firſt ſtatute is more fully conteined. Anno 10. H. 6. cap. 6.

Erigend
Outlagarie
Void

9 ¶ Like proceſſe to bee had hereafter in actions vpon the caſe as well ſued as to be vſed in any of the ſaid Courts. (S. the kings bench and common place) as in actions of treſpas or debts. An. 19. H. 7. c. 9.

Action on the caſe

10 ¶ Like proceſſe be had hereafter in euery action frō henceforth to be wrought vpon the ſaid eſtatute, (S. An. 5. Rich. 2. ca. 7. which is in Forcible entrie 1.) as in a common actiō of treſpaſſe at the common law, and the like proceſſe to be had in euerie writ of annuitie and couenant hereafter to be ſued, as in an action of debte. An. 23. H. 8. cap. 44.

Eſtatute Forcible entry
Annuitie Couenant

11 ¶ Be it enacted &c. that when and as often as any perſon or perſons, after the firſt day of Januarie nexte comming, ſhall ſue forth, or by any meanes cauſe or procure to bee ſued forth of the ſaid court commonly called the Kings bench, any of the writtes or proceſſe before mentioned (Latitat, Alias and Pluries Capias) againſt any perſon or perſons, which vpon the ſame writ or writs ſhall happen to be arreſted, or which ſhall appeare vpon the returne of any the ſaid writs or proceſſe, and ſhal put in his or their baile or bailes, to anſwere ſuch ſute as ſhal be obiected againſt him, according to the common order of the Court: that then in euerie ſuch caſe, if the partie or parties, at whoſe ſute, meanes or procurement, the ſame writ or writs, or proceſſe, was obtayned or ſued forth, doe not within three dayes next after ſuch bayle had and taken, put into the ſame Court his or their declaration againſt the ſame partie or parties againſt whom ſuch Writs or proceſſe hath beene or ſhall bee ſued, or if after declaration had and put into the ſame Court, the plaintife in ſuch caſe ſhall not proſecute the ſame with effect, but ſhall willingly and apparantly to the ſame Court, ſuffer his or their layd ſute to be delayed, or ſhall after declaration ſo had, ſuffer the ſame ſute to be diſcontinued, or otherwiſe ſhall bee nonſuit

K. bench
Latitat
Alias
Pluries
Baile
3. Daies
Declaratiō
Proſecute
Delay
Diſcontinued

Nonsuit nonsuite in the same: That then in euery
Judges such case the Judges of the said Court for
the time being, shall by their discretions
from time to time, as they shall see or per-
Default ceiue anie such default to be in ỳ partie or
parties, at whose sute, meanes or procure-
ment, such Writs or Processe was sued
forth, award and iudge to euerie such per-
son or persons, so arrested, vexed, mole-
sted & troubled by such writs or sute, his &
Cost their costs, damages and charges, by any
Damages meanes sustayned by occasion of anie such
Charges writs, proces, arrests, or sutes taken sued,
or had against him, to bee payed by such
person or persons that so doeth, or shall
cause or procure anie such writs or pro-
cesse to be sued forth, as is aforesaid.

And be it further enacted by authoritie
aforesaid, that if anie person or persons,
Procure shall after the first day of Januarie, cause
Arrest or procure any other person or persons to
bee attached or arrested to answere to a-
Marshalley ny bill, plaint, action or sute, in the sayd
London court of Marshalsie, or in any court with-
Citie in the said Citie of London, or in any Ci-
Borough tie, Borough, towne corporate, or other
place or places, where any libertie or pri-
uiledge is vsed to hold plea, in anie action
3. dayes or actions personall, and doe not in all
courts, hauing their continuance De die
in diem, within three daies next after such
time as the partie defendant or defendãts
All courts shall be bailed, or otherwise appeare in
court by force of anie arrest or attachmẽt
had and returned (and in all other courts
at the next Session or Court to be holden,
Defendant after such arrestes or attachments, & ap-
pearance of the partie defendant or defen-
dants, whereas the said partie defendant
Day or defendants shal be compelled, or ought
to appeare, vnlesse a further day shall be
especially giuen by the discretion of the
court, frõ whence any precept, processe, or
attachment shall be awarded) put & exhi-
Bill bite his bill, or declaratiõ against such per-
Declaratiõ son or persons, as so by his sute & meanes
shalbe attached or arrested into such
court, where ỳ partie by such attachmẽts
or arrest is cõpelled or ought to appeare,
or if anie such person or persons, at whose
sute or meanes anie such attachment or
arrest of anie person or persons shall bee
so had or made, after his declaration, bill
or plaint exhibited doe not frõ hencefoorth
Prosecute prosecute the same his sute with effect, or
Discontinued shall suffer the same to be discontinued, or
Nonsuite shall after be nonsuite in the same, or wil-
lingly and apparantly to the same court,
shal for vexation of the defendant in sute,
delay the same: That then in euery such
Delay Judges case, the Judge or Judges of euerie such
court, before whom any person or persons
shall be sued, molested or troubled by oc-
casion or meane of any such attachment
or arrest, or by such sute or sutes, shall
forthwith, by his or their discretion, from
time to time, as he or they shall see or per-
ceiue anie such default of delay in the par-
tie that caused or procured any such at-
tachment or arrest to bee had: award and
iudge to euerie such person or persons,
which after the saide first daie of Januarie
shall bee so attached, arrested, molested,
Cost vexed or troubled, his costes, damnages
Dãmages and charges by anie meanes sustained by
Charges occasion of anie such attachment, arrest
and sute so had and taken against him,
to bee payed by such person or persons,
that so doeth, or shall cause or procure any
such attachment or arrest to bee so had or
made.

And if anie person or persons at anie
time after the first day of January, shall
by any way or meane, maliciously, or for
Vexation, Arrest vexation or trouble, cause or procure any
other person or persons, to bee arrested or
attached, to answere in any the Courts
or places aforesaid, at the sute or in the
name of any person or persons, where in
deed there is no such person or persons
Unknowen names knowen, or without the assent, consent,
or agreement of such person or persons, at
whose sute, or in whose name such arrest,
or attachment is, or shall bee so had, and
procured: that then euerie such person or
persons, that shall so cause or procure any
such arrest or attachment of anie other
person or persons, to bee had or made, for
vexation or trouble, as is aforesayde, and
Convict Indictement Presentmẽt 2. witnesses shall thereof be conuicted, or lawfully ac-
cused, by inditement, presentment, or by
the testimonie of two sufficiẽt witnesses,
or moe, or other due proofe: shall for euery
such offence by him or them committed,
Imprison done, or procured, haue and suffer impri-
sonment of his or their bodie or bodies, by
the space of fiue moneths without baile or
Mainprise mainepryse: And before hee or they shal-
be deliuered out of prison, shall pay vnto
the partie or parties so arrested or atta-
ched by his or their means or procuremẽt,
3. dãmages treble the costes, charges, damnages, and
expenses, that he or they shal be put vnto,
by reason or occasion of such attachment
so had, and shall also forfait and pay vnto
Fort. such person or persons, in whose name or

at

at whose sute he or they shall so procure such arrest or attachment to bee had or made, if then there shall be anie such person knowen, the summe of ten pound for euery such offence. £. pounds

And be it further enacted by the authoritie aforesaid, that euery person and persons, to whom any costs, charges, damages, forfaiture, or paiment of any summe or sums of money, by authoritie of this act, shall be awarded, iudged, or forfeited, shall and may at all times hereafter haue his or their remedie for ỹ recouerie thereof, by action of debt, bill or plaint, in anie Court of Record, against such person or persons, their heires, executours, or administrators, as shoulde or ought to pay the same by vertue or force of this Acte. In which action, bill or plaint, no essoine, protection or wager of law, shall be admitted or allowed to any the defendant or defendants in the same. An. 3. Eliz. cap. 2. Action of debt. Bill. Plaint. Heires. Executors. Administrators.

¶ Prochiene amy.

IF a Warden or chiefe Lord enfeffe any man of land, that is the inheritance of a child within age, and in his Ward, to the disheritance of the heire: It is prouided, that the heire shall forthwith haue his recouerie by assise of nouel dissessin, against his Warden, and against the tenant, and the seisin shall be deliuered by the Iusticers (if it bee recouered) to the next friend of the heire, (to whom the inheritance cānot discend) for to imprime to the vse of the heire, and to answere for the issues vnto the heire, when he shall come to full age, and the wardē during his life, shall lose the custodie of the thing recouered, and all the inheritāce that he holdeth by reason of the heire. And if another Warden then the chiefe Lord, doe it, he shall lese the wardship of all together, and be grieuously punished by the king. And if the infant be caried away, or disturbed by the Warden, or by the feoffer, or by other, by reason whereof he can not sue his assise, then may one of his next friends (that will) sue for him, which shall be thereto admitted. West. 1. capitulo 48. An. 3. Ed. 1. Warde. Heire. Recouery. Nouel diss. Gardian. Punish. Infant.

2 ¶ In euery case where such as bee within age may sue, it is ordained, that if such be eloigned, so that they cannot sue personally, their next friends shall bee admitted for to sue for them. West. 2. cap. 15. An. 13. Ed. 1.

¶ Proclamations.

AND forasmuch as there is more encrease of malefactors in the realme, then is expedient for the common wealth, & that robberies, murders, and māslaughters are committed out of measure, and the peace little obserued, by reason that the statute which the King not long past made at Winchester, is not obserued: The king will that the same Statute be sent againe into the Counties, to be read and published foure times in the yere, & kept in euery point straightly, as the two great charters, vpon the paynes therein limitted. And for the obseruing and maintenance of the Statute, the Knights that be assigned in the Shires for to redresse things done against the said great charters, shal be charged, and shall haue their warrant therefore. Articuli super charras, cap. 6. An. 18 E. 1. Statute of Winchester. Knights.

2 ¶ For the grieuous mischiefes and complaints that doe daily happen of robberies, thefts, manslaughters, burning of houses, and risings in routes & great companies in euery part of the Realme: It is ordained and assented, that the statute of Winchester (the tenour whereof is sent by our Soueraigne Lord the King this yere last past, into euery countie of England to be proclaimed) be holden and kept in al points, and put in good and hastie execution, at the complaint and pursuit of euery mā that seeketh him grieued against the tenour of the same. And to the intent that no man shal excuse himselfe by ignorāce of the same statute, it is also assented, ỹ euery Shirife of England, shalbe bound from hencefoorth in proper person to make proclamation of the same Statute foure times in a yere, in euerie hundred of his Bayliwike, and by his Bailifes in euerie market, as wel within liberties as without. An. 7. R. 2. cap. 6. Statute of Winchester. Shirifs. Bailifes.

3 ¶ Euery Iustice of peace within euery shire within this his said realme, within ỹ shire where he is Iustice of peace, doe cause openly and solemnely to be proclaimed yerely, iiij. times in a yere in foure principall Sessions, the tenor of this proclamation to this bill annexed, and that euery Iustice of peace being present at any of the said Sessions, if they cause not ỹ said proclamation to be made in forme aboue said, shall forfaite to our said Soueraigne Lord at euery time xx. shillings. Iust. of P. Sessions. Forf. ✶

¶ The

¶ The Proclamation.

HEnricus Dei gratia &c. The king our soueraigne Lord considereth, how daily within this realme, his coine is traiterously coũterfeited, murders, robberies, felonies bene grieuously committed and done, also vnlawfull reteiners, idlenesse, vnlawfull playes, extortions, misdemeanings of shirifes, escheators & many other enormities & vnlawfull demeanings daily groweth more & more within this his realme, to the great displeasure of God, hurt and impouerishing of his subiects, and to the subuersion of the policie & good gouernance of this his Realme: and by these said enormities and mischiefes his peace is broken, his subiects troubled, inquieted, and impouerished, the husbãdrie of this land decaied, whereby the Church of England is vpholden, the seruice of God continued, euery man thereby hath sustenance, euery inheritour his rent for his land: For repressing and auoiding of the said mischiefes, sufficient lawes and ordinances be made by authoritie of manie and diuers parliaments holden within this Realme, to the great costes of the king, his lords, and commons of the same, and lacketh nothing, but that the said lawes be not put in due execution, which lawes ought to bee put in due execution by the Iustices of Peace in euery shire of this Realme, to whom his grace hath put and giuen full authoritie so to doe, sith the beginning of his reigne: And now it is commen to his knowledge, that his subiects be little eased of the said mischiefe by the said Iustices, but by many of them rather hurt then helped. And if the subiects complaine to these Iustices of peace, of any wrõgs done to them, they haue thereby no remedie, and the said mischiefes doe encrease & not subdued. The kings grace cõsidereth, that a great part of the wealth and prosperitie of this lande standeth in that, that his subiects may liue in suretie vnder his peace in their bodies and goods, and that the husbandry of this land may increase and be vpholden, which must be had by due execution of the said lawes and ordinances: chargeth and commaundeth the Iustices of peace of this his shires, to endeuor them to doe and execute the tenor of their Commission, and the said lawes and ordinances, ordeined for subduing of the premisses, as they will stande in loue and fauour of his grace, and in auoiding of the paines that be ordeined if they doe the contrarie.

Coine
Murders
Felonies
Reteiners
Vnlawfull lawes
Shirife
Escheators
Iust. of P.
Iust. of P.

And ouer that, hee chargeth and commaundeth, that euery man, what degree or condition that he be of, that let them in word or deede, to execute their said authoritie in anie maner or forme abouesayd, that they shew it to his grace. And if they do it not, and it come to his knowledge by other then by them, they shal not stand in his fauour, but be taken as mẽ out of crevence, and be put out of commission for euer. And ouer this, he chargeth and commaundeth all manner of men, aswell the poore as the riche (which be to him all one in due ministration of Iustice) that is hurt or grieued in any thing that the said Iustice of Peace may heare, determine, or execute in any wise, that he so grieued, make his complaint to the Iustice of the Peace, that nert dwelleth vnto him, or to any of his fellowes, and desire a remedie: And if hee then haue no remedie, if it bee nigh such time as his Iustices of assises come into that shire, that then he so grieued shewe his cõplaint to the same Iustices. And if he then haue no remedie, or if the complaint be made long before the cõming of ỹ Iustices of assise, thẽ he so grieued come to the Kings highnesse, or to his Chanceller for the time being, and shewe his griefe, and his said Highnesse then shal sende for the saide Iustices, to know the cause why his said subiectes be not eased and his lawes executed, whereupon if hee find anie of them in defaulte of executing of his lawes in the premisses, according to his Highnesse commaundement, he shall doe him so offending, to be put out of the commission, and furthermore to be punished according to his demerites. And ouer that his said Highnesse shall not let for anie fauour, affection, cost, charge, nor anie other cause, but that he shall se his lawes to haue plaine and true execution, and his subiectes to liue in suretie of their landes, bodies, and goods, according to his saide lawes, & the said mischiefes to be auoided, that his subiectes may increase in wealth & prosperitie to the pleasure of God. Anno 4. H. 7. cap. 12.

Put out of commission
Ditr & ter.
Complaint Iust. of P.
Iust. of ass.
King Chanceller
Put out of commission
Punish
Execution of law

¶ Anno 13. H. 6. cap. 2. An acte was made to endure for seuẽ yeres, that writs with proclamatiõ should be made against them, that disobey the kings writs or priuie seales, and certaine forfeiture and punishment against them.

Writs
Priuie seales Forf.

¶ Anno 31. H. 8. cap. 8. An acte was made,

made, ỹ proclamation made by the king, with the aduice of certaine of his councill named in that act, should be obeied & kept as though they were made by acte of parliament. And after Anno 34.H.8.cap.23. another act was made concerning the offenders of the said former acte, but both these acts were repealed by 1.E.6.ca.12.

Act of parliament

Repealed

¶ Procurements.

FOrasmuch as Lords of Courts, and other that kéepe courts, & stewards, intending to grieue their tenants (where they haue no lawfull meane so to do) procure other to moue matters against thē, & to put in surety and other pledges, or to purchase writs, & at the suite of such plaintifes compell them to folow the Countie, Hundred, Wapētake, and other like, vntill they haue made fine with thē at their will: It is ordeined, that it shall not be so hereafter.

Lords Courts Stewards

Suretie

And if any be attached vpon such false complaints, he shall repleuie his distresse so taken, and shall cause the matter to be brought afore ỹ Justicers, before whom if the Shirife, Bailife, or other Lord, (after that the partie distreined hath formed his plaint) wil auow the distresse lawfully taken by reason of such complaintes made vnto them, and it be replied, that such plaints were moued maliciously against the partie, by the sollicitation or procurement of the Shirife, Bailife, or Lord, the same replication shalbe admitted, and if they be conuict hereupon, they shal make fine to the king, and neuertheless restore treble dammages to the partie grieued. West.2.cap.36.

Repleuie

Shirife

Malice

Bailife Lord

Treble dāmages

¶ Prohibition and Consultation.

IN tithes, oblations, obuentions, mortuaries (sithēce they are purchased vnder these names) the kings prohibition shall hold no place, although for the lōg withholding of the same, the money may be estréemed at a summe certeine. But if a clerke or religious man, do sell his tithes being in the barne, or other where, to any man for money, if the money be demaunded before a Spirituall Judge, the kings prohibition shall lie, for by the sale the spirituall goods are made temporall. and the tithes turned into cattels.

Tithes Oblations Mortuaries

Spiritual Judge Sale Temporal Tithes

And if the debate do arise vpon the right of tithes, hauing his originall of the right of the patronage, and the quantitie of the same tithes do passe the fourth part of the goods of the Church, the kings prohibition shal hold place, if the cause come before a Judge spirituall. And if a prelate enioine a penance pecuniarie to anie man for his offence, and it be demaunded, the kings prohibition shall holde place. Notwithstanding if prelates enioine a penāce corporall, and the party will remedy such penances by money, if money be demanded before a Judge spirituall, the kings prohibition shall hold no place.

Penance Pecuniarie

Corporall

Moreouer if any lay violent hands on a Clerke, the amends for the violence done shalbe made in the kings court. And for excōmunication before a prelate, where penāce corporall is enioyned, if the defender will redéeme his penance by giuing money to the prelate, or to the partie grieued, it shal be required before the prelate, and the kings prohibition shal not lie. Articuli cleri cap. 1.2.& 3.

Clerke

Excōmunication Penance

Money

2 ¶ Also if anie doe arreare in his ground a Will of new, and after the parson of the same prelate demaundeth tithe for the same, the kings prohibition doth ilue in this forme.

Will Tithe

The answere. Quia de tali molendino hactenus decimæ non fuerunt solutæ prohibemus &c. Et sententiam excommunicationis, si quam hac occasione promulgaueritis, reuocetis omnino. In such case the kings writ of prohibition was neuer yet graunted by the kings assent, nor neuer shall, which hath decréed that it shall not hereafter lie in such cases. Articuli cleri cap.5.An.9.E.2.

3 ¶ The king to his Judges sendeth greeting. Vse your selfe circumspectly in al matters cōcerning the Bishop of Norwich & his Clergie, not punishing them, if they holde plea in court Christian, of such things as be merely spiritual, that is to witte, of penance enioyned for deadly sinne, as fornication, aduowtry, and such like, for the which many times corporall penāce or pecuniary is enioined, specially if a frée man be cōuict of such things. Also if prelates doe punish for leaning churchyards inclosed, or for that the Church is vncouered, or not conueniently decked, in which cases none other penāce can be enioyned, but pecuniarie.

Bishop of Norwich

Court Christian

Penance

Fornication Aduowtry

Churchyard Church

Pecuniarie

Item if a Parson demād of his parishioners oblations and tithes due & accustomed, or if any person plead against another for tithes more or lesse, so that the iij. part

Obligatiō Tithes

part of the value of the benefice be not demanded.

Mortuarie

Item, if a person demand mortuaries in places where a mortuarie hath vsed to be giuen.

Pension

Item, if a prelate of a church, or if a patron demand a pēsion due to themselues, al such demands, are to be made in a spiritual court. And for laying violent handes on a priest, and in cause of defamation, it hath bin graunted already, that it shalbe tried in a spirituall court, when money is not demaunded, but a thing done for punishment of sinne, & likewise for breaking an othe. In all cases afore rehearsed, the spirituall iudge shall haue power to take knowledge, notwithstanding the kings prohibition. An. 13. Edw. 1.

Defamatiō

Othe

Spirituall Judge

Spiritual Judge

4 ¶ Whereas ecclesiasticall Iudges haue oftētimes surceased to procēd in cases moued before thē, by force of the kings writ of prohibition, in cases where as remedie could not be giuen to the complainātes in the kings Court, by any writ out of the Chancerie, because that such cōplainātes were deferred of their right & remedy in both Courts, as well Temporall as Spirituall, to their great damage, like as the king hath bene aduertised by the grieuous complaint of his subiects. Our souereigne Lord the King commandeth, that where Ecclesiasticall Iudges do surcease in the foresaid cases, by the kings prohibition directed vnto them, that the Chācellor, or the chiefe Iustices of the King for the time being, vpon sight of the Libell of the same matter, at the instance of the plaintife, if they can see that the case cannot bee redressed by any Writ out of the Chancerie, but that the Spirituall Court ought to determine ẏ matters, shal write to the Iudges, before whom the case was first moued, that they procēde therein, notwithstanding the kings prohibition to them directed before. Stat. de Consultatione ædito. An. 24. E. 1.

Chancelor Chiefe Iustices Libell

5 ¶ Edward &c. To the Prelats, officers of Archdeacons, and other ministers Spirituall thorough the diocesse of Norwich, greeting. Whereas cognisances of pleas vpon feodals, & liberties of feodals, distresses, offices of ministers, executions done against our peace, denials of felons; customes secular, attachmentes vi laica, vdders, robbers arreigned, arrests, mannours, auoiwsons of Churches, conuentions sufficient, assises sworne, recognisances touching lay fee, & other matters and causes of money, and of other cattels and debts, which not of testament or matrimonie, perteine to our Crowne and dignitie, approued and hitherunto obserued in the same Realme by custome of the same realme. And the high or noble men, or other of the same Realme in the time of our auncestors, or our Kings of England, by anie authoritie haue not vsed against such custome vpon such matters in case to bee drawen, or compelled to appeare before anie spirituall Iudge. And wee and our predecessours the custome aforesaid, for vs and others of the same Realme, haue alwaies vsed such liberties as perteine to our regal dignitie. And you, and your ministers of the comminaltie of our coūties of Northfolke and Suffolke, which for such things at sundrie times, at your pleasure draw before you in the Spiritual court, as by relation of our welbeloued we haue for certeinty heard say: we prohibit you, that you hold no such plea in the Spirituall court, chiefly seeing such pleas apperteine vnto vs, and not to anie other in the same realme. And wee vpon these and other, whose cognisance perteineth vnto vs, are ready by vs and our ministers in our court, to giue full and spædie iustice to any whatsoeuer. But we cōmaund our welbeloued and faithfull R. and our Shirifes of our foresaid counties, and taking vnto you others in those parties, that they straightly forbid on our behalfe the premisses and other such like, in preiudice of our regall honour. And that if any of you hold such pleas, or if any prosecute the same before you in the Spirituall court against our prohibitiō aforesaid, our said Shirife bring you and others holding & following such pleas, by sureties and safe pledges, that you or they be before our Iustices at Westminster at a certeine day, to answere before them vpon the premisses, and to doe further, which hitherunto in such cases & the like hath bin accustomed to be done. And that they suffer not, that anie lay men in their Bailiwike, come together in anie places to make any recognisances by their oths, except in causes of Matrimonie and Testamentarie: And that they presume not to enterprise vpon such fees, debtes, and cattels before you, and other Spirituall Iudges belonging to our crowne and honour, in preiudice of our princely iurisdiction: And that which you shall doe of those matters in this behalfe, you do fully

Norwich Pleas

Money
Nota what pleas whilst perteyne to ye Crowne.

Spiritual court

giue

gine vs to vnderstād. In witnesse whereof &c. Witnesse &c. A prohibition made vpon the articles of the clergie.

6 ¶ They that purchase a prohibition and attachmēt against the ordinaries for a thing that belōgeth not to the lay court, shal yeld dammages to the ordinaries by the award of the Justices &c. In nouis ordinationibus. Anno quinto Edwardi secundi. Repealed But it is repealed Anno 15. Edwardi secundi. I finde not this but in the Abridgement.

7 ¶ The Commons do grieuously cōplaine, that when diuers persons aswell Clerkes as lay people, haue bēn indicted before the Shirifes in their turnes, & afterward be deliuered by enquests procured before the Justices: after their deliuerance they do sue in the Spirituall court, against such indictors, surmising against them, that they haue defamed thē, to the great dammage of the indictours, wherefore many of the people in the shires be in feare to indict such offenders. The king will, that in such case euery man that feeleth himselfe grieued thereby, shall haue a prohibition formed in the Chācerie vpon his case. An. 1. E. 3. cap. 11.

Clerkes Indict Shirifes Enquest

8 ¶ That no prohibition go out of the Chancerie, but in case where we haue the cognisance, and of right ought to haue. An. 18. E. 3. cap. 5.

9 ¶ Item at the complaint of the said great men and Commons, shewing by their petition, that whereas they sel their great wood, of the age of twentie yeres, or of greater age, to Marchants to their owne profite, or in ayd of the King in his warres: Parsons & Vicars of holy church, do implead and draw the said Marchants in the Spirituall court, for the tithes of the saide wood in the name of this word called Sylua cædua, whereby they cannot sell their woods to the very value, to the great dammage of them & of the Realme: It is ordeyned and stablished, that a prohibition in this case shalbe graunted, and vpon the same an attachment, as it hath bene vsed before this time. Anno 45. E. 3. cap. 3.

Great wood Marchants Warres Tithes Sylua cædua Attachmēt

10 ¶ Whereas a consultation is once duly granted vpon a prohibition made to the Iudge of holy church, that the same Iudge may proceed in the cause by vertue of the same consultation, notwithstāding any other prohibitiō thereupon to him deliuered. Prouided alwaies that the matter in the libel of the said cause, be not augmented, inlarged, nor otherwise chāged, An. 50. E. 3. cap. 4.

Spirituall Iudge

¶ Prophesies.

ANno 3. E. 6. cap. 15. was an act made against fantasticall prophesies, to indure to the end of the next Parliament, & after An. 7. E. 6. cap. 11. it was continued to indure to the last day of the next Parliament, and then it expired.

2 ¶ Forasmuch as since the expiratiō of the statute 3. E. 6. cap. 15. (before 1.) against fantastical prophesies, diuers factious & rebellious persons haue bin the bolder to imagine & publish such prophesies, aswell cōcerning the Quēnes Maiestie, as others of the realme, to the great perill of the same: Be it ordeined &c. that if any person or persons, after the first daie of May next cōming, do aduisedly & directly aduance, publish, and set forth by writing, printing, singing, or any other open spēch or dēed, to any person or persons, any fond, fantasticall, or false prophesie, vpon or by the occasion of any armes, fields, beastes, badges, or such like things accustomed in armes, cognisances, or signets, or vpō or by reason of any time, yēre, or day, name, bloudshed, or warre, to the intent thereby to make any rebellion, insurrection, dissension, losse of life, or other disturbaunce within this realme, and other the Quēns dominions, that then euerie such person being thereof lawfully conuicted, according to the due course of the lawes of this Realme, for euery such offence shall suffer imprisonment of his bodie, by the space of one yēre, without baile or mainprise, and shall forfeite for euerie such offence, the summe of ten pounds. And if any such offender do after such cōuiction offsones offend in any of the premisses, and be thereof lawfully conuicted as is aforesaid, that then euery such offender shall for his second offence and conuiction, as is aforesaid, suffer imprisonment of his body, without baile or mainprise, during his life, and shall forfeit all his goods and cattels, reals and personals. The moities of euery which forfeitures shalbe to the Quēnes highnesse, her heires and successors: and the other moitie thereof, to him that shall or will sue for the same in anie of the Quēnes courts of Record, by action, bill, plaint, or information, in which case no essoine, wager of law, or protection shall be allowed or admitted.

Writing Printing Singing Armes Badges Rebellion Insurrectiō Conuict First office Imprif. Mainprise Fork. Second offence Imprison Mainprise Fork. Moitie

Any

Iust. of all. And be it further enacted by the authoritie aforesaide, that all & every Iustice of assise, Iustice of over & determiner, Iustice of peace, shall haue full power & authoritie by vertue hereof, to inquire, heare & determine all & every offence or offences aboue said, committed or done within the limits of their commission, contrary to ỳ tenor & meaning of this act. Prouided alwaies, & be it enacted by the authoritie aforesaid, that no person or persons shall at any time hereafter be impeached for any offence hereafter to bee committed or done, contrarie to this act, vnlesse hee bee thereof impeached or accused, within fiue yeare the next ensuing any such offence by him or them committed or done. Anno 5. Elizabeth cap. 15.

Iust. of oier Iust. of P.

Oier & ter.

Prouiso

Fiue months.

¶ Protection.

EDward by the grace of God &c. To all his true & faithfull subiects greeting. Forasmuch as many do purchase the protectiõ of our soueraigne Lord the king, affirming that they were out of the realme in the kings seruice: It is prouided, that if the aduersary will challenge the protection, and immediatly when it is shewed in the court, wil auerre that they were within the foure seas, and out of the kings seruice in a place certein, so that they might haue conueniently appeared, their challenge shalbe entred, and the matter shal remaine without day according to the nature of the protections. And when it shalbe resummoned, and the partie commeth into the court, he shal demaund iudgemẽt & hearing of the proces, and offer to auerre his challenge, if his aduersary will attend. And if the contrary do passe against him that cast it, the protection shal turne as a default to him that cast it, if hee bee tenant. And if he be demandant, he shal lose his writte, and shall be answered vnto ỳ king. Giuen at Westminster the xviii. day of Nouember, the xxxii. yere of king Edward sonne of king Henry. Anno 33. E. 1.

Ouer seas

Challenge

Auerre

Default Tenant Demandãt

3 ¶ The king to all &c. Reciting the statute of An. 3. E. 1. &c. Wee grant & commaund for vs & our heires, that no Shiriues, or other our ministers, or of our heires, or other whatsoeuer, presume to theefh any corne, & the same, or any other victailes, or goods, or else horses, oxen, waines, carts, ships, or chattels, of Prelats, Religious men, Parsons of churches, or others of ỳ Clergie, vnder colour of buying, or other meanes in market townes, or elsewhere against the willes of the owners thereof, or the custodie of them, do take, carrie, or lead away, or by such meanes do extortiõ to any man, vnder all & singuler ỳ paines aboue said. And that all & singuler persõs comming against the premisses, without excuse whatsoeuer, shal suffer the paines aforesaid. And that all & singuler our ministers and our heires, viz. Euery of them as much as to him by reason shall appertaine, comming contrarie to this act, shal suffer the paines aforesaid: And that they which shall happen to bee committed to prison by such meanes, shal not be deliuered out of the same, without the speciall commaundemẽt of vs and our heires. In witnesse whereof &c. Witnes my selfe at Yorke the xviii. day of Nouember in the tenth yeere of our reigne. A letter patet vpon the taking of goods of the Clergie. See Purueyours 6.

Shirife

Church Clergie

Take Extortion

Imprit.

3 ¶ Forasmuch as our soueraigne lord ỳ king hath made before this time diuerse protections of diuers people, which were bounden to him in any manner of debt, that they should not bee impleaded of the debts which they owed to other, till they had made grẽ to our soueraigne lorde the king of that that to him was due by them by reason of his prerogatiue, & so during such protections, no man durst implead such debtors: It is accorded & assented, ỳ notwithstanding such protections, ỳ parties which haue actions to their debters, shalbe answered in ỳ kings court by their detters. And if iudgement be thereupon giuen for the plaintife or demandant, the execution of the same iudgement shal bee put in suspence, til grẽ be made to ỳ king of his debt. And further they shal haue executiõ against the debters of the debt due to them, & also shall recouer against them as much as they shall pay to the king for them. An. 25. E. 3. cap. 19.

Answere

Iudgement Execution

Suspence

4 ¶ From henceforth no protection with the clause of Volumus, be allowed before any Iudge, for vitailes taken, or brought vpon the voiage of seruice, whereof the protection maketh mention, nor also in pleas of trespas, or of other contract made or perpetrate, after the date of the same protection. An. 1. R. 2. cap. 8.

Attaynles

4 ¶ No protection with clause De prosecuturis be allowed in any plea, whereof ỳ suite is commenced before the date of the protection, if it be not in the voiage that ỳ king himselfe goeth, or other voyages

royall, or in the kings messages, for busi-
nesse of the realme, but they that be im-
Atturnies pleaded, shall make their atturnies for to
answere for them in such pleas, or else
they shal tarrie themselues, if they will:
howbeit, it is not the intent of the making
of this statute, but that the protemis with
clause Quia moratur be allowed in all ca-
ses, as they haue bene before this time.
And if any tarry in the countrie, without
going to their seruice, for the which he is
retained, ouer a conuenient time after that
he hath any protection, or repaire from
Chancellor. same seruice, if the Chancellor be there-
of duely informed, he shall repeale such
protection, as it hath been vsed before this
time. Anno 13. R. 2. cap. 16.

6 ¶ Because that when people being
debters, be condemned to their creditors
by due processe of law, and committed to
prison, that is to saye, the gaoles of the
Marshalsey, Kings bench, Fleete, & other
prisons in diuers cities, boroughes, and
Wardens Gaolers townes within the realme, the wardens
of the gaoles & prisons aforesaide, of their
owne authoritie do let the said debtors to
goe at large at their will, and whereas by
a statute Anno 1. R. 2. cap. 12. which is in
Debt. 4. It was ordeined, that if any
gaoler do let such prisoner to go at large,
by mainprise or in baile, that then the per-
son to whome the prisoner is condemned,
shall haue his action and recouery against
the saide gaoler: The same Wardens do
purchase to themselues the kings protec-
tions, whereby the said creditors by the
same protections be delayed and deferred
from their dutie and rightfull recouery,
as well against the saide Wardens of the
saide gaoles, as against the saide prisoners,
to the great damnage and preiudice
of the common people, and derogation of
the Common lawe: It is ordained and
established, that no protection be availa-
ble nor allowed in such case. Anno 7. H.
4. cap. 4.

7 ¶ An 9. H. 5. cap. 5. & An. 4. H. 6.
cap. 2. & Anno 8. H. 6. cap. 13. & An. 14.
Ed. 4. cap. 4. Foure actes were made to in-
dure for certaine yeres concerning pro-
tections of them that should goe ouer the
sea with the king.

8 ¶ No protection be hereafter allow-
able ne allowed in the court before the
Maior, Constables & fellowship of Mer-
Staple chants of the Staple of Calais, ne in the
Court before the lieutenant, constable, &
fellowship of Marchants of the same Sta-
ple, ne in the court before the Maior and
his brethren of the same towne of Calais, Maior Calais
nor in any court or courts within the same
towne or marches there, in any action
sued, or hereafter to be sued, by any of the
said Merchants, their factors, seruants, or
attornies, against any of the saide Mar-
chants, their factors, seruants, or attor-
nies. Anno H. 7. cap. 3.

9 ¶ Anno 4. H. 7. cap. 24. protections or
profecture and moratures were granted to
all them that were or should be in the kings
wages in Britaine.

10 ¶ An. 7. H. 7. cap. 12. protections or
profecture & moratures were graunted to
all them that should serue the king in his
warres (beyond the sea, or on the sea) Warres
which the king then intended to make.

11 ¶ An. 3. H. 8. cap. 4. protections of
profecture & moratures were granted to al
them that should serue the king in his warres Warres
(beyond the sea, or on this side) which the
king then intended to make.

12 ¶ See Pollydors 14. that all goods
& things of Bishops & monasteries were Bishops Monasteries
taken into the kings protection, that they
should not be taken for the king, &c.

13 ¶ Where protection is put out in
any action, sir in euery such title, as any
such action is spoken of.

¶ Prouision and Præmunire.

BEcause that some do purchase in the
court of Rome prouisions, to haue
Abbies & Priories in England, in de- Rome Abbies Priories
struction of the realm & holy religion.
It is accorded, that euery man that pur-
chaseth such prouisions, of Abbies or Pri-
ories, that he & his executors & procura-
tors, which do sue & make execution of such Executors
prouisions, shall bee out of the kings pro- Protection
tection. And that a man may do with them,
as of enemies of our Soueraigne Lorde
the king & his realme. And he that offen-
deth against such prouisours in bodie or
in goods, or in other possessions, shall bee
excused against all people, & shal neuer be Excused
impeached nor grieued for the same at a-
ny mans suite. An. 25. E. 3. cap. 22.

2 ¶ Whereas late in the Parliament
of good memorie of Ed. king of England,
grandfather of our Soueraigne Lord the
king that now is, the fiue and twentieth
yere of his reigne, holden at Karlile, the
petition heard put before the said grand-
father & his Counsel by the Communalty
of his said realm contained, that whereas the
holy

holy Church of England was founded in the estate of Prelacie within the realme of England by the saide grandfather & his progenitors, & the Earles, Barons, and other Nobles of his saide Realme & their ancestors, from them to informe the people of the law of God, & for to make hospitalities, almes & other workes of charitie in the places where the Churches were founded, for the soules of the founders, their heires, & of al Christen, and certaine possessions, as much in fees, lands, rents, as in aduowsons, which doe extende to a great value, were assigned by ỳ said founders to the Prelats & other people of the holy church of the said realme, to susteine the same charge, & especially of the possessiõs which were assigned to Archbishops, Bishops, Abbots, Priors, religious, & all other people of holy church, by the kings of the said realm, Earles, Barons, & other great men of his realme, the same kings, Earles, Barõs, & other Nobles, as lords. Aduowees, haue had & ought to haue the custodie of such voydances & the presentments & the collations of ỳ benefices being of such Prelacies. And the said kings in times past were wont to haue ỳ greatest part of their Councel for the safegard of the realme, when they had need, of such Prelates & Clerkes so aduaunced: The Bishops of Rome vsurping the seignories of such possessiõs & benefices, do giue & grant ỳ same benefices to aliens which did neuer dwel in Englande, & to Cardinals which might not dwell heere, and to other as well aliens & denizens, as if hee had bene patron, or aduowee of the saide dignities and benefices, as he was not of right after the law of England, whereby if they should be suffered, there should vneth be any benefice within a short time in the said realme, but that it should be in the hands of aliens & denizens by vertue of such prouisions, against the good will & disposition of the founders of the same benefices. And so the elections of Archbishops, Bishops, & other religious, should faile, and the almes, hospitals, and other workes of charitie, which should be don in the said places should be withdrawen, the said grandfather, & other lay patrons, in ỳ time of such voidances should lose their presentments, the saide Councell shoulde perish, & goods without number should be carried out of the Realme, in adnullation of the estate of the holy Church of England, & disherison of the saide grandfather, & the Earles, Barons, and other Nobles of the said Realme, & in offence & destruction of the lawes & rightes of his realme, & against the good disposition and will of the first founders: By the assent of the Earles, Barons & other Nobles, & of all the saide Comunaltie, at their instances and requestes (the dammage and grieuances aforesaide considered) in the said full Parliament it was ordeined, ỳ the saide oppressions, grieuances & dammage in the same Realme from henceforth should not be suffered in any maner. And now it is shewed to our Soueraigne Lord the king, in this present Parliamẽt holden at Westminster, at the vtas of the Purification of our Ladie, the fiue and twentieth yeere of his reigne of Englãd, and of France the twelfth, by the grieuous complaints of all the Commons of this realme, that the grieuances and mischiefes aforesaid, do daily abound to more greater dammage & destruction of al this Realme, more then euer were before, vz. That now of late the Bishop of Rome, Pope
by procurement of clerkes & otherwise, hath reserued & doeth daily reserue to his collation generally and specially, as well Archbishoprickes, Abbies & Priories, as Archbishops
all other dignities and other benefices of Englande, which be of the aduowsie of people of holy Church, and giue the same as well to Aliens as to Denizens, and taketh of all such benefices the first fruites, Aliens First fruits
and many other profits, and a great part of the treasure of the Realme is carried away and dispended out of the Realme by the purchasours of such graces. & also by such priuie reseruations many clerkes aduanced in this realm by their true Patrons which haue peaceably holden their aduancements by long time, be suddenly put out: whereupon the saide Commons haue prayed our saide Soueraigne Lorde the king, that sith the right of the crowne of England, & the law of the saide realme is such, that vpon the mischiefs and dammage, which happeneth to his realme, he ought and is bounden of the accorde of his said people in his Parliament, thereof to make remedie, and lawe of voyding the mischieles and dammage, which thereof commeth, that it may please him thereupon to ordeine remedy: Our soueraigne Lorde the King, seeing the mischiefes and dammage before named, and hauing regarde to the saide Statute made in the time of his said Graundfather, and to the

Pope
Benefices Aliens Cardinals

causes contained in the same, which Statute holdeth always his force, & was neuer defeated nor annulled in any point, & by so much he is bounde by his othe, to do the same to be kept as a law of his realm, though that by sufferance & negligence it hath bin sithence attempted to the contrary: also hauing regard to the grieuous cõplaints made to him by his people in diuers his Parliaments holden heretofore, willing to ordeine remedie for the great damnage & mischiefes, which haue happened, and daily do happen to the Church of England by the said cause. By ỳ assent of all the great men and the Comminalty of the said Realme, to the honour of God & profite of the said Church of England, & of all his realme, hath ordered & established, that the frée elections of Archbishops, Bishops, & all other dignities and benefices electiue in England, shall holde from henceforth in the manner as they were granted by the kings progenitors, & founded by the ancestors of other Lords: And that all Prelates, and other people of holy Church, which haue aduowsons of any benefices of the kings gift, or of any of his progenitors, or of other Lords & donours, to doe diuine seruices and other charges thereof ordeined, shall haue their collations & presentmentes freely in the manner as they were infeoffed by their donours. And in case that reseruatiõ, collation, or prouision be made by the court of Rome, of any Archbishoprick, Bishopricke, dignitie, or other benefice, in disturbance of the election, collations, or presẽtations aforenamed, that at the time of ỳ voydance that such reseruations, collations, & prouisions ought to take effect, our Soueraigne Lorde the king & his heires, shall haue & enioy for the same time collations to the Archbishoprikes and other dignities electiue, which be of his aduowrie, such as his progenitors had before ỳ frée election was granted, sithence that the elections were first graunted by the kings progenitors vpon a certaine forme and condition, as to demaunde licence of the king to choose, and after the election to haue his royall assent, and not in other manner. Which conditions not kept, the king ought by reason to resort to his first nature: And if any such reseruation, prouision, or collation bee made of any house of religion of the kings aduowrie in disturbance of the free election, our Soueraigne Lord the king and his heires shall haue for that time the collation to giue this dignitie to a conuenient person. and in case that collation, reseruation, or prouision be made to the Court of Rome of any church, Prebend, or other benefices, which be of the auowrie of people of holy Church, whereof the king is auowée paramount immediate, that at ỳ same time of the voydance, at which time the collation, reseruation, or prouision ought to take effect as afore is said, the king & his heires thereof shall haue the presentment or collation for that time. And so frõ time to time whensoeuer such people of holy Church shalbe disturbed of their presentments, or collations by such reseruatiõs, collations, or prouisions, as afore is saide. Sauing to them ỳ right of their aduowsons & their presentments, when no collation or prouision of the court of Rome is thereof made, where that the said people of holy Church shal or wil to the same benefices present or make collation. And that their presentees may enioy the effect of their collations or presentmẽts: And in the same manner euery other Lorde, of what condition that he be, shall haue the collations or presentmentes to the houses of religion which be of his aduowrie, and other benefices of holy church, which bee perteining to the same houses. And if such aduowees doe not present to such benefices within the halfe yeere after such voydance, nor the Bishop of the place doe not giue the same by lapse of time within a moneth after halfe a yeere, that then the king shall haue thereof the presentmẽts & collations as he hath of other of his owne aduowrie. And in case ỳ the presentments of the king or the presentees of other Patrons of holy church, or of their aduowées, or they to whom the king of such patrons or aduowees afore saide haue giuen benefices, pertaining to their presentments or collations, be disturbed by such prouisors, so that they may not haue possession of such benefices by vertue of the presentments or collatiõ so to them made, or that they which be in possession of such benefices, be impeached vpon their said possessions by such prouisours: then the saide prouisours, their procuratours, executours, & notaries shalbe attached by their body, & brought in to answere. And if they be conuict, they shal abide in prisõ without being let to mainprise or baile, or otherwise deliuered, till that they haue made fine and ransome to the king at his will, and grée

to

Oath

Election Archbishops Bishops

Aduowsons R. gift

Presentmẽt

Condition

Licence Royall assent

Presentmẽt

Disturbe

Lords

Religious houses

vi. moneths

Lapse

King

Disturb

Attached Answers

Imprisõ. Mainprise

to the partie that shall feele himselfe grieued. And neuertheleſſe before that they be deliuered, they ſhall make full renunciation and finde ſufficient ſuretie, that they ſhal not attempt ſuch things in times to come, nor ſue no proceſſe by them nor by other againſt any man in the court of Rome, nor in no part elſe where, for any ſuch impriſonments or renunciatiõs, nor any other thing depending of them. And in caſe that ſuch prouiſours, procuratours, executours & notaries be not found, that ỹ exigende ſhall runne againſt them by due proceſſe, and that writs ſhall go forth to take their bodies, in what partes ỹ they be found, as well at the kings ſuite, as at the ſuit of the partie. And that in ỹ meane time the king haue the profits of ſuch benefices ſo occupied by ſuch prouiſours, except Abbies, Priories, and other houſes which haue colleges or conuents. And in ſuch houſes the colleges and conuents ſhal haue the profits. Hauing alwaies to our ſouereigne Lord the king, and to all other Lords, their olde right. And this ſtatute ſhal haue place, aſwell of reſeruations, collations, and prouiſions made & graunted in times paſt againſt all them which haue not yet obtained corporall poſſeſſions of the benefices granted to them by ỹ ſame reſeruations, collations & prouiſions, as againſt all other in time to come. And this ſtatute oweth to holde place & to begin at the ſaid vtas. Anno 25. E. 3. ſtatut de prouiſoribus.

Surtie

Exigent

Writs

Court Sue

Two monethes

Shirife

Answere

Acturnies Executors

Protection

Forf.

Impriſ.

Exigend

3 ¶ Becauſe that it is ſhewed to our ſouereigne Lord the king by the grieuous & clamarous complaints of the great men & Commons aforeſaid, how that diuers of the people be and haue beene drawen out of the Realme, to anſwers of things, whereof the cogniſance pertaineth to the Kings court. And alſo that the iudgements giuen in the ſame Court be impeached in another court, in preiudice and diſheriſon of our Soueraigne Lorde the king, and of his crowne, and of all the people of his ſaid Realme, and in the vnbooing and deſtruction of the Common law of the ſame realm at all times vſed. Whereupon good deliberation had with the great men, & other of his ſaid Counſel, it is aſſented & accorded by our Soueraigne Lorde the king, & the great men and Commons aforeſaide, that all the people of the kings liegeance, of what condition ỹ they be, which draweth any out of the Realme in plea, whereof the cogniſance pertaineth to the kings Court, or of things whereof iudgements be giuen in the kings court, or which doe ſue in any other court, to defeat or impeach ỹ iudgements giuen in the kings Courte, ſhal haue day, conteining the ſpace of two moneths, by warning to be made to them in the place where the poſſeſſiõs be which be in debate, or elſe where, where they haue landes or other poſſeſſions, by the Shirifes or other the kings miniſters, to be before the king and his Councell, or in his Chancerie, or before the kings Juſtices in his places of the one bench or the other, or before other the kings Juſtices, which to the ſame ſhalbe deputed to anſwere in their proper perſons to the king of the contempt done in this behalfe. And if they come not at the ſaide daye in their proper perſõs to be at the law, they, their procuratours, atturnies, executours, notaries, and maintainers, ſhall from this day forth be put out of the kings protection, and their landes, goods, and cattels forfait to ỹ king. And their bodies, wherſoeuer they may be found, ſhalbe taken & impriſoned, and raunſomed at the kings will, and vpon the ſame a writ ſhall bee made to take them by their bodies, and to ſeiſe their landes, goods and poſſeſſions into the kings hands. And if it be returned, that they be not found, they ſhalbe put in exigent and outlawed.

Prouided alwayes, that at what time they come before that they be outlawed, & will yeld them to the kings priſon, to bee iuſtified by the law, and to receiue that ỹ the court ſhall award in this behalf, that they ſhalbe thereto receiued. The forfaiture of the landes, goods, and cattels abyding in their force, if they doe not yeelde them within the ſaid two monethes as afore is ſaid. Anno 27. E. 3. cap. 1.

4 ¶ To mantein loue, peace, and concord betweene holy Church & the realme, and to appeaſe & ceaſe the great hurt and perils, and importable loſſes & grieuances that haue bin done and happened in times paſt, and that ſhall happen hereafter, if ỹ thing from hencefoorth be ſuffered to paſſe, becauſe of perſonal citations & other that be paſt before this time, & commonly doth paſſe from day to day out of the Court of Rome by fained and falſe ſuggeſtions & propoſitions, againſt al maner of perſons of ỹ realm, vpõ cauſes, whoſe cogniſance & finall diſcuſſing pertaineth to our Soueraigne lord the king, & his royal court, & alſo of impetrations and prouiſions of

Court of Rome

benefices & offices of holy Church, pertaining to the gift, presentation, donatiõ. & disposition of our said soueraigne Lorde. the king, & that other lay patrons of his realm, as of Churches, Chapels, & other benefices appropried to Cathedrall churches, Abbies, Priories, Chanteries, Hospitals, & other poore houses, and of other dignities, offices & benefices occupyed in the times past, and presented by diuers & notable persons of the saide realme, for which causes and dispensing thereof, the good ancient lawes, vsages, customes, & franchises of the said Realme haue bene, & be greatly appayred, blemished, & confounded, the crown of our soueraigne lord the King minished, and his person falsly defamed, ẏ treasure & riches of his realme carried away, the inhabitants and Subiects of the Realme impouerished & troubled, the benefices of holy Church wasted and destroyed, diuine seruice, hospitalities, almes dede, and workes of charitie withdrawen and set apart, the Cõmons and subiectes of the Realme in bodie and goods trauelled.

Churches Hospitals

Our Soueraigne Lord the king at his Parliament holden at Westminster, in the vtas of S. Hilary, the xxviii. yere of his reigne, hauing regarde to the quietnesse of his people, which he chiefly desyreth to sustaine in tranquilitie & peace, to gouerne according to the lawes, vsages, & franchises of his land, as he is bound by his othe made at his Coronation, following the wayes of his progenitors, which for their time made certeine good ordinances & prouisions against the said grieuances & perils: which ordinances & prouisions, & all the other made in his time, & especially in the xxv. and xxvii. yeres of his reigne: Our Soueraigne Lorde the King, by the assent and expresse will and concord of the Dukes, Earles, Barons, & the commons of this Realme, and of all other whome these things toucheth, by good and mete deliberation and aduisement, hath approued, accepted and confirmed: Sauing the estate of the Prelates and other Lords of the realme, touching ẏ libertie of their bodies, so that by force of this Statute their bodies bee not taken. Joyning to the same, hath prouided & ordained, that al they which haue obtained, purchased, or pursued such personall citations, or other in any times past, or hereafter shal obteine, purchase or pursue such like against him or any of his subiectes, & also al they that haue obteined or shal obteine in the said Court, Deanries, Archdeaconries, Prouostries, and other dignities, offices, Chapels, or benefices of holy Church, pertaining to the collation, gift, presentation, or disposition of our said soueraigne Lorde the King, or of other lay Patron of his saide Realme, and also all like persons, obteiners of churches, Chapels, Offices, or benefices of holy church, pensions or rents amortised, & appropried, to Churches Cathedrall or Collegial, Abbies, Priories, Chanteries, hospitals, or other poore houses, before that such appropriations, amortisements bee voide & annulled by due proces, also al they which haue obteined in the same Court. Dignities, offices, hospitals, & any benefices of Churches which be occupyed at this present season by reasonable title, by any persons of the said realme, if such impetrations be not fully executed, or shall obteine hereafter like benefice, whereby preiudice, damage, or impeachment hath beene or may be done hereafter to him or to his said subiects, in persons, heritages, possessions, rights, or any goods, or to ẏ lawes, vsages, customes, franchises & liberties of this said realme, & of his crown also all their mainteiners, counsellers, abettors, & other ayders & fautors wittingly, aswel at the suite of the king as of the partie, or other whatsoeuer he be of the realm, finding pledges and suretie to pursue against them: in this case all the said persons defamed and violently suspected of such impetrations, pursuites, or grieuances by suspition, shall be arrested & taken by the Shirifes of the places, & Justices in their Session, Deputies, Bailifes, & other the Kings Ministers, by good and sufficient mainprise, repleuine, baile, or other suretie (the shortest that may be) and shall bee presented to the king & his Counsel, there to remaine and stand to right, to receiue what the lawe will giue them: And if they bee attainted or conuict of any of the saide things, they shall haue paine that is compriſed in the statute made in the fine and twentieth yere of the raigne of our Soueraigne Lorde the King, which beginneth: Whereas of late in the Parliament &c. If any person defamed or suspect of the saide impetrations, prosecutions, or grieuances, or enterprises, be they out of the Realme or within, and may not bee attached nor arrested in their proper persons, and do not present them before

Two monethes

Iustices Answere

Pardon

Dignities

Maintainers

Suretie

Arrest Shirife

Attaint Protection

Mainprise

Attaint Punish

Defamed

Citations

before the king or his Councell within two moneths next after ỹ they be therupon warned in their places (if they haue any) in any of the kings courts, or in the Counties, or before the kings Iuſtices in their Seſſions, or otherwiſe ſufficient to anſwere to the king and to the partie, to ſtand, and be at the law in this caſe before the king and his Councell: ſhal be puniſhed by the forme and maner compriſed in the ſtatute made in the ſaide ſeuen and twentieth yeere of this kinges reigne, which beginneth, Our Soueraigne Lord the king of the aſſent, &c. and otherwiſe as to the king and his Councel ſhal ſeeme to be done, without any grace, pardon, or remiſſion to be made by the king, without the will and aſſent of the party which ſhal prooue him to be grieued, & without making to him due ſatisfactiõ in this caſe. Anno. 38. E. 3. ſtat. 2. cap. 1. & 2.

Two moneths

Iuſtices Anſwere

Pardon

5 ¶ It is accorded that none other ſubiect of the ſaide Realme, keeping & ſuſteining theſe ordinances, ſhall incurre any forfaiture of life and member, of lands, of heritage, nor of goods, againſt the king nor none other perſon, nor loſe eſtate nor fauour becauſe of the ſaide things ordained, nor his heirs may not, nor ought not to be reproued, defamed, nor impeached by any of ỹ ſaid cauſes at any time hereafter. Anno 38. E. 3. cap. 3.

6 ¶ And if any perſon, of what eſtate or condition, that he be, by any maner, attempt, or do a thing againſt the ſaid ordinances, or any thing compriſed in them, that ſame perſon ſhalbee brought to aunſwere in the maner as afore is ſaid: and if he be thereupon attainted or conuict, hee ſhalbe put out of the kinges protection, & puniſhed after the forme of the ſaide ſtatute made the ſaid ſeuen & twentie yere. Anno 38. Ed. 3. cap. 3. ſtat. 2.

Attaint Protection

7 ¶ If any perſon maliciouſly or falſely make any purſuite againſt any perſon of the ſaid Realme, for cauſe compriſed in theſe preſent ordinances, and thereof bee duely attainted, ſuch plaintife ſhalbe duely puniſhed, at the ordinance of ỹ king & his Councell, & neuertheles he ſhal make grée & amends to the party grieued by his purſuite. And to the intent that the ſaide ordinances and euery of the ſame, for the eaſe, quietneſſe, and wealth of the Commons be the better ſuſteined, executed & kept, & that all thoſe that haue offended, or ſhal offend againſt theſe ordinances, by proſecutions, accuſations, denunciations, citations, or other proceſſe made or to bee made out of the ſaide realme or within, or otherwiſe againſt any manner perſon of the ſaid realme, be the more conenably & ſpedily brought to aunſwere, to receiue right according to their deſert: The king, the Prelates, Dukes, Earles, Barons, Nobles, & other Commons, Clerkes, and lay people, be bound by this preſent ordinance to aide, comfort, and to counſell the one & the other, and as often as ſhal nede, and by all the beſt meanes that may bee made of worde & of dede, to impeach ſuch offenders, and reſiſt their dedes & enterpriſes, and without ſuffering them to inhabite, abide, or paſſe by their ſeignories, poſſeſſions, lands, iuriſdictions, or places, & be bound to kepe & defend the one & the other from all dammage, villenie and reproofe, as they do their owne perſons, and for their dede & buſineſſe, & by ſuch maner, and as farforth as ſuch proſecutions or proceſſe were made or attempted againſt them in eſpecial, generall, or in cõmon. Anno 38. E. 3. ca. 4. ſtat. 2.

Attaint Puniſh

8 ¶ Anno 1. R. 2. cap. 7. It was agreed, that Urban was duely elected Pope, and ought to be obeyed as head of the Church, and that all benefices and poſſeſſions of cardinals, rebels, & other the kings enemies, ſhould be ſeiſed. And it was enacted that if any purchaſed by prouiſion any benefice or grace, by any other named Pope, then of Pope Urban, or be obedient to any other perſon as Pope, he ſhould be out of the kings protection, and his goods ſeiſed.

Pope

Enemie

Protection

9 ¶ None of the kings liege people nor other perſon, of what eſtate or condition that he be, ſhall not take nor receiue vin the ſaid Realme of Englande, procuracie, letter of atturney, nor farme, nor other adminiſtratiõ by Indenture, nor in none other maner of any perſon of the worlde, of any benefice within the ſaid realm, but only of the kings liege people of the ſame realm, without ỹ ſpeciall grace & expreſſe licence of our ſaid Soueraigne Lorde the king, by the aduiſe of his Councell. And if any before this time haue accepted of any Aliens ſuch procuracies, fermes or adminiſtration, ỹ they ſhal vtterly leaue them within xl. dayes after publication of this ordinance. And that none of the ſaide liege people, nor other that may be found in the ſaid Realme, ſhal inioy by vertue of ſuch procuracie, ferme, or adminiſtratiõ, gold, ſiluer, nor other treaſure nor commodity,

Farmer

Benefice

Licence

Aliens

Golde Siluer

Bill of exchange

out of ỳ ſaid Realme by writ of exchange, by marchandiſe, nor in other maner to the profit of the ſaide aliens, without like licence of the king by the aduice of his ſaide councel. And if any do the contrary in any point cõteined in this ordinãce, he ſhal incurre the paine & puniſhmẽt conteined in the ſtatute of prouiſors, made in the time of the kings grandfather the xxviii. yeere of his reigne, by the ſame proceſſe cõprized in the ſaid ſtatute, & by warning to be made to them in their benefices or other their poſſeſſions within the realm. And if they be out of the ſaid realme, & not beneficed, nor hauing poſſeſſion within ỳ ſame realm where they may be warned. then a writ ſhal be made in the Chancery, grouded vpon this ordinance to the Shirife of London, or to the Shirife of the Countie, in which they were or ſhalbe borne, at ỳ kings ſuit, returnable in the one Bench, or the other, by which writ, it ſhalbe commaunded, that proclamatiõ be made openly, that they be before the Juſtices in the Bench, where the writ is returnable at a certaine day cõprized in the ſame writ, cõteining the ſpace of half a yere, to anſwer vpon the matters compriſed in the ſaide writ, & after this writ returned, ỳ Juſtices ſhal proceede againſt them, according to ỳ forme aboue ordeined. And it is aſſented by the king in the ſame Parliamẽt, by the aſſent aforeſaid, that no Biſhop nor other perſon of holy church through the realm, ſhal meddle by way of ſequeſtration, nor in any other maner, of the fruites of ſuch benefices, giuen or to be giuen to the ſaide Aliens, to the profite of the ſame Aliens, vpon the peril that belongeth. Dated &c. Anno 3. R. 2. cap. 3.

Chauncery Shirife

Proclamation Juſtices

Biſhop

Sequeſter

Aliens

10 ¶ The ſame ſtatute ỳ. of An. 3. R. 2. ca. 3. (before 9.) ſhal keepe his force and effect in all points. And moreouer it is alſo aſſẽted, that if any Alien haue purchaſed, or from henceforth ſhall purchaſe any benefices of holy Church, dignitie, or other thing, and in his proper perſon take poſſeſſion of the ſame, or occupie it himſelfe within the Realme, whether it be to his owne proper vſe, or to the vſe of any other, without ſpecial licence of the king, ſhalbe compriſed within the ſame ſtatut, & moreouer ſhall incurre all paines & forfaitures in all points as is before ordeyned by another ſtatute made the xxv. yere of the noble King Edwarde the thirde, Graundfather to our ſoueraigne Lorde the king that now is, concerning them ỳ purchaſe prouiſions of Abbies, or Priories. And to the intent that ſuch licences ſhall not bee from henceforth made, the king will and cõmaundeth to all his ſubiectes & other, that they ſhal abſtein them from hence forth to pray him for any ſuch licence to be giuen: And alſo the king him ſelfe will abſteine to giue any ſuch licẽce during the warres, except to the cardinall of Naples, or to ſome other ſpecial perſõ, to whom the king is holden for an eſpeciall cauſe. An. 7. R. 2. cap. 12.

Alien

Benefice

Licence

Foyl.

11 ¶ No liege man of the king, of what eſtate or condition that he be, great or little, ſhall paſſe ouer the ſea, nor ſende out of the Realme of England, by licence nor without licence, without ſpeciall leaue of the king himſelfe, to prouide or purchaſe for him, benefice of holy church with cure or without cure in the ſaide Realme: and if any doe, and by vertue of ſuch prouiſion accept by him, or by any other, any benefice of the ſame Realme, that at that time the ſame prouiſour ſhalbe out of the kings protection, and the ſame benefice voide, ſo that it ſhall bee lawfull to the Patron of the ſame benefice, as well ſpirituall as temporal, to preſent to the ſame an able Clerke at his pleaſure. Anno 12. R. 2. cap. 15.

Paſſe ouer ſea

Licence

Benefice

Protection Boyd

Preſent

12 ¶ Where as the noble King Edwarde, graundfather to our ſoueraigne Lord the king ỳ now is, at his Parliamẽt holden at Weſtminſter at the vtas of the Purification of our Ladie, the xvi. yere of his reigne, did to be rehearſed the ſtatute made at Carliel in the time of king Ed. ſonne of king Henry, touching the eſtate of the holy Church of Englande, the ſaide grandfather of the king ỳ now is, by the aſſent of ỳ great men of his realme, being in the ſame Parliamẽt, holden the ſaid 25 yere to the honor of God & of holy church, & of al his realm, did ordeine & ſtablish, ỳ the frée elections of Archbiſhoprikes, Biſhoprikes & al other dignities & benefices electiue in Engländ, ſhould hold frõ thence forth in the maner as they were granted by his progenitors, and by the auncestors of other Lords foũders. And that all Prelates & other people of holy church, which had aduowſõs of any benefices of the gift of the king or of his progenitours, or of other Lordes and donours, ſhould frely haue their collations, and preſentments, and thereupon a certaine puniſhmẽt was ordeined in the ſame Statute, for them which accept anye Benefice or Dignitie

Election Archbiſhop Biſhop,

contrary

Archbiſhops Biſhops Benifices

Statute

Exile Banished

Foyl.

N. wendes harbour

Banished

Procurators

Pope

contrary to the said statute made the saide xxv. yere, as afore is saide, which Statute our Soueraigne Lord the king hath done to be recited in this present parliamẽt, at the requeſt of his Commons in the same parliament: The tenor whereof is such as hereafter followeth. Where as late in the Parliament of good memory of Edwarde king of England &c. rehearsing the whole statute made the said xxv. yeere, and then thus: Our soueraigne Lord the king that now is, of the assent of ỳ great men of his realme being in this present parliament, hath ordeyned & established, that al Archbishoprikes, Bishoprikes and other dignities and benefices electiue, and al other benefices of holy Church which shall beginne to bee voyde in dede the nine and twenty day of January, ỳ thirtenth yere of the reigne of our Soueraigne Lord the king that now is, or after, or which shalbe void in time to come within the realme of England, the said statute made the sayde xxv. yere shalbe firmely holden for euer, & put in due execution from time to time in all manner poynts. And if any make any acceptatiõ of any benefice of holy church, contrary to this statute, and that duelie proued, & be beyond the sea, he shall abide exiled & banished out of the realme for euer, his lands & tenements, goods, and cattels forfait to the king: and if he be within the Realme, hee shalbe also exiled and banished as afore is said, and shal incurre the same forfaiture, and take his waye, so. that he bee out of the Realme within fire weekes next after such acceptation. And if any receiue any such person banished, cõming from beyond the Sea, or being within the realm after the said vi weekes, knowing therof, he shalbe also exiled & banished & incurre such forfaiture as afore is said. And that their procurators, notaries, executors, and Summoners haue the paine & forfaiture aforsaid. Prouided neuertheles that all they to whom ỳ Pope of Rome, or his predecessors, haue prouided any Archbishoprike, bishoprike, or other dignity, or other benefices of holy Church, of the patronage of people of holy Church, because of any voydance before the said xxix. day of January, & thereof were in corporall possession before the same xxix. day, shall haue and enioy the said Archbishoprikes, bishoprickes, dignities, & other benefices peaceably for their liues, notwithstanding the statutes, & ordinances aforesaid. And if the king send by letter or in other manner to the Court of Rome, at the intercession of anie person, or if anie other sende to pray to the same Courte whereby any thing is done contrarie to this Statute touching any Archbishoprike, Bishoprike, dignity or other benefice of holie Church within the said realme, if he that maketh such excitation or prayer bee a Prelate of holie church, he shal pay to the king the valour of his temporalties of one yere, & if he be a temporal Lord, he shal pay the king the valour of his lands & possessions vnmoueable of one yere. And it is the intẽt of this Statute, that of all dignities and benefices of holy Church, which were voyde in dede the said xxix. day of Januarie, which be giuen, or to whom it is prouided by the Pope of Rome before the same xxix. day, that they to whom such gifts or prouisiõs be made, may freely of such gifts & prouisions, sue executiõ without offence of this statute. Prouided alwaies that of no dignitie or benefice, which was full the said xxix. day of January, no man because of any collation, gift, reseruation & prouision, or other grace Papel, not executed before the said xxix. day, shall not sue thereof execution, vpon the paines and forfaitures contained in this present statute. An. 13. R. 2. stat 2. cap. 2.

Archbishops Bishops Benefices

Statute

Exile Banished

Forf.

vi. weekes Harbour

Banished

Procurators

Pope

Prelate

First yeeres Temporalties Temporal Lord

Pope

Execution

Forf.

13 ¶ It is ordeined & established, that if any man bring or send within the realm, or the kings power, any summons, sentence or excommunication against anie person of what condition that hee bee, for the cause of making motion, assent, or execution of the saide statute of prouisors, hee shalbe taken, arrested, and put in prison, & forfaite all his lands & tenements, goods & cattels, for euer. And moreouer incur the paine of life and member. And if anie Prelate make execution of such summons, sentences, or excommunicatiõs, that his temporalties be taken & abide in ỳ kings hands, til due redresse & correction be therof made. And if any person of lesse estate then a prelate, of what condition that bee be, make such execution, he shalbee taken, arrested, and put in prison, and haue imprisonment, and make fine & raunsome by the discretion of the kings counsaile. An. 13. R. 2. stat 2. cap. 3.

Summons Excommunication

Impẽtt. Forf.

Life & member

Prelate Temporalties

Impẽtt. Fine

14 ¶ Whereas the Commons of the Realme in this present Parliament haue shewed to our redoubted soueraign lord ỳ king, grieuously complayning, that whereas the saide our L. the king, & all his liege people ought of right, and alwayes were

wont

wont to sue in the kings court, to recouer their presentments to churches, prebēds, and other benefices of holie church, to the which they haue right to present: the cognisance of plea of which presentment belongeth onely to the kings Courte of the ancient right of his own crown vsed & approued in ỹ time of his progenitors kings of Englande: And when iudgement hath bin giuen in the same court vpō such plea & presentmēt, the Archbishops, Bishops, and other Spiritual persons which haue the institution of such benefices within their iurisdictions, be bound & haue made execution of such iudgements by ỹ kings commaundements all the time aforesaid, without interruption, (for a laye person may not make such execution) & also bee bound of right to make execution of many other the kings commaundements, of which right the crowne of England hath bene peaceably seysed aswel in the time of our said soueraign lord the king that now is, as in the time of al his progenitors til this day: But now of late, diuers processes bee made by the Bishop of Rome, and censures of excommunication, vpon certaine Bishops of Englande, because that they haue made execution of such cōmandements, to the open disherison of the said crowne, and destruction of the Regalty of our said soueraigne lord the king, his law and all his realme, if remedy be not prouided: And also it is said, & a common clamor made, that the saide Bishop of Rome hath ordained and purposed to translate some Prelates of the same Realme, some of them out of the realme, & some from one Bishoprike to another within the same realm, without the kings assent & knowledge, and without the assent of the Prelates which so shall bee translated, which Prelates be much profitable and necessarie to our said soueraigne Lord the King, and to all his realme: by which translations (if they were suffered) the Statutes should bee defeated & auoyded, & his wise liege men of his Counsel, without his assent, and against his will withdrawen & gotten out of his Realme, & the substance and Treasure of the realme borne away, and so the realme destitute aswel of counsell as of substance, to the finall destructiō of the same Realme, And so the crowne of Englande, which hath beene so frée at all times, that it hath ben in subiection to no Realme, but immediatly subiect to God and to none other, in all things touching the regalitie of the same crowne, should be submitted to the bishop of Rome, and the Lawes and statutes of the realme by him defeated and frustrated at his wil, to the perpetuall destruction of the king our said Soueraigne Lord, his soueraignitie, his Crowne and regaltie, and of all his realm, which God defend. And moreouer the commons aforesaid haue said that the things so attempted, bee clérely against the kings Crowne & his regalty, vsed and approued in the time of all his progenitors: Wherefore they & all the liege commons of the same realme will stand with our said soueraigne Lorde the king, & his said crowne, & his regality in the cases aforesaide, & in all other cases attempted against him, his Crowne, & his regalitie in all poynts, to liue & to die. And moreouer they haue prayed the king, and him required by waye of iustice, that hee would examine all the Lords in the Parliament, aswel Spiritual as Temporal seuerally, & al the statutes of parliament, how they thinke of the cases aforesaid, which bee so openlie against the kings crowne, and in derogation of his regality, and howe they wil stand in the same cases with our Soueraigne Lord the king, in vpholding the rights of the said Crowne and regalitie. Whereupon the Lordes Temporal so demanded, haue answered euery one by him selfe, that the cases aforesaid be clearely in derogation of the kings Crowne, & of his regality, as it is wel knowen, & hath bene of a long time knowen, and that they will stand with the same Crowne & regalitie in these cases specially, & in all other cases which shal be attempted against the same crown & regality in al points with al their power. And moreouer it was demanded of the lords spirituall there being, & the procurators of othēr being ablēt, their aduice & wil in al these cases, which lords, that is to saye, the Archbishops, Bishops, & other prelates, being in the parliamēt seuerally examined, making protestatiōs, that it is not their minde to deny or affirme, that ỹ Bishop of Rome may not excommunicat bishops, nor that he may make translatiō of prelates, after the Law of holy church. answered & said, that if any executions of processes made in the K. court (as before) be made by any, & Censures of excommunication bee made against any Bishop of England, or any other ỹ kings liege people, for that that they haue made executiō of such commandements: And that if anie

Pope

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Pope

executions

Translations

execucions of such translations be made of any Prelats of the same realm, which prelates be very profitable and necessary to our saide Soueraigne Lorde the King and to his saide Realme, or that his sage men of his Counsell without his assent, & against his will be withdrawen & eloyned out of the Realme, so that the substance & treasure of the realme may be destroyed, that the same is against the King and his Crowne, as it is conteined in the petition before named. And likewise ỳ same procurators euery one by himself examined vpon the said matters, haue answered & said in the name, & for their Lordes, as the said Bishops haue said and answered, and that the said Lordes spirituall will & ought to stand with the king in these cases lawfully in mainteining of his Crowne, & in all other cases touching his crowne, & his regalty as they be bound by their legiance. Whereupon our said soueraigne Lord the king, by the assent aforesaid, & at the prayer of his saide Commons, hath ordeyned & stablished, that if any purchase or pursue, or cause to be purchased or pursued in the Courte of Rome, or elsewhere, anie such translatiõ, processes, and sentences of excommunications, Bulles, instrumẽts, or any other thinges which touch the King our Lord, against him, his Crowne, & his regaltie or his Realme, as is aforesaide, & they which bring within the Realme, or them receiue, or make therof notificatiõ, or any other execution within the same Realm or without, that they, their notaries, procurators, maintenors, abettors, fautours, and counsaylours shall bee put out of the kings protection, & their lands, and tenements, goods and cattels forfait to the king, and that they be attached by their bodies if they may bee founde and brought before the king and his counsaile, there to answere to the cases aforesaid, or that proces be made against them by Premunire facias, in maner as it is ordeined in other statutes of prouisors and others, which do sue in any other court in derogacion of the regaltie of our soueraigne lorde the king. An. 16. R. 2. cap. 5.

Crowne

Our Court of Rome Bulles

Procurators Maintenors Protection Fort.

Præmunire facias

15 ¶ If any prouision bee made by the Bishop of Rome to any person of religiõ, or to any other person, to be exempt of obedience regular, or of obedience ordinary, or to haue any office perpetuall within houses of religion, or aswell as one regular person of religion, or two or more haue in the same, that if such prouisors from hereforth do accept or enioy any such prouision: They shal incurre the paines comprised in the statute of prouisors made in the viii. yere of king Richard the seconde. An. 2. H. 4. cap. 3.

Pope

Exempt

Office

Paine

16 ¶ An. 2. H. 4. ca. 4. it was enacted, that the religious of ỳ order of Cistercien- Cistercienses
sis that had purchased Buls to be discharged to paye tithes, should bee in the state that they were before.

Tithes

17 ¶ Aswell they of the said order, as wel as other religious & seculars, of what estate or condition they be, which doe put the said Bulles in execution, or from hereforth doe purchase other such Bulles of newe, or by colour of the same Buls purchased, doth take auantage in any maner: proces shalbe made against them, & euery of them by garnishment of vi. monethes by writ of præmunire facias. And if they make default, or bee attainted, then they shall incur ỳ paines & forfeitures conteined in the statute of prouisors made the viii. yere of the said king Richard. An. 2. H. 4. ca. 4.

Bulles

Præmunire facias

Fort.

14 ¶ For the grieuous complaintes made to our Soueraigne Lorde the King by his commons of this present Parliament, holden at Couentrie, the fifte day of October, the fifte yeere of his reigne, of the horrible mischiefs and damnable custome which is introduct of new in the Court of Rome, that no Parson, Abbot, nor other should haue prouision of any Archbishoprike or Bishoprike, which shalbe voyde, till that hee hath compounded with the Popes chamberer to pay greate and excessiue summes of money, as wel for the first fruites of the same Archbishoprike or Bishoprike, as for other trifle seruices in the same court, and that the same summes or the greater part therof to be payed before hand, which summes passeth the treble or the double at the least, of that that was accustomed of old time to be payed for the said chamber and other wise by the occasion of such prouisions, wherby a great part of the treasure of this Realme hath beene brought and carryed to the said Court, and also shalbe in the time to come, to ỳ great impouerishing of the Archbishops, & Bishops within the same Realme and elsewhere within the kings dominions, if conuenient remedy be not for the same prouided: Our said soueraigne lord the king to ỳ honor of God, aswell to eschew ỳ damage of this realm, as the perils of their soules, which owen to be auanced to any Archbishoprikes & Bishoprikes within the realme

Rome

First fruits Archbishop Bishop

of

of England, & elſwhere within the kings dominions out of the ſame Realme, by the aduiſe and aſſent of the great men of his Realme in the parliament, hath ordained and ſtabliſhed, that they & euery of them that ſhal pay to the ſaid Chamber or otherwiſe for ſuch fruits and ſeruices greater ſummes of money, then hath ben accuſtomed to bee paid in old time paſſed: They & euery of them ſhall incurre the pain of the forfeiture of aſmuch as they may forfeite towards the ſame our ſoueraigne Lorde the king. An. 6. H. 4. cap. 1.

Chamber

Foyſt.

19 ¶ No perſon religious nor ſecular, of what eſtate or condition that he bee, by colour of any Bulles conteining ſuch priuiledges, to bee diſcharged of diſmes pertayning to pariſh churches, prebends, hoſpitals, or vicarages, purchaſed before the firſt yere of king Richard the ſeconde, or after not executed, ſhall put in execution any ſuch Bulles ſo purchaſed, or anie ſuch Bulles to bee purchaſed in time to come. And if any ſuch religious or ſecular perſon from henceforth by colours of ſuch Buls, do trouble any gōs of holy church, prebendaries, keepers of hoſpitals, or Vicars, ſo that they cannot take nor enioye the diſmes due or pertaining to them of their ſaid benefices, that then ſuch diſturber ſhall incurre like paines and payne, as is ordeined by the ſtatute made againſt them of the order of Cifteaux in the ſecond yere of the reigne of our ſaide Soueraigne lorde the king. Anno 7. H. 4. cap. 6. before 16.

Bulles

Religious

Diſturbe

Paine

20 ¶ To eſchew many diſſentions, diſcords and debates, and diuers other miſchiefs likely to riſe and growe by the cauſe of many prouiſions made, & to be made by the Pope, & alſo by the cauſe of the licence graunted vpon the ſame by the king our ſoueraigne lorde: It is ordeined and ſtabliſhed that no licence or pardon ſo granted before this time, nor to be granted in time to come, ſhal not be auailable to any benefice ful of any incumbent at the day of the date of ſuch licence or pardon graunted. An. 7. H. 4. cap. 8.

Pope

Licence Pardon

Benefice

Statute Tranſlatiō

21 ¶ All the ſtatutes and ordinances made againſt prouiſors, tranſlation of Archbiſhoprikes, and Biſhoprikes, their executors, procurators, notaries, fautors, maintenors, and receptors, aſwell in the times of king Edward the third, and king Richard the ſeconde, as in the time of our ſaid ſoueraigne Lord the king that now is, with all the paines & additions to the ſame, ſhalbe frō henceforth ſtrictly holden & kept in all poynts, the moderatiō of the ſaide Statutes made before this time to our ſaid ſoueraigne Lorde the king notwithſtanding.

And that from henceforth al the elections of all Archbiſhoprikes, Biſhoprikes, Abbies, Priories, Deanries, & other dignities, or any other elections be free without being in any wiſe interrupted by the ſaid Pope, or by commaundement of our ſaid ſoueraigne lord the king.

Elections Archbiſhops Biſhops

Prouided alway, that our ſaide Soueraigne lorde the king, haue as freely his liberties & prerogatiues, as any of his noble progenitors haue had before this time and as he himſelfe had before this time of the making of this Statute. And alſo the ſame our ſoueraigne Lorde the king hath pardoned all them that haue purchaſed prouiſions or tranſlations of Archbiſhoprickes or Biſhoprickes, purchaſed & executed, & not executed before this firſt day of December, & al their procurators, Notaries, Fautors, and executors, all manner of treſpaſſes, contempts, forfaitures, and miſpriſions done by them or any of them cōcerning the ſaid purchaſes, ſo that they may put their grace in execution aſwell by themſelfe, as by their Procuratories, Notaries, and executors aforeſaid. An. 9. H. 4. capit. 8.

Pardoned

22 ¶ Wherās in the time of king Henrie the fourth, father to our ſoueraigne lord the king that now is, & ſeuenth yere of his reigne, to eſchewe many diſcords and debates, and diuers other miſchiefes, which were likely to ariſe & happen, becauſe of many prouiſiōs then made, or to be made by the Pope, and alſo of licence therupon graunted, by ſ̄ ſaid late K. amongſt other things it was ordeined & eſtabliſhed, that no ſuch licence or pardō ſo granted before the ſame ordinance, nor afterward to bee granted, ſhould be auailable to any benefice, full of any incūbent at ſ̄ day of ſ̄ date of ſuch licence or pardon granted. Neuertheles diuers perſōs hauing prouiſions of the Pope of diuers benefices in England and elſewhere, & Licences royall, to execute ſ̄ ſaide prouiſiōs, haue by colour of ſ̄ ſame prouiſions, Licences, & acceptatiōs of ſ̄ ſaid benefices ſubtilly ymagined diuers perſons of their benefices, in which they haue ben incūbents by a long ſeaſon of ſ̄ collations of the very patrons ſpirituall, to them only made to their intent, to ſ̄ final deſtruction & enuironing of the eſtates of the

Pope

Licence Pardon

Benefices

Incumbents

saide Incumbēts: The king willing to auoyde such mischiefes, hath ordeyned and stablished that all the Incumbents of euery benefice of holy Church, of ỳ Patronage, collation, or presentatiō, of spirituall Patrons, may peaceably and quietly enioy their said benefices, without being inquieted, molested, or any wise grieued by any colour of such prouisions, licences, and acceptations, And that all the lycences and pardons, vpō and by such prouisions made in any maner, shalbe voyd & of no valor, And if any feele himself grieued, molested, or inquieted, in any wise from henceforth by any, by colour of such prouisions, licences, pardons, or acceptatiōs, that ỳ same molestours, grieuours, and inquietours, and euery of them, haue and incurre the payne and punishments conteined in the statutes of prouisors, before this time made, and that by proces of Præmunire facias fourmed vpon the case. And that the party which shall sue by the same writte, shal recouer his treble dammages, if the defendants named in ỳ same writ, or any of them be conuict in this partie. An. 3. H. 5. cap. 4.

Voyd

Molestors

Payne

Præmunire facias

3. Damages

¶ Purpresture.

ONcerning purprestures, or any maner of vsurpations made vpon the king within Franchises, or elswhere, it was agreed and determined in the time of king Henry, that where such vsurpers were liuing, the king should reseise of newe the lande so vsurped out of the handes of the vsurpers, ỳ which thing also shalbee from henceforth obserued in the Realme: And if any doe complaine vpon such reseisers, he shal bee heard like as right requireth. An. 4. E. 1. stat 3.

¶ Purueyors.

NO Shirif nor Bailife of ours, or any other shall take the horses or carts of any man to make carriage, except hee pay ỳ olde price limited, ỳ is to say, for cariage with two horse x.d. a daye, for thre horse xiiii.d. a day. No demean cart of any spirituall person or knight, or any other L. shal be taken by our Bailifes, nor we nor our bailifs, nor any other shal take any mans wood for our castles or other our necessaries to be done, but by ỳ will of him whose the wood is. Magna Charta ca. 22.

Shirife Bailife horses Cartes Cariage

Spirituall person Knight

Wood

Licence

2 ¶ None of our ministers nor of our heires, shal take corne, hides, or any other goods of any man, without the wil & assēt of him whose the goods be. Stat de tallagio non conced' Temp. H. 3.

Takings

Owners will

3 ¶ Of takings made by Constables, or Castellaines vpon such folke as be not of the towne where the castel is, it is prouided, that no Constable nor Castellaine from henceforth make any taking of any other, thē of such as be of the town where the castel is: And that it be paied, or els agrēment to be made within forty dayes: if it bee not an auncient taking due to the king, or to the castel, or to the Lord of the castell. An. 3. E. 1. West. 1. cap. 7. See the like Castels 1.

Takings Constables of Castles

xl. dayes

4 ¶ Of such as take vitaile or any other thing to ỳ kings vse vpon credence, or to the garrison of a Castel, or otherwise, and when they haue receiued their paimēt in the Eschequer, wardrobe or other where, they withhold the paimēt from the creditours to their great dammage, and to the slander of the king: It is prouided for such as haue lands or tenements, that incontinent it shalbee leued of their landes, or of their goods, & paied vnto their creditours with the damages they shall haue sustayned, and shal make fine for the trespasse: & if they haue no lands nor tenements, they shalbee imprisoned at the kings will. And of such as take part of the kings debts, or other rewardes, of the kings creditours, for to make the paimēt of the same debts, It is prouided, that they shal pay the double thereof, and be grieuously punished at the kings pleasure. And of such as take horse or carts for the kings carriage more then is nede, & take rewardes to let such horse or carts goe: It is prouided that if any of the court so do, he shalbe grieuously punished by the Marshals, & if it be done out of the court, or by one that is not of ỳ court, and be therof attainted, he shal pay treble damages, and shall remaine in the kings prison fortie daies. West. 1. cap. 31. Anno 3. E. 1.

Vitraile

Withhold payment

Landes Goods Damages

Fine

Imprīs.

Double

Horse Cartes Cariage

Punish Marshal

3. Damages

Imprīs.

5 ¶ Forasmuch as there is a great grieuance in the realme and damage without number, for that the king & his ministers of his retinue, aswel Aliens, as denizens, do make their takings whersoeuer they passe through the Realme, and take the goods aswell of clerkes, as of lay people, and paye nothing at all therefore, or else much lesse then the value: It is ordained, that from hēcefoorth none do make any takings within ỳ realm, but only the kings takers,

Takings

Kings

Purueyors takers, & the purueyors for his houshold, and that the kings takers and purueyors of his house shall take nothing, but onelie for his houshold. And touching such things as they shall take in the countrey, of meate and drinke, & such other little things necessary for the houshold, they shal pay for the same, or make agreement with them of whom the things shall bee taken. And that all such the kings takers, purueyors, or buyers from henceforth shal haue their warrant with them, vnder ỳ kings great or pettie seale, conteining their authority, & the things whereof they haue power to make taking or purueyance, the which warrant they shall shewe to them whose goods they take, before that they take any thing. And that those takers, purueyors, or buyers for the king, shall take no more then is needefull for the king his houshold and his children. And that they shall not take any thing for them that bee at wages, nor for any other. And that they shall answere in the house or in the Wardrobe fully for all things taken by them, wout making their larges any other where, or liueries of such things as they haue taken for the king. And if any taker for the kings house, by reason of his warrant, make any taking or liuery, otherwise thẽ before is mentioned, vpon cõplaynt made to the Steward, or to the Treasorer of the house, the trueth shalbe inquired. And if he be attainted thereof, he shall forthwith satisfie the partie, and shal bee put from the kings seruice for euer, and shal remayne in prison at the kings pleasure. And if any make takings without warrant, & carrie them away against the wil of the owner, he shal immediatly be arrested by ỳ town where the taking was made, & shalbe had vnto the next gaole, and if he be attainted thereupon, it shall bee done of him as of a theefe, if the quantitie of the goods will warrant it. And cõcerning takings made in faires, good townes, and in Hauens, for the kings greate Wardrobe, the takers shall haue their common Warrant vnder the great Seale. And for ỳ things that they shall take, it shal be testified vnder the Seale of the keeper of the Wardrobe. And of the number of the thinges taken, the quantitie, and the value, there shal bee a diuidend made betwene the takers, and the keepers of Faires, Maiors, or chiefe Bayliffes of Townes and Hauens, by the viewe of the Marchantes, whose goods shall bee so taken: And they shall not bee suffered to take anie more then shalbe put into their diuidend, which diuidend shall bee brought into the Wardrobe, vnder the seale of the Wardẽ, Maior, or chiefe Bailife aforesaide, and there shall remaine, vntill the accompt of the Wardrobe of the king. And if it be found, that any hath taken otherwise then hee ought to doe, vpon his accompt he shal be punished by the keepers of the kings wardrobe after his deserte, & if any make such takings without warrant, and be attainted thereupon, hee shall incurre the same pain, as they which make takings for the kings houses without warrant, as before is said. Neuertheles the king & his Counsel do not intend by reason of this statute to diminish the Kings right for auncient takings due & accustomed, as of wines, and other goods, but that his right shalbe saued to him whole in all poyntes. Anno 28. Edwardi primi, Articuli super chart 2.

Meate and drinke

Pay

Warrant

Needefull

Accompt

Complaint

Out of seruice

Felony

Takings in faires

Diuidend

Auncient Takings

6 ¶ As much of the Statute of Articuli super chartas cap. 2. (before 5.) as concerneth the purueyors for ỳ kings houshold, is confirmed by Ann. 18. Edwardi secundi cap. 2. and also An. 4. Edwardi tertij cap. 4. and An. 25. E. 3. cap. 1.

7 ¶ Because the people haue bin greatly grieued that their Corne, Hay, Littur, Bestaile & other vittaile and goodes haue bene taken as well by the kings purueyors, as by others, for which no payment hath bene made: And because the Kinges, Quẽnes, and their childrens takers, take Corne at an vnder value, and take vii. quarters for xx. measuring by heape, and take Hay and Litture also at a great vnder price: It is agreed that no person great nor small, of what estate or condition soeuer he bee, (the takers and purueyors for the kings house, the Quẽnes and their children onely except) shall take Corne, Litture, or Hay, nor Bestaile, vittailes, nor none other goodes, nor cattels from any man, nor make carriage against the will of them to whom such goods and carriage shall be.

Corne Hay Vittailes Cariage

And that the said takers and purueyors for the said houses, shal take them by measure stricked, according as is vsed throughout the Realme.

And that al ỳ corne, hay, litture, bestail, and other vittailes & things, whatsoeuer they be, that shalbe taken for ỳ said houses, shalbe from hencefoorth praysed at the very value by the Constables and other good men of townes where such taking shalbe.

Praysed Constable

And

And that the prayers shal not be cõstrained by threates or dures to set any price, other then their othes will. An. 4. Ed. 3. cardi tertij cap. 3. See after 8.

Othes

8 ¶ For as muchas the Purueyors of the kings houses, the Quenes and their children haue not ceased notwithstanding the former statutes of 28. Ed. 1. (before 5) & of 4. E. 3. cap. 5. (before 7.) to make outragious & vnlawful takings. For the honor of the king, the peace of people, & the restraint of such enormities: Bee it ec. that the takings & purueyances for the sayde houses bee made by prayse[n]tents made by the Constables and foure discreet men of the townes where there shal bee such takings and purueyances, thereto sworne, and without menace, as in the saide statute is co[n]teined.

Constables

Othe

And that betwixt the Purueyors and them whose goods shalbe taken, there bee in the presence of the Constables, & prayse: tayles made & sealed with ỳ purueyors seale. By which tayles, satisfactiõ shall be made to them, from whome such goods shalbe take. And if any taker or purueyor for the saide houses, doe take in any other maner, he shal bee incontinently arrested by ỳ towne, where such taking was made, & brought to the nert gaole. And if he bee thereof attainted, it shalbe done of him as of a theefe, if the quantitie of the goods the same require. And from thẽceforth it shal bee conteined in the Commissions of such takers and purueyors, bee they vnder the small seale or the great, the forme and the paine conteined in this statute. An. 5. E. 3. cap. 2. See after 9 and 15.

Tallies

Arrest

Impriſon

Felony

9 ¶ To represse the malice of the purueyors of the kings, quenes, & their childrens houses, & other duresses by thẽ done to the saide people, by their outragious takings for ỳ same houses, & other wise then is cõteined in ỳ article, in a statute made at Westminster, in the fift yeere of the Reigne that now is (before 8.) ỳ same statute shalbe from hẽceforth published, kept and holden in all points. An. 10. E. 3. cap. 1.

*

10 ¶ Purueyances from henceforth to be made for ỳ saide horses, as long as they be soiourned in any parties, shal bee made by the sherifs of ỳ counties, where the said horses ought to soiourne, & not by other. And that the commissiõs made afore this time to such keepers, shal bee from henceforth of none effect and vtterly repealed.

Horſes

Shirifs

And that the purueyances to be made by the said shirifes in this case, shalbe deliuered to the said keepers by Indentures.

Indentures

Item it is accorded, that certaine people shalbe assigned to heare and determine all the offences done by the saide keepers, aswel at the sute of the king as of the party. Howbeit this is holden for no statute, as it appeareth by the rolle. Anno 10. E. 3. ca. 4. and 5.

Diſcuſſion.

11 ¶ The purueyances, which shall be made for the kings house & the Quenes, where they doe abide and passe through the Countrey, shall be made by warrant, and power giuen to them, which shall make the purueyances. In which shall be expresse conteined, that they shall take nor buy nothing, vnlesse it bee by promise made betwixt the buyer and the seller, & by the agreement of the sellers. And if any will any thing take by colour of his Commission against this ordinance, none shall be bound to obey him no more then if hee had no Cõmission. And of that which shal be so brought and purueied, payment shal be made to the seller before that the king passe out of the vierge. And of great purueyances to bee made, as of fish, fish, and other vittailes for the kings warres, and for to vittaile the Castles and townes of Scotland and Englande, & other places, certaine marchants or other good people shalbe deputed by the Treasorer, to make the said purueyances, without Commissions, & without the kings or other power, so that the people nor none of them bee put to sell any thing against their will. And that no Commission be made to the keepers of the kings horses, but be it only commanded to the Shiriffe, that he make purueyãce by him and by his, of the issues of his Bayliwike. And the number of the horses, for which he shall make such purueyance, shall bee contained in the sayde commandement. And that no purueyance be made ouer then this number. Sauing that the chiefe keeper haue an hackeney, and that he take good heede, that the countrey bee not charged of more then shall keepe the horses, that for euery horse a boy, without bringing woman, pages, or dogges with them. And if more be founde abiding in charge of the countrey, they shal be brought to the prison, there to remaine till the king hath sent his will. And in the same maner be it cõmanded to the shirifs, that they make their purueyances for the kings dogges of the issues of their bayliwikes where they dwell. And ỳ such purueyãces be made by none other but by the

Vittailes Warres

Marchants Treasorer

Commiſſiõ

Shirife

Horſes

Ouercharge

Impriſon

Shirife.

Dogges

shirifes.

shirffes. And be it conteined in his cõmandement the number of the dogs, for which he shall make purueiance, ouer which nũber no purueiance shall bee made, so that they liue of their certaine, without charging the countrey. And if ani finde him grieued against this ordinãce, he shal haue his recouery against ỹ shirife, of such grieuances done to him. An. 14. E. 3. cap. 19.

Coyne
Hay
Beasts
Cartage
Archbishops
Bishops
Religious

12 ¶ That none frõ vs, nor by other commission of the great Seale, nor of the small, nor without commission, shall take any coyne, hay, beastes, carriage, nor other goods of Archbishops, Bishops, Abbots, Priors, Abbesses, Prioresses, Parsons, Vicars, or of other people of holie Church, nor without against the agreement and will of the owners of the same goods. And we do defend that from henceforth no such commissions vnder the great seale nor ỹ small, shal in anywise go forth for any takings to be made. For we doe take the said prelates & clergie, with their possessions, goods, & cattels into our especiall protection & defence. Also we graunt for vs and our heires, that we shall not frõ hence forth charge any of the Prelates or Clergie, nor their houses to receyue Ghests, nor Sojourners of Scotland, nor of other Countries, nor our Horses nor dogs, Faucons nor other Haukes of ours nor others, against their grés will. Sauing alwaies to vs the seruices, which be due to vs of right of thẽ which owe to vs the same services, to susteine and receyue dogges, horses, or haukes. An. 14. E. 3. ca. 1. Stat. for the Clergie.

Prelates

Horses
Dogges
Haukes

13 ¶ The statutes made for ỹ purueiances, to be made for the houses of ỹ king, the Quéene, and their children: It is conteined, that they shal not buy nor take nothing, vnlesse it be by agreement of the sellers, and by promise made betwixt the buyer and the sellers. And the Statutes made of the state of the Sterimard & Marshal of the kings house, & what pleas they shall hold & determine before them in the Marshalsey, shalbe holden and kept in all their points. An. 18. E. 3. cap. 7.

Statutes

Pleas

Marshalsey

14 ¶ The statutes touching the purueiances of vs, and of our seruices, made at times past by vs, and our progenitors for people of holy Church, bee holden in all points. And that in the commissions to be made vpon such purueiances, the fees of holy Church shalbe excepted in euerie place, where they be found. Anno 18. E. 3. cap. 4. stat. pro clero.

Church

15 ¶ Forasmuch as outrageous demmage hath bene done to the people by the purueyors of vittailes for the houses of ỹ king, the Quéene, and their children: It is ord. that the takers of Coyne for the said houses, shal take the same by measure stricked, according as is vsed throughout the land. And that such coyne, hay, litture, beastaile, and other manels & things, which shall be taken for the said houses, shall be praysed by the very value, by the Constable and other good people of the townes, where such taking shal be made, without that the praysers by menace or dures shal be driuen to set any other price then they of the will, and as it commonly runneth in the next Markets. And that betwixt the Purueyors and them whose goods shall be taken, in the presence of the Constables and praisers, tayles be made incontinently without that the people whose ỹ goods shalbe, be drawen or trauailed elswhere, and the same tayles bee sealed with the seales of the takers of the things to take, by which tailes, satisfaction shalbe made to them, whose goods shalbe so taken: and if any Purueyor or taker for the said houses, doe in any other maner, he shalbe immediatly arrested by the Towne where the taking shalbe made, and brought to ỹ nert gaole, and if he be thereof attainted, it shall bee done of him as of a thefe, if the quantitie of the goods the same require according as in a statute made in the time of our soueraigne lord the king that now is, the fift yére of his raigne (before 8.) and in an other made in the time of the kings grandfather vpon such takings (before ỹ) is conteined at the full. And that from henceforth in Commissions of such takers & purueyors, the intent and pain limitted in this statute, shalbe conteined. And that no Commission be made, but onely vnder the kings great seale, or priuy seale. Nor no man be bound to obey any such Commissions, in other manner then is aforesaid. And that ỹ same statutes take place in all poynts against euery taker & Purueyor of euery manner of vitaille in euerie part of the realme, of what condition he euer be. An. 25. E. 3. cap. 1.

Coyne
Measure

Hay
Litter

Constable

Ordre

Taxes

Arrest
Imprison
Felony

Commissions

Great seale
Priuie seale

16 No taker of Wood nor of Tymber to the kings vse, for worke, nor for to make other thing, shal cut or cast downe ỹ trees of any man growing about or within his house. And if any do the contrary, he shall make greeto ỹ party of his treble damage and to haue one yeeres imprisonment, & to be

Wood
Timber

Pl. damages
Imprisl.

Lose office be forfeited of his office. An. 25. Edw. 3. capit. 6.

☞ Sheepe 17 ¶ Forasmuch as the takers & buyers of the Kings takings, doe take sheepe betweene Easter and S. John Baptist, with their woolles, & praise the same at a small price, and after send them to their owne houses, and cause them to be shorne to their owne profite: It is ꝛc. that no such taker, purueiour, nor buyer, shal take any sheepe before the time of shearing, but only so many as may reasonably suffice till the time of shearing. And after that time they shal take as many sheepe shorne, and none other, as may reasonably suffice the for ỳ time to come. And if any taker, purueiour, or buyer of the realme, doe against the same, & be thereof attainted at the sute of the king or of the partie, it shal be done of him as of a theefe or a robber. And the paine shalbe contained in euery commission of such purueyours. An. 25. Ed. 3. cap. 15.

Shorne sheepe

Felon

★

18 ¶ All purueiances which be or shal be made to his vse, or to anie others vse within the summe of xx. s. paiment shall be thereof made incontinently vpon the purueiãce made, without deliuering any taile for any day or place elsewhere to bee therof assigned, & that of other purueiances made to the summe of xx. s and aboue, paiment shal be made within a quarter of a yeere thẽ next following, after such purueiances made, at certaine daies and places, according as it may be most for the ease and lesse trauaile of the people. An. 28. Edw. 3. cap. 12.

xx. s. Payment

Quarter of a yeere

☞ 19 ¶ Takings shal not be from hencefoorth made by other then the Purueiours of the king, of the Quéene, & of the prince their eldest sonne, & that if anie other mãs Purueyours make such takinges, it shall be done of thẽ, as of those which doe without warrant, and their déede iudged as a thing done against the peace & the law of the land. And such as do not in the maner aforesaid, shall be duely punished. An. 34. Edw. 3. cap. 2.

Punish ★

☞ 20 ¶ Of purueiances made to the vse of the Quéene & of the Prince, of poultrie and of other small things, payment shall be made in hand vpon the taking. And of other great purueiãces, within ỳ moneth or six weekes in the Counties where they shal be taken, and that the number of such purueiours be abridged in as much as cõueniently may, for the aide and quietnesse of the common people. An. 34. E. 3. cap. 3.

Poultrie Payment

vi. weekes

★

☞ 21 ¶ Upon greeuous cõplaint against purueyors, ỳ king of his owne wil, without motion hath ordained, that frõ hencefoorth no man of his realme shall haue any taking, but onely himselfe & the Quéene his compaignion. And moreouer of the assent aforesaid, it is ordained & stablished, that vpon such purueyances from hencefoorth to be made for the houses of the king and the Quéene, readie paiment shall be made in hand, that is to say, the price as such victailes be sold cõmonly in the markets thereabout. And that the heynous name of Purueiour be chãged and named buyer: and if the buyer cannot well agrée with the seller for that that he shall need, then the takings which shall be made for the saide houses, shall bee made by the view, testimonie, and appreciation of the Lords or their bailifes, cõstables, and iiij. good men of euery towne, & that by indenture to be made betwixt the buers & the said Lordes or bailifes, cõstables, and iiij. men, containing the quantitie of their takings, and of the price, and of what persons. And that the praisemẽts be made in conuenable & easie maner without dures, compulsion, manace, or other villany. And that the takings and buyings be made in such places, where greatest plentie is, and that in a cõuenable time, and that no more be taken, then shall be needfull in the season for the said two houses, and that the number of the buers bee minished in as much as well may, & that such be buyers, which be sufficient to answere to the king and his people, & that none of them haue deputie, and that the Commissions be sealed with the great seale, and euery halfe yeere restored in the Chancerie, and other newly made. And that in the said Cõmissions be comprised all the matter & maner of the takings and buyings. And that the said Commissions be made vpon the ende of the said parliament, & then all the other Commissions of Purueyours heretofore made, be wholy repealed. And that no mã bee bound to obey to the buyers of other Lordes against their gree and will, nor to the buyers of the said houses, vnlesse they make ready paiment in hand, as before is said. And that no man be put in contempt because of disobediẽce made in this behalf. And that the takings of al maner of corne & Wault, for the said two houses, be measured by measure, according to the Standerd striken and not by heape. And for the cariages of the saide Corne and Wault, & for al maner of takings and buyings to be

Victuailes

Lords Bailifes Cõstables 4. Townesmen

Indenture

Sufficient

Commissions Great seale Chancery

Ready payment

Corne Wault Measure

Cariage

Ready payment

made for the saide two houses, ready payment be made in hād in the same maner, as for the takings & buyings aforesaid. And that there be no more cariage taken then nædeth, & shal be necessarie in this behalf. And if any buyer after the new commissions made, make anie takings or buying, or taking of cariage in other maner then is comprised in their said commissions, he

Life and member

shal haue punishment of life and of member, as in other statuts is ordained of pur-

* ueiors. An. 36. Edw. 3. cap. 2. See after 32.

22 ¶ No buyers of vittailes, nor takers of cariages, take nor receiue of any,

Extortion Reward

one or other, anie gift or other good turne, for sparing to bee made, nor shall not

Malice

charge nor græue any man by occasion of such takings, buyings, and carriages, for hatred, envie, euill will, or procurement, & if he do, & be thereof attainted at the suite of the partie, he shal yéld to the partie his

3. Dammages Imprison

treble dammage, and shal haue imprisonment of two yeres, and also be raūsomed at the kings will, and after forsweare the Court, & if the partie will not sue, he that will sue for the King, shall haue the third penie of that that shal be recouered for his labour, & neuertheless the buyer and taker shall haue the paine as before is said in the same article, & that euery buyer vpon his accompt shall declare and deuide se-

Accompt

uerally all the takings and buyings of euerie countie, towne, village, and person. An. 36. E. 3. cap. 3. See after 32.

23 ¶ Item to restraine the malice of buyers of vittailes, and takers of carriages, cōmissions shall be made to two good

Commissions 2. Good men

men and lawfull of euerie Countie, & the third shall be of the kings house named in the said Commissions, so that if any of the thrée come not, that the two shall procéd

Enquire

to enquire of the behauiour and actes of the said buyers & takers, And how much the same buyers haue taken and bought,

Carriage

and how much carriage the saide takers haue taken seuerally of euerie Towne or

Oier & ter.

singuler persons, And to heare and determine the contempts, outrages, and trespasses done in this behalfe, aswell at the Kings suite, as at the suite of euerie man that will complaine of them. And for information to be made to the said Iustices of the thinges aforesaid, the Stewardes,

Steward Treasorer Comptroller

Treasurers, and Comptrollers of euerie of the said two houses, shall assemble and call before them al the Clerkes and other Officers whatsoeuer they be, of euerie office of the said two houses, and shal sée the receipts of the parcelles prouided in the coūtrey and dispended in the said two houses. And at euerie quarter or halfe yére they shall certifie in the Chaūcerie ỳ parcels taken in euery Towne, and of euerie person, and the Chancellor shall send his certification to the Iustices which shal be so assigned. And if it be found in the Coūtrey by euidence of their Indentures, or in other maner, that they haue take more then they haue deliuered into the said two houses, and that they haue not payed for that they haue take at the suite of the partie, or at the Kings suite, hee shall haue paine of life & of member, as afore is said. And that this ordinance extend and hold place aswell against the Purueyours for the great horses of the said two houses, as against the buyers and takers before named. An. 36. E. 3. cap. 4.

Certifie Chancerie

Life and member

Horses

24 ¶ No man of the saide two houses (before 21.) hold more horses in ỳ liuerie, where these houses shal be, thē is ordained by the statute of the kings house. And if any doe otherwise, then of the horses found ouer the nūber limitted to him by the statute, it shall bée done as the said Statute wil. And that no man of the said two houses, of what estate or condition that he be, haue purueiour or foregoer, to make anie purueiance or taking, but ỳ they or their people buy that that then nædeth, of them that will sell the same of their good agrément, & pay readily in hand according as they may agrée with ỳ sellers, & if they do otherwise, such punishment shal be made vpon them, as afore is said of buyers. And that Hunters, Fauconers, Sergeants at Armes, and all other which be at wages or pertaining to the said two houses, shall haue the same penance if they doe against the same. An. 36. Edw. 3. cap. 5.

Horses

Hunters Fauconers Sergeants at Armes

25 ¶ Item that no Lord of England, nor none other of the said realme, of what estate or condition that he bee, except the king and the Quéne, shall make anie taking by him or anie of his seruants, in anie maner of anie vittailes, but shall buy that which they shall néed, of such as will sell the same of their good will, and for the same shall make ready payment in hand, according as they may agrée with the seller. And if the people of Lords, or of other doe in other maner, and thereof be attainted, it shall be done of them, such punishment of life and member, as is ordeined of buyers. An. 36. Ed. 3. cap. 6. See the penaltie otherwise after 33.

Lord

Vittailes

Ready payment

Life and member

26 ¶ The

26 ¶ The ſtatutes late made in ỳ time of the noble king Edward, Graundfather to our ſouereigne lord the king that now is, for purueiours & buiers ſhall be firmely obſerued and kept in all points. And alſo becauſe that Prelates and Clerks may not thereof commence their ſuites againſt anie by way of crime (as the ſaid ſtatutes requireth) all Prelates and Clerkes ſhall from hencefoorth haue their actiõs againſt all ſuch purueiours and buiers, by actions of treſpaſſe, and recouer their treble damage. An. 1. Rich. 2. cap. 3.

Prelates
Actions
3. Dammages

27 ¶ The ſtatutes of Purueyours of vittailes, and of carriage for the kings houſehold, in all their articles be holden and put in due executiõ. An. 6. Rich. 2. cap. 2. Stat. 2.

28 ¶ The ſtatutes of purueiors made before this time, be firmely holden & kept and put in good and due execution, ioyning to the ſame, that if the ſeruants of other Lords and Ladies which bee not compriſed in the ſaid Statute, do frõ hencefoorth take in any part within this Realme vittailes or cariages to the vſe of their Lords and Ladies, otherwiſe then they thereof may agree with the owners and ſellers of the ſame by payment thereof to be made readily in hande, that the ſame ſeruants ſhall incurre the paine compriſed in the ſaid ſtatutes of purueiors. And neuertheleſſe the partie indammaged by ſuch ſeruants, (if he will) haue his ſuite at the cõmon law. An. 7. R. 2. cap. 8.

Seruants
Vittailes Cariage

29 ¶ The ſtatutes of purueiors made before this time, be holden & kept, and put in due execution, ioyned to the ſame, that from hencefoorth no purueiour nor buier, make anie purueyance or buying for the kings houſe of anie thing to the value of fortie ſhillings or vnder, vnleſſe he make readie paiment in hand, vpõ paine to loſe his Office, and to pay as much to the partie grieued. An. 2. H. 4 cap. 14.

xl.s.

30 ¶ All the ſtatutes and ordinances made of purueyours and buyers, and not repealed, be kept & executed in all points, & alſo proclaimed in all Counties through the realme by the kings commandement. And ỳ euery ſhirife of the realme of Englãd, after that he hath receiued the ſaid ſtatutes, thereof to make Proclamation by ſuch cõmandement, he ſhal proclaime the euery yeere iiij. times through his Bailiwicke, vpon paine to pay to the king at euery time that he thereof faileth C. s. And that vpon the ſame paine euery of the ſaid ſhirifes ſhal deliuer the ſaid cõmandemẽt to his ſucceſſour immediatly by Indenture to be made betwixt thẽ, whereby he may make like proclamation for the time that he is in the ſaid office, for the eaſe and ſuretie of the people. And that euery ſuch ſucceſſour, after ſuch commandement by him receiued, ſhall make ſuch proclamations iiij. times in the yeere, and ſhall make ſuch deliuerãce of the ſaid cõmandement to his ſucceſſour, as aboue is ſaid, vpõ the paine aforeſaid. An. 1. H. 6. cap. 2.

Proclaime
Shirife
Shirife
Indenture
6. Iunio
Proclamation
4. Times yeerely
Foyl.

31 ¶ The ſtatutes before this time made of purueyours & buyers, ſhal be holden and kept, and put in due executiõ. And in caſe that any purueiour, buier, or taker will take & make purueiance, or buy anie thing to the value of xl.s. or aboue of anie perſon, & make not ready paiment in hãd: that then it ſhal be lawful to euerie of the kings liege people, to retaine their goods and cattels, & to reſiſt ſuch purueiors and buiers, and in no maner wiſe ſuffer thẽ to make anie ſuch purueiances, buyings, or takings. And for the peace better to bee kept, that euery conſtable, tithingman, or chiefe pledge of euerie towne or hamlet, where ſuch takings or purueiãces ſhal be made, ſhall bee ayding or aſſiſting to the owner or ſeller of ſuch things to be taken againſt ỳ forme of this ordinãce, to make reſiſtance in the forme aforeſaid, in caſe ỳ ſuch Conſtables, Tithingman, or chiefe pledge be required that to do, vpon paine to yeeld to the partie ſo grieued, ỳ value of the things ſo taken, with his double dammages. And that none of the kings liege people be put to loſſe or dammage by the king, or anie officer for ſuch reſiſtãce. And that none of the kings officers ſhall do to be arreſted, vered, or impleaded in ỳ court of the Marſhalſey, or elſwhere, any of the kinge liege people, for ſuch withholding or not ſuffring to bee done: vpon paine to loſe xx. pound, the one moitie of that to the king, & the other moitie to him which will in ſuch caſe ſue. And that the Juſtices of peace in euery Countie ſhall haue power by authoritie of this ordinãce, to enquire, heare, and determine as well at the ſuite of the king as of him which will ſue, of anie thing done againſt this ordinance, and thereof to make due puniſhment and execution, and to award dammages to the partie plaintife, when anie defendant is thereof duely conuict. And that in euerie action to be taken, vpon this ordinance, euery party defendãt ſhal be put to anſwer,

xl.s.
Ready payment
Reſiſt
Conſtable Tithingman
Vaine
2. Dammages
Foyl.
Moitie
Juſt. of P.
Diet & ter.
Damages

No aide
Pyers
to that without aidal ỹ king. And in such actiõs to be taken, pcates shal be made as in a writte of trespasse done against the peace, & that in euery Commission of purueiours, buiers, or takers to be made, this ordinãce shall be conteined and expressed. And moreouer that this ordinãce among other statutes of Purueyours, buiers, or takers, before this time made, shal be sent to the shirifes of euerie Countie of England, to proclaime & deliuer the said Statutes & ordinances, in the maner & forme conteined in the statute of purueyours and buyers, made in ỹ first yere of the raigne of our saide Soueraigne Lorde the king that now is. And moreouer the king will and commandeth, that the Statute made the 36. of king Edward late king of England after the conquest, touching Purueiours of other persons then of the king (before 25.) shall be put in due execution. An. 20. H. 6. cap. 8.

Commissiõ
Shirike

☞ 32 ¶ The king hath ordeined that the said statutes of (An. 36. E. 3. before 21. & 28.) from henceforth shall be duely kept & put in due execution. And moreouer hath ordeined by the same authoritie that euery purueiour & buier, before that they shal haue anie cõmission, shal be sworne in the Chãcerie, that he shal take nothing of the people cõtrarie to the said ordinãces. And moreouer forasmuch as the powre people be not of power, nor dare make resistance against the purueiors and buiers, nor sue them by the law though that they do contrarie to the said statutes: It is ordained by the same authoritie, that the pyelers & all the towne or townes adioyning if need be, shall be bound to doe their deuour & power to resist the buyers & purueiours doing cõtrarie to the said statutes, and as much as in them is, to execute the said statutes vpon the same purueiours, if they be required. And that he which is grieued of his goods taken contrarie to the said statutes & ordinances, may chuse to haue eyther an actiõ of debt against the said pyelers, towne or townes, and euery of them, which do not their deuour in resistance of the said purueiours or buiers, in the forme aforesaid, when they shall be required, or else against the said purueiours or buiers, & euerie of them, to recouer the treble value of his goods so taken, and moreouer his treble costes and his dammages: and if anie Purueiour or other the kings officer, doe trouble or vexe anie of the kings liege people in the Marshalley or elsewhere, by any euill suggestiõ or cause fained, imagined or coloured vpon them, because of the execution of the said ordinances, he shal incurre the paine of xx. li. to be paid to the partie grieued, ouer his dammages & costes in that behalfe sustained, And that he thereupon shal haue a writ of debt. And that euerie issue triable in this action, shal be tried in the Countie where the taking of ỹ said goods was made. And that the defendants in all the said causes shall not be admitted to wage their law, And shal be put to answere without fourthing, and no essoine, aide of the King, nor protection shall bee to them allowed. And that the Sergeant of the Caterie shall satisfie all the dãmages, debts, and executions, which shal be recouered against euerie purueiour and buier vnderneath him, in all the cases aforesaid, in case that the purueiour or buier be not sufficient to satisfie. And the partie cõplainant shal haue a Scire facias to haue execution against the said Sergeants in the case. And that these statutes & ordinances shall bee sent to the Justices of the peace in euery Countie, to proclaime them euerie yere, & thereof to informe the people. An. 23. H. 6. cap. 2.

Townes
Resist
Action of debt
3. Value
3. Dammages
Fork.
Writ of debt
Issue
Countie
Sergeãt of the Caterie
Scire facia
Just. of P.
Proclaime
★

33 ¶ If any buier or other officer of the Duke of Gloucester, or of anie other Lord or person, of what estate, degree, or condition that he be, presume vpon him to take, or other wise do take, anie victailes, corne, hay, carriages, or any other thing whatsoeuer, of any of the kings liege people, in any wise against their will, without lawful bargaine betwirt the said buiers or officers, & the said liege people therof to be made, to the vse of the said Duke or other lord for their houses, but alonely for the King and the Quene, & their houses: that then if notice or request be made to the Maior, shirife, bailife, constable, officers, or other of the Kings ministers, of Cities and boroughs, or other counties or places, where such taking shal happen to be, that the said Maior, Shirife, Cõstable, officer and minister, to whom such notice or request shall be made, by and by shall take and arrest all such buiers and officers so doing or offending, and them shall send to the Kings next prison there to remaine and not to bee let to baile or mainprise, till the time that they haue restored all the said victailes, cariages, and other things so taken, or the verie value of the same. And if the said Maior, shirifes, Bailifes, Constables, and Officers aforesaid, doe

Lord
Victailes
Corne
Hay
Carriage
Maior
Shirife
Bailife
Constable
Arrest
Imprisõ
Mainprise
Maior
Bailife
Shirife
Constable

doe contrarie to this, that then they shall forfaite xx.li. whereof the king shall haue the half, & the partie of whom such things be taken, the other halfe, if he will sue, by an action of debt, in the which the defendant shall not doe his law, and if he will not sue, whosoeuer will sue for the King and himselfe, shal haue the suite to recouer to himselfe the one halfe thereof, and the king the other halfe. And if any of the said buyers other then of the King and the Quéene, be duely conuict of such vnlawful taking (as afore is recited) at the suite of such parties as shall be against them in this behalfe, that then they shall yéeld to the partie which so sueth, the treble value of the vittailes or other thing so také, and the double costs of their suites, and for the said trespasse to make fine and ransome to the king. And that in all such actions or suites aforesaid, the kings protection shall not be allowed nor anaileable for the defendant. And this ordinance shall begin to take effect at ỳ feast of Easter, which shal be in the yéere of our Lord 1446. Prouided alwaies, that by this acte the punishment ordained against the kings purueyours in no wise shal be restrained. An. 23. H.6. cap. 14. See before 25.

Forf. Forfaite
Mytie Mytie
Action of debt Action of debt
Connict Conuict
3. Value 3. Value
2. Costes 2. Costes
Fine Fine

34 ¶ All such letters Patents (that is to say, to take horses & cartes for the kings and Queenes carriage) granted to any person or persons holding any hostries, brewhouses or house of retailing of vittaile, shal be void & of no value nor effect, and if any such graunt be made to anie such person or persons frō henceforth, that all such patents so graunted, shall be void and of none effect. And that no person nor persōs shall take Horse nor Carte in anie place within this realme, but by the deliueräce of the Maior, shirife, bailifes or constable, where such taking shall be had. And if any such person or persons take anie horse or cart of any person or persōs, without grée made to the owner for the same, & by the deliuerance of the Maior, Shirife, bailife, or Constable, where such taking shall bée had, that then he or they from whom such horse or cart is takē, & he or they of whom such fines or paiments bee taken, as is afore rehearsed, shal haue an action of trespasse at the cōmon law for such takings. And that he or they that féeleth himselfe grieued in such action, shall recouer treble dammages against him or them which so take any horse or cart, fines or paiments contrarie to this ordinance. Sauing al-

Letters P. Letters Patents
Hostlers Brewers Hostlers Brewers
Void Void
Horse Cart Maior Shirife Bailife Constable Horse Cart Maior Shirife Bailife Constable
Action of trespasse Action of trespasse
3. Damma-ges 3. Dammages

waies to the King his Prerogatiue & his preeminēce, of and in the Premisses. An. 28. H.6. cap. 2. Stat 2.

R. Prerogatiue R. Prerogatiue

35 ¶ An. 2. Ed. 6. cap. 3. A statute was made against purueyours and takers, & for prices of horses and cartes taken for the king, to endure for three yéares.

36 ¶ For the auoiding of ỳ great hinderance done to the subiects by purueiors and takers, and alwel to eschew the great deceit, as to aduance the Quéenes better seruice therein, with the contentation of her said subiects: Be it &c. that after the feast of ỳ birth of our Lord nert ensuing, euery such commission as shall bee made, graunted, & directed to any person or persons whatsoeuer, whereby the same person or persons, or their deputies shal haue authoritie to take any bœues, wethers, lābs, calues, or any kind of saltfish, or any kind or kindes of graine, or any butter in barels, or other vessels, chéese, bacon, connies, pigs, géese, capons, or hens, that the same Commission or cōmissions shall not extend or continue aboue the space of fiue moneths at the furthest nert ensuing the date of any of the said Commissions. And after the ende of the said fiue Moneths euery of the said Commissions to bee void and of no force nor effect, whatsoeuer words, matter or sentences shal be cōtained or expressed in any of the same cōmissions. And be it &c. that in all & euery such Commission or Cōmissions to be graunted after the said feast of the birth of our Lord, shall be plainely as well contained and expressed such countie or counties, where any of the saide bœues, wethers, lambes, calues, hogs, or swine, or any kind of saltfish, or any kind or kinds of graine, butter, chéese, bacon, connies, pigs, géese, capons or hēnes, or any of thē is to be leuied, pureyed, or taken, in or by any of the person or persons, or their deputie or deputies so authorised by the vertue of the said Commission or Commissions, as also the iust, true, & full proportion and number of all and euery such bœues, wethers, lambes, calues, swine, any kind of saltfish, or anie kind or kindes of graine, butter in barels, or other vessels, chéese, bacon, connies, pigges, géese, capons and hennes, or any of thē, as the said person or persons, their deputie or deputies, or anie of them shall be by force and vertue of the said Cōmission or Commissions authorised to leuie, take or purney, within anie of the saide Countie or Counties.

Commissions Commissions
Beeues Sheepe Calues Saltfish Graine Vittailes Beeues Sheepe Calues Saltfish Graine Vittailes
Continue 6. Moneths Continue 6. Moneths
Void after Void after
Expresse Countie Expresse Countie
Number Number

Annexe Blankes

The number

Prices

Subscribed

High constable Headborough

Docket Subscribed

And be it &c. that to euery such commission or commissions after the said birth of our Lord to be made, graunted, and directed, as is aforesaid, shal be annexed so many blanks in parchment, as there shall be seuerall counties expressed, named, & contained within the same cõmission or commissions, or any of thẽ, in the which blãks shal be faire & legeably written all and euery such beeues, wethers, lambs, calues, swine, any kinde of saltfish, or any kind or kinds of graine, butter, cheese, bacon, cõnies, pigges, geese, capons & hennes, with the true and seuerall prices of the same & euery of them as shal be leuied, gathered, & purueied by any person or persons, their deputie or deputies, or any of thẽ, as shall be thereunto authorized by anie such Cõmissions aforesaid, within anie particular towne, parish, or hãlet, set, lying and being within any of those Countie or counties, as shall be named, conteined and expressed within the said commission or cõmissions or anie of them, whereunto shal be subscribed the name or signe Manuell of al & euerie such high Constable or Constables, petie Constable or Constables, headborough or headboroughs, as shal be by anie precept to him or them directed by any person or persons, their deputie or deputies, or ane of them authorised thereunto by such Commission or Cõmissions to bee graunted, as is aforesaid, priuie or knowledging to the deliuerie of the said beeues, wethers, lambs, calues, any kind of saltfish, or any kind or kindes of graine, butter, cheese, bacon, connies, pigs, geese, capons and hennes, or anie of them.

And be it &c. that euerie person or persons, their deputie or deputies, or anie of them, which shalbe by commission or Cõmissions hereafter to bee graunted as is aforesaid, authorised to leuie, take or puruey any beeues, weathers, lambs, calues, swine, saltfish, or ame kinde or kindes of graine, butter in barrels, or other vessels, cheese, bacon, connies, pigges, geese, capons, and hennes, or anie of them, as is beforesaid, shall make a docket or briefe in writing, subscribed with his or their name or names conteining all and euery such beaues, weathers, lambes, calues, swine, kinde of saltfish, kinde or kindes of graine, butter in barrels, or other vessels, cheese, bacon, connies, pigges, geese, capons, and hennes, or anie of them, as he or they shall by vertue of the said Commission or Commissions, leuie, take or puruey within anie particular towne, parish or hamlet, set, lying, or being within anie countie or counties, as shal be named, cõtained and expressed within the said Cõmission or Commissions, or anie of them, and the same docket or dockets, briefe or briefes, faire & legeably written & subscribed, as is aforesaid, shal well & truely deliuer to the said high Constable, or Headborough, or one of thẽ, at such present time as the said beeues, weathers, lãbs, calues, swine, saltfish, kind or kindes of graine, butter, cheese, bacon, cõnies, pigges, geese, capons, and hennes, or anie of them shall be deliuered to them, or anie of them, vpõ paine of forfeiture of an hundred markes of lawfull money, & one yeares imprisonment as often as he shall so offend. The one moitie of which forfeiture to be to the king and Quéenes Maiesties, & the other moitie to him that will sue therefore in any of the king or Queens court of record, by bil, plaint, writ, information, or otherwise, wherein no wager of lawe &c. to be allowed. All which dockets or brieues the said high Constable or Constables, petie Constable or Constables, headborough or headboroughs, shall deliuer ouer to the Iustices of peace, at the next generall sessions to be holden within anie of the said Counties. And that the same Iustices or two of them, may and shall from time to time certifie the whole number & content of al and euerie the said dockets & brieues, to the Lord steward of the king & queenes most honourable houshold for the time being, or to the Treasurer or Comptroller of the same, or anie of thẽ, or to the Treasourer and Comptroller of the king and Queenes shippes, if prouisions of anie of the things afore mentioned be prouided, or taken for the victualling of the naue, or anie of the king or Queenes maiesties ships, whereby the seruing at anie of the foresaid commissiõs, and true answering of the same shall fully appeare.

Deliuer high constable

Forf. C. Marks Imprisõ.

Moitie

Headborough

Iust. of P. Sessions

2. Iust. of p. Certifie

Steward

Treasurer Comptroller

Prouiso

Prouided alwaies, and be it &c. that it shall be lawfull to anie person or persons, their deputie or deputies, or anie of them, which shal be authorised by such Cõmission or cõmissions hereafter to be graũted, as is aforesaid to leuie, take, or puruey any beeues, wethers, lãbs, calues, any kind of saltfish, kind or kinds of graine, butter in barrels or other vessels, cheese, bacon, conies, pigs, geese, capons, & hênes or any of them, otherwise or in anie other sort & maner, thẽ is in seueral estatuts heretofore

for

for purueyours made, ordained, prouided, appointed, limitted, & exprelled, vpon such
Paine paine & paines, as in the said seuerall estatutes is contained & exprelled. And forasmuch as the good & necessary lawes heretofore made & prouided against the abuses and euill doings of purueyours, are not taken to extend to the vndertakers, deputies & seruants of any such purueyors, by whom therefore the people of this realme be oftentimes very vncharitably and vnlawfully vled and oppressed: Be it therefore &c. that all & euery such lawes,
Statutes statutes, & prouisions, as heretofore haue bene made and ordeined against purueyours, and al and euerie the paines, penalties, forfaiture & losse, contained, mencioned, or appointed in any of the same lawes or statutes against purueyours & takers, or anie of them, shall also be extended and
Extend to Vndertakers executed vpō euery of their vndertakers, deputies and seruants, & all other, which by colour shall after the first daie of Januarie next comming, take any victuall, or anie other thing, by vertue or force of any such Commission, from any the King and Quēnes maiesties subiects cōtrarie to the tenor and effect of anie of the said lawes or statutes, in like maner & forme to all intentes and purposes, as the same lawes & statutes, or any of them, and the paines and forfeitures therein cōteined, should, might or ought to be executed and extended against purueyours and takers themselues, or anie of thē, And as strongly and amplie, as if the said vndertakers, deputies, and seruāts were specially and particularlie recited and named in euerie of the same statutes.

Proviso Prouided alwaies, and be it &c. for the better execution of this acte, and all other acts concerning purueyours, that all and
Commission euery commission and commissions, that from henceforth shal be made & graunted vnto any purueyour or purueyours, shall be writtē and set forth from time to time
English in the English tōgue, and not otherwise. * An. 2. & 3. P. & M. cap. 6.

¶ Quare impedit.

AND in a plea of Quare impedit, if the
Disturber Essoine disturber come not at the first daie, that he is summoned, nor cast no essoine, than he shall be attached at an other day, at which day if he come not, nor cast no
Distrained essoine, he shall be distrained by the great distresse aboue giuen: And if he come not, then by his default, a writ shall goe to the Bishop of the same place, that the claime of the disturber for that time, shall not be preiudicial to the plaintife: Saving to the disturber his right at an other time, which will plead therefore. The said law, as to the making of attachments shal frō henceforth be obserued in al writs (where attachments lie) as in making distresses, so that the ij. attachment shall be made by better pledges, & at the least a distresse. Marlb. ca. 12.

¶ Queene.

BE it &c. that the law of this realme is, & euer hath bin and ought to be vnderstand, that the kingly or regal office of the realme, & al dignities, prerogatiue roiall, power, preeminēces, priuiledges, authorities, & iurisdictions thereunto annexed, vnited, or belōging, being inuested either in male, or female, are & be and ought to be, as fully, wholy, absolutely, & intirely deēmed, iudged, accepted, inuested, and takē, in the one as in the other, so that what or whensoeuer statute or lawe doth limit & appoint that ỹ king of this realme may or shall haue, execute and do any thing as king, or doth giue any profit or cōmoditie to the king, or doth limit or appoint anie paines or punishment for the correction of offendors or transgressors against the regaltie and dignitie of the King or of the crowne: The same the Quēne (being supreme gouernesse, possessour & inheritour to the imperial crowne of this realme, as our said soueraigne Lady ỹ Quæne most iustly presētly is) may by the same authoritie & power likewise haue, exercise, execute, punish, correct and do, to all intents, constructions, & purposes, without doubt, ambiguitie, scruple or question, anie custome, vse, or scruple, or any other thing whatsoeuer, to bē made to the contrary notwithstanding. An. 1. M. parlia. 2. cap. 1.

2 ¶ An. 1. Mar. parlia. 2. cap. 2. was one act made cōcerning the marriage of king Philip & Quēne Marie which is determined, and An. 1. & 2. P. & M ca. 1. there was one other acte made, repealing one article in that former statute concerning signing of patents &c. by the Quēne.

¶ Quod permittat.

IN like maner as a parson of a Church
Parson Cōmon of pasture may recouer a cōmune of pasture by a writ

writ of Nouel disseisin, so hereafter the successour shall recouer against the disseisour, or his heire by a writ of Quod permittat, although such a writte heretofore hath not bin graunted in the Chauncerie. W.2.cap.25.

¶ Rape.

Mayden

AND the king prohibiteth, that none doe rauish, nor take away by force any damsell within age (neither by her owne cõsent, nor without) nor any wife, ladie or damsell of full age, nor any other woman against her will. And if any doe, at his suite that will sue within xl. daies, the king shall doe common right, and if none commence his suite within xl. daies, the king shall sue, And such as bee found culpable, shall haue two yeares imprisonment, & after shall make fine at the kings pleasure, & if they haue not wherof, they shal be punished by longer imprisonment according as the trespasse requireth. W.1.cap.14. An.3.E.1.

40. dayes King

Imprison Fine

☞

2 ¶ If any man frõ henceforth rauish any woman married, Lady, damsell, or other, where she did not consent, neither before nor after, he shall haue iudgement of life and of mẽber. And likewise where a man rauisheth a woman married, Ladie, damsell, or other with force, although the cõsent after ward, he shal haue such iudgement as before is said, if he be attainted, & if no man will sue, the king shall haue the suite. And for women carried away with the goods of their husbands, the king shall haue the suite for the goods taken away. And in case the wife wilfully forsake her husband, & go away, and cõtinue with the adulterer, shee shall be barred for euer of action to demaund her dower, ỳ she ought to haue of her husbands landes, if shee be conuict thereupon, except that her husbãd willingly and without cohertion of the church reconcile her, & suffer her to dwell wt̃ him, in which case she shall be restored to her action. He ỳ carrieth away a Nũne from her house, although she consent, shal be punished by three yeares imprisonmẽt, and shall make conuenient satisfaction to the house from whence shee was taken, and neuertheless shall make fine at the kings will. W.2.cap.34.

Woman Mayde

Felonie

Consent Judgement

Goods

Dower

Nunne

Imprisl.

Fine

*

3 ¶ Against offenders and rauishers of ladies, & the daughters of noble men, and other women in euerie parte of the saide realme, now a daies offending more violently, and much more then they were wont: It is ordained and stablished, that wheresoeuer, and whẽsoeuer such ladies, daughters, and other women aforesaid be rauished, and after such rape doe consent to such rauishours, that as well the rauishours, as they that be rauished, and euerie of them, be from henceforth disabled, and by ỳ same dẽd be vnable, to haue or challenge heritage, dower, or ioyntfeffement after the death of their husbandes and auncestours: And that incontinently in this case the next of the blod of those rauishours, or of them that bee so rauished, to whom such heritage, dower, or ioyntfeffement ought to reuert, remaine, or fall, after the death of the rauishor, or of her that is so rauished, shal haue title incontinently, that is to say, after the rape, to enter vpõ the rauishour, or her that is rauished, & their assignes and lande tenants, in the same heritage, dower, or ioyntfeffement, and the same to holde in state of heritage. And that the husbands of such women, if they haue husbandes, or if they haue no husbands in life, that then the fathers, or other next of their blod, haue from henceforth, the suite to pursue, & may sue against the same offenders and rauishours in this behalfe, And to haue them thereof conuict of life and of member, although the same woman after such rape doe consent to the said rauishours. And further it is accorded, that the defendant in this case, shall not be receiued to wage battaile, but that the truth of the matter be thereof tried by inquisition of the countrey. Sauing alwaies to our Soueraigne Lord the King, and to other Lordes of the said realme, all their eschets of the said rauishours, if peraduenture they be thereof conuict. An.6. Rich.2.cap.6.

Consent

Disabled

Dower

Heire

Entre

Husbands

Next of blood Sute

Consent

Battaile

¶ Rebellion.

Owen Glendor

AN no 9. Henr.6. cap.3. it is enacted, that all indictments, processe, iudgements and statutes made against Owen Glendor and his adherẽts, that made an insurrection against Henrie the fourth, should be effectuall &c.

John Cade

2 ¶ An.9.H.6.cap.1. John Cade for his insurrection is cõuicted of treason, and his goods and lands forfeited.

3 ¶ An.31.H.6.cap.1. It was enacted, that John Cade should be a traytor, & all his tyrannous actes voide, and all indictments vnder that tyrannie voide, and no blod

blood to be corrupted thereby, and that all
Indictmẽts indictments after that in like case, vnder
the power of tyrannie, rebellió, and com-
Void motion, to be void, and all petitions deli-
uered to king Henrie the first in the 29.
yeere of his raigne, and not agreed by him
should be voide.

¶ Receiuors.

See Courts, howe receiuors that paie pensions, fees, or rents, shal make their
Acquitãces acquitances, and what they shall take for those acquitances, and for the money that they shall paie.

Collector 2 ¶ Euerie high collectour of any fiftéene, subsidie, or other tare or lone, and al and euerie other the kings said particular and generall receiuours of any the saide summes of money, and other dueties belonging to the king, from & after the first day of July next comming, shall within
3. moneths the space of thrée moneths next after such
Fiftéenes Subsidies daies and times, as any the said fiftéenes, subsidies, rents, summes of money, or other yerely profits shalbe due & patable to the king, his heires or successors, by any statute, ordinance or other meane, and by the same collectour or generall receiuor, or any of them retained or gathered truelie content, deliuer, and pay the same to the kings vse, at such place or places, and to such person or persons, as he or shal be nayned, appointed, & limited for the same,
Forf. vpon paine to forfait to the king, his heirs & successors for euery pound so being receiued, & after that retained, kept or laide out for gaine, and not paide within three moneths to the kings vse, as is aforesaid,
M.s. the moneth foure shillings for euery moneth that the same money shall bee so retained, kept or laide out for gaine, as is aforesaid, and also shal lose & forfait his or their said office,
Forf. office concerning the same, and all profits therunto belonging.

King And that the king shal at his pleasure, charge the said collector, particular or generall receiuor, vpon his or their accõpts, with the penalty and forfaiture aboue rehearsed, or els at his pleasure demaunde, aske, and recouer the same by action, bill, plaint or suit of debt against ẏ same collector or collectors, particular or generall receiuor, their heires, executors, or administrators. In which action, bil, plaint, or suite, no protection &c. shalbe allowed nor admitted. Prouided alway, that if any of the said collectors, particular or generall receiuor, tender payment of all such mo-
Tender ney by them receiued to the kings vse, wi-
in the said thrée moneths in such place, &
vnto such person or persons as he, or shall be charged with the receipt of the same, &
Tender do almuch as in him or the is or then shal
be, for to make true paiment thereof, and cannot be thereunto admitted, by reason of importunate businesse, or other lawful impediment or cause in him or them that should accept or receiue the same: that in
Collector euery such case, the same collector, particular or generall receiuor or receiuors, as shal so make tender of all such money, by him or them receiued or gathered to the kings vse, as is aforesaid, and cannot bee thereunto admitted for any the causes aboue said, shal not be charged with, or incurre any danger or penalty contained in this act: This act, or any thing therin cõtained to the contrarie notwithstãding.

Prouided alwaies, and be it &c. that the
Heirs heire or heires of any collectour or receiuour aforesaid, shall not bee charged or chargeable by reason of this act, but onlie for & in such lands, tenements, or hereditaments, which the said heire or heires haue or shall haue, by discent in fée simple or fée taile, or by gift or else by anie other assurance had or made to anie such heire
Comin or heires onely by comin, from the said collector or receiuer, or anie of them, or anie their assignes. And that in all and euery
King such case & cases, the Kings Maiestie, his heirs and successors to haue execution only of & in such lands, tenements, or hereditaments, descended, giuen, or otherwise
Execution assured, as is aforesaid, vntill such time as his Maiestie, his heires and successors be fully satisfied & paid, of all and euerie such summe and summes of money, due or to be due by anie such collector or receiuour. And it is further enacted &c. that the executor or executors, administrator or ad-
Executor Administrators ministrators of euery such collector or receiuer, shall not be otherwise charged or chargeable by this act, but as executors & administratours be or should be charged & chargeable by the order of the common lawes of this realme, in actions of debt, vsed and commenced against them, as executors or administratours.

Prouided also, & bee it further enacted,
Heire that where the heire or heires of any the K. receiuers or collectors, or debtors, is or
Charged shalbe charged of & for his fathers or ances-
Debts tors debts or dueties, whose heir he is, wherby ẏ lands discẽded or giuen to him,

by

by coyne, to defraud the kings execution of such land, vnto him or them from the said father or ancestors is put in executiō, that then such heire or heires shall & may haue his or their actiō of debt, against the executors or administrators of ỳ said father or ancestor, & shall haue execution of the goods & cattels of the said father or ancestor, being in the handes of the said executors or administrators, at the time of ỳ said action brought, in which said action none essoine, protection nor wager of law shalbe admitted or allowed.

Action of debt

Prouided alway, that this act shall not extende to the collectors of the kings custome, & of the subsidie of tonnage & pondage, which be accomptable yerely in the kings Maiesties Eschequer.

Customes Tonnage & pondage

Prouided alway, ỳ this act or any thing therin cōtained, shal not extend or be prejudicial to any the said general or particuler receiuer or receiuers to or for the paimēts of any pensiōs, fées, annuities, rēts, or other allowances by them or any of thē paid, or to be paid to any person or persōs, according to such allowance, order or decrée, as be or hereafter shalbe allowed, ordered or decréed in anie of the said courts, any thing in this act to the contrarie notwithstanding. An. 34. H. 8. cap. 2.

Payment of fees

3 ¶ Euery treasorer, and general and particular receiuor, collector, and bailife, & other minister accomptant, which now is charged or chargeable with, or for the receipt of any of the kings Maiesties money, rents, or reuenues whatsoeuer, not being bound with suretie or sueries by obligations, recognisance, or otherwise to our late Soueraigne Lord the king, or to our Soueraigne Lord the king that now is, for or cōcerning their office or offices, before the xx. day of December nert comming, or at anie time or times before the same xx. day of December, if they or any of them be reasonably required, shal vpon paine of forfaiture of his office be bound to the kinges Maiestie by sufficient writing obligatorie, in reasonable summe or summes of money: the same writing obligatorie to be made with or vpon condition, that the person which so shalbe bounden, his heirs, executors, administrators, deputie or deputies, or one of them, from time to time shall yéld a perfect and true accompt of all summes of money, and other things that the same treasorer & general & particuler receiuor, collector, bailifes, or other minister accomptant shall, may or reasonablie might bee charged with, concerning or by reason of his or their office or offices: And also shal make paiments of the same summes of money, at such daies & times, and in such manner and forme, as hereafter in this acte is expressed and declared.

Treasurer Collector Bailife

Suerties

Forf. office Bound

Condition

Accompt

Pay

And be it &c. that al and euery person & persons hereafter to be named, assigned, or appointed to be treasurer, or generall or particular receiuour, collectour, or bailife, or minister accomptant of our saide Soueraigne Lord the king, shall before their entrie, executing, vsing, or exercising of his or their office or offices whereunto he or they shall bee so nominated or appointed together w̄ suerty or sueries, acknowledge & make sufficient & lawful bonde or bonds to the kings Maiestie, in such court of record, where the same officer or officers is or shall be accomptable and chargeable, that they, their heirs, executors, administrators, assignes or deputies shall truelie accompt and paie all such summes of money, as shall come to their hands, or shall, maie or reasonablie might be charged with, concerning his or their office or offices, to the kinges vse within the circuite of their seuerall receits and collections, at such or like daies and times, and in such maner and forme, as is abouesaide, to bee contained in the conditions of euerie of the said bondes, vpon paine of losse and forfaiture of his or their office or offices, and of his or their letters P. of the same office or offices.

Suerties

Bonds

Accompt

Pay

Forf. office

Receiuors

We it enacted &c. that euery receiuor of the Kings Maiesties honours, manours, lands, possessions, rents, and reuenues, for the time being, or his deputie or deputies, shall yeerely make his seuerall precepts to all and singular the collectors, ministers and bailifes accomptant within the circuite, of his office, charging and commanding them on the kings Maiesties behalfe by the same precept, to appeare before them personally, or by their sufficient deputie or deputies, for whome they will answere within the Countie where the same offices, bailiwike, receits or collections doe light, at a certaine daie and place in the same precept to be limitted, and to pay to the Kings maiesties vse such summes of money as they ought to doe by reason of any of their said offices, being due to our said soueraigne lord the king at or before ỳ feast of Easter, which they haue, or may by anie lawfull or due meane,

Precepts

meane, leuie, or receiue within or by reason of their said offices or collections. And that the same precepts shalbe so severally delivered to everie of the said officers, ministers & bailifes accomptant, or to their deputie or deputies, or els be left at their dwelling houses, or at the manour, lordship or place where their receit or collection is, or ought to be, twelue daies at the least, before the day of apparance to them given and prefixed, in the same precept or precepts.

Collectors Baylifes

And if any of the said ministers, collectors or bailifes accomptant vpon or after any such precept or precepts, at any time hereafter made by any such receiuor, & being delivered or left in forme aforesaid, do make default at the same day, & place assigned & appointed in, & by the said precept or precepts, that then the same collector, minister or bailife accomptant so making default, & not appearing as is aforesaid, and being therof duely & lawfully convicted in the Court, where the revenue is or shalbe answered, shal for the first offence lose and forfait to the king our soveraigne Lord his whole fée for that yere, wherein he shal so make default or the value therof: And for the paiment of the said money due, & payable at or before the said feast of Easter, vnto our said Soveraigne Lorde the king, within or by reason of his aboue said office, collection or bailiwike, shall lose and forfait for the first offence of non payment sixe pence of the pounde, in the name of a paine for euery moneth after the said day of apparance, vntil the same money shalbe by him or his deputie paid to the hands of the said receiuor, to the K. Maiesties vse.

Default

Convict

Forf.

Forf.

And after the first default of apparance made by any of the said officers, & another like precept by the said receiuor be made and delivered, or left in forme aforesaid, then the said officer or officers making againe default, and being therof lawfully convict, as is aforesaid, for the second default & offence of non apparance, shall lose and forfaite to the King our Soveraigne Lord, his office and fée.

Forf. Office

And for the said second offence in the non paiment of the said money due & payable within, & by reason of his office, collectiõ, or bailiwike, at or before the said feast of Easter, shal lose and forfait twelue pence of euery pound, in the name of a paine for euerie moneth after ỳ said last day of apparance, & default made, as is aforesaide, vntill the same money shall be by him or his deputie paid to the handes of the said receiuor, to the vse of our Soveraigne Lord the king.

Forf.

And further be it &c. that all and euery auditor & auditors of our said soveraigne Lord the King of his Maiesties honours, manors, lands, possessions, rents, and reuennes, for the time being, or his or their sufficient deputie or deputies, shall have full power & authoritie by vertue of this act, yeerely to make their precept or precepts to al ministers, collectors & bailifes accomptant, commãding them in the behalfe of our said soveraigne lord the king, to appeare & accompt before him or them personally, or els by their sufficient deputie or deputies, at a place certaine within the county where the same lands & possessions doe lie, at the Kings Maiesties audite, to be holden there yeerely betwæne the feast of S. Michael the Archangel, & the Natiuitie of our Lord God, of, and for al rents, reuennes & profits due and payable within, or by reason of their said offices, collections or bailiwikes, at or before the feast of S. Michael tharchangel next before the same audite, exprssing in the same precept or precepts, the time and place, when & where the same ministers, collectors or bailifes accomptable, or their sufficient deputie or deputies, for whome they wil answere, shal appeare, the same precepts to be delivered to the same ministers, collectours, or bailifes accomptant, or their deputy or deputies, or left at their dwelling houses, or at the manour, lordship, or place, where their receipts or collections are, or ought to be, twelue daies at the least before the daie of apparance, to him or them prefixed in the same precept or precepts. And if anie minister, collector, or Bailife accomptant doe not appeare before the said Auditor or Auditors, or his or their deputie or deputies at the said audite, according to the saide precept, or else if hee doe appeare and refuse to accompt for his saide receipte, collection, or bailiwicke, before the said Auditor or Auditors, or his or their deputie or deputies: That then the said minister, collector, or bailife accomptant, so making defaulte and not appearing, or so refusing to accompt, as is aforesaid, and being therof duely and lawfully convicted in the court where the revenue is or shalbe answerable, shall for his first offence lose and forfait to our Soveraigne Lord the king his

Auditor

Precept

Collectors Bailifes

Refuse

Forf.

whole

whole fée for that yéere, wherein he shall so make default, or the value thereof.

And for the non paiment of the said money, due and payable within his collection, office, or bailiwicke, at or before the same feast of S. Michael the Archangel, shal lose and forfait to the king our Soueraigne Lord for his said first offence, fyre pence of euery pounde, in the name of a paine, for euery moneth after the said day of apparance, & default made as is aforesaid, vntill hee or his sufficient deputie or deputies, shall accompt before ỳ said Auditor or Auditors, or his or their deputie or deputies for his said collection, receipt, or bailiwike: And also pay vnto the hãds of the said receiuor or receiuors, al & euery such summe & summes of money, as shall bee iustly found due by the saide accomptant, before the said Auditor or Auditors, or his or their deputie or deputies, to the kings Maiestie, vpon the forte and determination of his accompt: And after the first default of apparance made before the said Auditor or Auditors, or his or their deputie or deputies by any of the said officers accomptant being so warned as is aforesaid: And after an other like precept made & deliuered, or left in forme aforesaid: that then the said officer or officers that so shal make againe default of apparãce for the said second offence in making default in his apparance as is aforesaide, and being therof duely and lawfully conuicted in the Court, where the reuenue of his said office is, or shall be answerable, shall lose and forfait to the king our soueraigne Lord, his office and fée. And for the second offence, in the non paiment of the said money due and payable with and by reason of his receipt, collection, or bailiwike, at or before the said feast of Saint Michael the Archangel, shal lose and forfait to our soueraigne Lord the king ry. d. of euery pound in the name of a payne, for euery moneth after the said last day of apparance, and default made, as is aforesaid, vntill hee or his sufficient deputie or deputies shal accompt before the said Auditor or Auditors, or his or their deputie or deputies for the said receipt, collection, or bailiwike, and also pay vnto the hands of the said receiuer or receiuers, or his or their deputy or deputies, to the kings vse, al such summes of money, as shalbe iustly found due by the said accomptant, vpon the forte and determination of his saide accompt.

Fork.

Precept

Default

Fork.

Office

Fork.

And further be it &c. that al & euery receiuer and receiuers of the kings Maiesties honours, manors, lands, possessions, rents or reuenues shal make readie & ful payment yerely to the treasurer or generall receiuer of the Court, where the said reuenue is or shall bee answerable, or otherwise, as he or they are or shall be appointed and assigned by sufficient warrãt of al such summes of money, as he or they shall knowe to be due to our soueraigne Lord the king, and can by any lawfull or due meane, obtaine, get, haue or receiue of the rents or reuenues of our said soueraigne Lord the K. within or by reason of their offices, being due at or before the feast of Easter, by the xx. day of June thẽ nert following at the farthest. And also shal make like paiment yerely of all their like receits of the rents & reuenues of our said soueraigne Lord the K. that shall bee due at or before the feast of S. Michael the Archangel, by the xx. day of Januarie then nert following at the farthest, vpon paine of losse and forfaiture for euery default at any time of the said daies, ỳ. d. of euery pound for euery day that the saide money so by them or anie of them shal be vnpaid. And also it is &c. that al and euery of the said receiuer & receiuers, or their deputie or deputies, for whom they will answere, shal enter into their accõpt yerely in the Terme of Saint Hillarie, and fully & clearely finish the same accompt before the tenth day of March then nert following, and make full & ready paiment of the money that shal appeare to be due vpon the forte & determination of the same accompt before the xx. day of the said moneth of March, vpon paine of forfaiture to our said soueraign Lord the king their offices and fees, and iiij. pence of the pound for euerie day that they shall detaine and withhold the said money, without making any paiment therof as is aforesaid. And further be it &c. that all and euery receiuers, collectors, and Bailifes, of anie the kings honors, manors, landes, tenements, rentes, or reuenues, for lacke of payment and leuying of their said rents, issues, and reuenues, within their offices and charges, shal and may haue power and authoritie from henceforth by vertue of this act, to distraine for the same, & to vse and order the same distresse in such sort and forme as any officer or officers of the kings court of the Eschequer for leuying and lacke of payment of the kings

Fork.

Finish accompt

Fork.

Collectors Baylifes

Distraine

rents

rents & reuenues answerable in the same court, heretofore haue lawfully done, and may lawfully vse to do, deliuering to the partie distrained, the surplusage and ouerplus of the value of euery such distresse, if any shalbe, the kings debts & dueties being first paid, the distrainant answered of reasonable costs, & that the head & chiefe officer or officers of euery of the .iii. courts of reuenues being of record, or that shall be of record, shall haue full power and authoritie by vertue of this act, to set and assesse reasonable fines and amerciaments vpon any shirife or shirifes, for not returning or misreturning of any writ to them directed, & deliuered out of any the same Courts, touching or concerning the leuying, or answering of any of the said issues, rents, or reuenues, or of any debt due to our said soueraigne Lord the king, in such sort, and after such maner and fourme as now is, or hereafter hath bin lawfully vsed in the like and such other cases in the kings highnesse Court of the Exchequer.

Ouerplus

Amerce Shirifes

Be it &c. that all Treasorers and Chamberlains, and generall Receiuors of anie of the kings gracious courts of reuenue, for the time being, and all custodiers and Collectors of Customes, or certaine and called subsidies without anie port, hauen, or creeke of this the kings realme of England, that now be, or hereafter shall bee, within ten daies next after notice to him or them giuen from the king, or .6. of his most honorable priuie counsell in writing, signed with their hands, shall by themselues, or their sufficient deputie or deputies, for whom they will answere, declare in writing, what summes of money then being due vnto our said soueraigne Lord the king, hee at that time in his or their hands, or custodie, and shal make ready & full paiment of al the said summes of money, as then shall remaine in his or their hands or custodie, ouer & aboue the ordinary paiments and sums of money contained and expressed in sufficient warrant or warrants, or resting and remaining in his or their office or offices, and being in their full force, strength & effect, and not lawfully countermanded, nor reuoked to their knowledge, to the vse of our Soueraigne Lord the King, at such time, and in such sort, as he or they shall be commanded and appointed by sufficient warrant, vpon paine of forfaiture of his or their office or offices. And be it &c. that ỳ same Treasorers, Chamberlains, and generall receiuors by themselues, or by their deputie or deputies, for whome they will answere, shal yerely before the twenty day of June make a perfect accompt of all such money or treasure, as hath commen to their hãds to the kings vse, yerely, at or before the twentieth day of March, then next before the said twentie day of June, and shall make a perfect and whole declaration in writing, of the money remaining in euery of their hands to the kings maiestie, or to his priuie Counsell yerely before the last day of June then next following, and make payment of the same at such time, and in such sort, as he or they shal be commanded, or appointed by sufficient warrant, vpõ pain of forfaiture of his or their office or offices. And be it enacted &c. that if any treasurer, receiuer, or Minister accomptant, or their deputie or deputies, do take or receiue of any person or persons, any summe or summes of money, or other profite, of and for the paiment of any fees, annuities pensions, duties, or warrants, more, or otherwise then hee or they maie lawfully doe by forraine lawes and Statutes therein prouided, that the said treasurer, receiuer and minister so offending, shall forfaite and lose for euerie penie or penie worth so to be taken or receiued, vj. s. viij. d. to the partie grieued, so to be recouered in any &c. in which suite &c. And be it also &c. that if any Auditor or Auditours, or his or their deputie or deputies, which ought to take the accompt of anie treasurer, Chamberlaine, Receiuer, or other officer, accomptable before him or them, do refuse, or willingly protract, and delay the taking of the same accompt, in such wise, as it cannot be finished within the time or times limitted and appointed by this act, for the taking & finishing therof, that then eurrie Auditor so refusing, or protracting, and delaying, as is aforesaid, and being therof duely and lawfully conuicte in the Court where the reuenue or charge of the same accompt is, or shall be answerable to the K. shal incurre, forfait, & lose such like paine, losse, and forfaiture, as the treasorer, chamberlaine, receiuer, or other officer abouesaid, shall and ought to doe by this act, for not accompting of & for their charges and office or offices, and thereby the same treasurer, chamberlain, receiuer, and other officer, that should accompt & shalbe refused, or shal be protracted and delaied as is aforesaid, shall be discharged of any paine, losse, or forfaiture, for

Treasurers Chamberlains

Customers Subsidies Port

Day

Forf. office

Accompt

Forf. office

Forf.

Auditor

Refuse

Conuict

Forf.

Discharge

for not accounting, as is aboue said. And be it &c. that that publicate or copie of euerie account that shall bee made by ante treasurer, or receiuer, or by their deputie or deputies in forme aforesaid within conuenient time, after the finishing of ỹ same accompt, and at the reasonable request & costs of such accomptant, shalbe deliuered to them, or any of them subscribed with ỹ hãds of the Auditor or Auditors, that shal take the same accompt, or of his or their deputie or deputies, for whom hee or they will answere, vpon paine that the same Auditor or Auditors shal lose and forfaite to the kings Maiestie tenne pound for euery such default.

Copy

Fyft.

Prouided alwaies, & be it, &c. that this act, nor any thing therein contained, shal in any wise extende to charge anie Archbishop or Bishops of this realme, or of any other the kings Maiesties dominions or any of them, at any time hereafter to make anie maner of bonds, or to make their accompt and paiment of the tenths, arising and growing within anie of their Diocesse, due, or to be due to our said soueraigne Lord the king, otherwise or in any other maner & forme, then they or anie of them heretofore haue bin charged, or accomptable & chargeable by the lawes and statutes of this realme, any thing in this acte to the contrarie notwithstanding.

Archbishop

Tenths

Prouided alwaies, that this acte or ame thing therin contained, shal not extend to cause the rẽts, profits, & reuenues, rising and growing to the kings Maiestie within the towne or marches of Calice to bee answered or payed otherwise, or at anie other daies or times then heretofore hath bẽne vsed and accustomed, ante thing in this act to the contrary notwithstãding.

Calice

Prouided alwaies and be it &c. that this act nor ame thing therein contained, shall in any wise extend to touch or charge any Shirife, Eschetour, or Collectour of anie Dismes, Quindismes, Benenolences, contributions of subsidies (subsidies of tonnage and pondage onely except) but that they and euery of them, shal and may doe and exercise their said seueral offices, and pay such summes of money, as they or anie of them be, or hereafter shall bee charged withall by their said seuerall offices in such and like sort, maner & forme, as they and euerie of them haue vsually done or should or ought to doe, if this act had neuer bẽn had or made. This act or anie thing therein contained in anie wise to the contrarie notwithstanding. Anno 7. E. 6. cap. 1.

Shirifes Eschetour Collectour

¶ Recognisance and Statute merchant.

EVerie Merchant which will be sure of his debt, shal cause his debtor to come before the Maior of London, or of Yorke, or Bristow, or before the Maior & Clerke (which the king shall appoint for ỹ same) for to knowledge the debt, and day of paiment, and the recognisance shalbe entred into a roll with the hand of the said Clerke, which shalbe knowen. Moreouer the said Clerke shall make with his owne hand a bil obligatorie, wherunto the seale of the debtor shall be put, with the kings seale, that shall bee prouided for the same purpose, the which seale shall remaine in the keeping of the Maior & Clerke aforesaid. And if the debtor do not pay at the day to him limited, the creditor shal come before the said Maior and clerke with his bil obligatorie: And if it be found by the roll & by the bill that the debt was knowledged & that the day of paiment is expired, the Maior shal incontinent cause the moueables of the debtor to be sold as farre as the debt doth amount, at the praising of honest men, after ỹ maner of borough gods deuiseable, vntill the whole summe of the debt & the money be fully paid to the creditor: and if the Maior can find no buier, he shal cause the moueables to be deliuered to the creditor at a reasonable price, as much as doth amount to the sum of the debt, & the kings seale shalbe put vnto the sale and deliuerance of the gods deuiseable for a perpetuall witnes. And if the debtor haue no moueables within the iurisdiction of the Maior, whereupon ỹ debt may bee leuied, but peraduenture hath some other where, within the realme, the shall the Maior returne the recognisance made before him & the clerke aforesaid vnto the Chancelor vnder the kinges seale, and the Chancelor shal direct a writt vnto the Shirife, in whose Bailliwike that the moueables of the debtor hap to be, and the Shirife shall cause him to agree with his creditor in such form as the Maior should haue done in case that the moueables of the debtor had bẽne within his power. And let them that haue prised the moueable gods to be deliuered vnto the creditor, take good heede, that they do set a reasonable price vpon them, for if they doe set

Merchant

Maior

Entred

Bill obligatorie

Seale

Moueables

Kings seale

Maior Returne

Chancelor

Shirife

Prisors

Price

set an ouer high price for fauour borne to the debtor, to the damage of the creditor, then shal the thing so prised, be deliuered vnto themselues, at such price as they haue limitted, & shall be forthwith answerable vnto the creditor. And if the debtor will say, that the moueable goods were deliuered or sold for lesse then they were worth, yet shall hee haue small remedie thereby, for when the Maior or the Shirife hath sold the moueable goods lawfully to him that hath offered most, he may accompt it his owne folly, that he did not sel his own moueable goods himselfe before the day of the suit (when he might wel enough) and so haue leuied the money with his owne hands. And if the debtor haue no moueables, whereupon the debt may be leuied, then shal his body be taken where it may

Imprison

be found, and kept in prison, vntill that he haue made agreement, or his friends for him, & if hée haue not wherewith he maie

Bread and water

sustaine himself in prison, the creditor shal find him bread & water, to the end ỳ he die not in prison for default of sustenance, the which costs the debtor shall recompence him with his debt, before that he be let out of prison. And if the creditor be a merchãt

Merchant stranger

stranger, he shall remaine at the costs of the debtor for so long time as hee tarrieth about ỳ suit of his debt, & vntill the moue-

Goods solde

able goods of ỳ debtor be sold or deliuered vnto him. And if the creditor do not take ỳ debtor alone for the surety of his paimẽt, by reason whereof pledges or mainepernours be founden: then those pledges or

Mainpernours

mainpernours shal come before the Maior and Clerke abouesaid, and shal binde themselues by writings and recognisances in like maner as the principal debtor. And in like maner if the debt be not paide

Execution

at the day limitted, such execution shalbe awarded against the pledges or mainpernours, as before is appointed for the debtor. Acton burnel. An. 13. E. 1.

Merchants

2 ¶ Forasmuch as marchants, which heretofore haue lent their goods to diuers persons, be nowe fallen in pouertie, because there is no spẽdie remedy prouided, whereby they may shortly recouer their debt at the day of paiment assessed: And for this mischiefe many merchants are loth to come into the realme with their merchandise, to the great damage of such merchants, and of all the realme: The king and his Counsel, at his Parliament holden at Acton Burnel, after the feast of S. Michael the 11. yere of his raigne hath ordained these establishments thereupon for the remedie of such merchants, which ordinances and establishments, the king commandeth that they shalbe firmly kept & obserued throughout his realme, whereby merchants may haue remedie & lesse trouble & busines to recouer their debts then they haue had heretofore. But for as much as merchants afterward complained vnto the king, that shirifes misinterpreted his statutes, & sometime by malice and false interpretation, delaied the execution of the statute, to the great damage of merchants: The king at his Parliament holden at Westminster after Easter, the thirtenth yere of his raign, caused the said statute made at Acton Burnel to be rehearsed. And for the declaration of certaine articles in the statute aforesaid, hath ordained and established, that a merchant for the assurance of his debt, shall cause his debtor to come before the Maior of London, or before some chiefe Warden of the Citie, or of another good towne where the king shall appoint, and before the Maior, chiefe Warden, or other sufficient men chosen and sworne thereto, when the Maior or chiefe Warden cannot attend thereto, and before one of the Clerks that the king shal therto assigne, when both cannot be attendant, hee shall knowledge the debt and the date of payment, & the recognisance shall be inrolled by one of the Clerks hands being knowen, and the rol shalbe double, whereof one part shal remaine with the Maior or chief Warden, and the other with the Clerkes that therto shall be first named. And further one of the said Clerks with his own hand shal write an obligation, wherupon the seale of the debtor shall be put, with the kings seale prouided for the same intent, which seale shall be of two pieces, whereof the greater piece shall remaine with the Maior or the chiefe Warden, & the other in the keping of the foresayde Clerks. And if the debtor doe not pay the debt at the day limitted vnto him, thẽ shal the marchant come before the Maior and clerke with his obligation, & if it be found by a roll or writing, that the debt was knowledged and the day of payment expired, the Maior or chiefe Warden shall cause the body of the debtor to be taken (if he be lay) whensoeuer he happeneth to come in their power, and shal commit him to the prison of the Towne, if there be any, and shall remayne there at his owne costes,

Shirifes

Maior of London Warden

Clerke

Knowledge

Enroll

Obligation

Seale

Debtor

Maior

Imprisõ.

costs, vntill hee hath agreed for the debt.

Gaoler

And it is commanded, that the keeper of the towne prison, shall retaine him vpon the deliuery of the Maior or chief warden, and if the keeper will not receiue him, he shalbe answerable for the debt, if he haue whereof, and if he haue not whereof, hee that cõmitted the prisoner to his keeping shal answere. And if the debtor cannot be found by the Maior or chiefe Warden, then shal they or any of them returne into the Chancerie vnder the kings seale, ẏ recognisance of the debt: and the chancelour shall direct a writ vnto the shirife, in whose shire the debtor happeneth to bee, for to take his body (if he be lay) & safely to keepe him in prison, vntill he hath agreed for the debt.

Chancerie

Writ Shirife

And within a quarter of a yere after that he is taken, his lands shal be deliuered him, so that by the profits he may leuie & pay the debts. And it shall be lawfull vnto him during ẏ same quarter, to sell his lands & tenements, for the discharge of his debts, & his sale shall be good and effectual. And if he do not agree within the quarter nexte after the quarter expired, al the lands and goods of the debtor shalbe deliuered vnto the Merchant by a reasonable extent, to hold them vntil such time as the debt is wholly leuied: And neuertheles the bodie shal remain in prison, as before is said. And ẏ merchant shal find him bread and water, & the merchant shal haue such seison in the lands & tenements deliuered vnto him, that he may maintain a writ of nouel disseisin, if hee be put out, & redisseisin also, as of freeholde, to hold to him & his assignes vntill the debt be paid. And as sone as the debt is leuied, the body of the debtor shalbe deliuered with his lands. And in such writs as the chancelour doth award, mention shall be made, that the Shirife shal certifie the Justices of either bench, how he hath performed the kings commaundement at a certaine day, at which day the marchant shall be before the Justices, if agreement bee not made. And if the shirifes doe not returne the writ, or doe returne that the Writte came too late, or that they haue directed it to the Bailife of some franchise, the Justices shall doe as it is contained in the Statute of Westminster. And, if the shirife returne that the debtor cannot be founde, or that hee be clerke, the merchant shall haue writs to all the shirifes, or hee shall haue the land, & that they shal deliuer all the goods & lands of the debtor by a reasonable extent, to hold vnto him and his assignes in the form aforesaid, & at the least he shal haue a writ to what shirife that he will, to take his bodie (if he be lay) & to retaine it in maner aforesaid, & the keeper of the prison ought to take heed ẏ he must answere for the bodie or for the debt. And after that the debtors lands be deliuered to the merchant, the debtor may lawfully sell his land, for that the merchant haue no damage of the appruements, and the merchants shall alwaies bee allowed for their damages, & al costs, labours, suites, delaies & expences reasonable. And if the debtor finde sureties after the day passed, the sureties shalbe ordered in al things as is said of the principal debtor, as to the arrest of bodie, deliuery of lands, and other things. And whẽ the lands of the debtors be deliuered vnto the merchant, hee shall haue seisin of all the landes ẏ were in the hand of the debtor, the day of the recognisance made, in whose hands soeuer ẏ they come afterward, either by feoffement or otherwise, & after the debt paid, the debtors lands, and the issues therof by feoffement shall returne againe, aswell to the feoffee, as the other lands vnto ẏ debtors. & if the debtor or his sureties die, the merchãt shal haue none authority to take the bodie of his heir, but he shal haue his lãds as before is said, if he be of age, or when he shalbe of full age, vntil such time as hee hath leuied of the lands the amountance & value of the debt. And also another seale shalbe prouided, that shall serue for faires, and the same shalbe sent vnto euerie faire vnder the kings seale by a clerke sworne, or by ẏ keeper of the faire. And of the cõminaltie of London two merchants shall be chosen, that shal sweare, & the seale shal be opened before them, and the one piece shall bee deliuered vnto the foresaid merchants, and the other shall remaine with the clerke. And before them or one of the merchants (if both cannot attend) the recognisances shalbe take, as before is said, & before that the recognisance be inrolled, the paine of the statute shall bee openly read before the debtor, so that afterward he shal not excuse himselfe by ignorance of the paine, whereto hee bound himselfe, & to maintain the costes of the said clerke, the King shall take of euerie pound a penie in euerie Towne, where the seale is, except Faires, where hee shall take i.d. ob. of the pounde. This ordinance and act the King willeth to be obserued from hence-

Extent

Capias

Gaoler

Damages Costes

Sureties

Sessions day

Debtor dyt

Heires Lands

Seale Faires

London Merchants

Clerke

Paine

Penie Faires Halfe penie

hereforth throughout his realm of England & Ireland, amongst the which people they that will, may make such recognisances (except Iewes) to whome this ordinance shal not extend, & by this statut a writ of debt shal not be abated, and the Chancellor, Iustices of either Bench, & Iustices errants shall not be stopped to take recognisances of debts before them knowledged & made, but the execution of recognisances made before them, shal not be done in the forme abouesaid, but by the law and manner before vsed, & otherwise prouided in other statuts: Rex vic' salutē. Quia coram tali maiore, vel custode talis villæ, vel coram custode sigilli nostri de mercatoribus in nundinis de tali loco, & tali clerico nostro, A. recognouit debere B. tantum, quod soluisse debuit tali die & tali anno, quod idem B. nondum soluit, vt dicit: Tibi præcipimus, quod corpus prædict' A. (si laicus sit) capias, & in prisona nostra saluo custodiri facias, quousque de prædicto debito satisfecerit. Et qualiter hoc præceptum nostrum fueris executus, scire facias iusticiarijs nostris apud Westmonasterium per literas tuas sigillatas, & habeas ibi hoc breue. Teste &c. Statut de mercatoribus. Anno 13. E. 1.

Iewes

Chancellor Iustices

3 ¶ Euery Clerke, which shalbe deputed to receiue recognisances in Cities and Boroughs, according to the statute merchant, shall abide in proper person to doe his office, according as is conteined in the statute of Acton Burnel. And that hee haue lands sufficient in the same County whereof he may aunswere to all persons if he offend. And if any other be in ỳ same office, he shalbe remoued, & another conuenient set in his place. An. 14. E. 3. ca. 11.

Clerke

Lands

4 ¶ At the complaint of the said Communalty, made to the king in the Parliament, of that, that great disherison in times past was done of the people, and might be done by ỳ false entring of pleas, rasings of rolles, & changing of verdicts: It is accorded & assēted, that if any Iudge or Clerke be of such default, so that by the same default there ensueth disherison of any of the parties sufficiently conuict before the K. and his counsel by the maner & forme, which to the same our Soueraigne lord the king and his Counsell shall seeme reasonable, & within two yeres after such default made, if the partie grieued bee of ful age, and if hee bee within age, within two yeeres after that he shall come to his ful age, he shalbe punished by fine & raunsome at the kings will, and satisfie the partie (and as to the restitution of the inheritance desired by the saide Commons, the party grieued shall sue by writ or otherwise, according to the law, if hee see it expedient for him) Anno 8. R. 2. cap. 4.

Iudge Clerke

Infant

Restitution

5 ¶ When any Statute merchant is certified into the Chancery, and thereupon a writ awarded to the sherife, & returned into the common place, and the Statute there once shewed, that howsoeuer the processe after the same shewing bee discontinued, that at what time the party sueth to haue the processe recontinued, & to haue execution of the statute marchant aforesaide: that the Iustices of the Bench where the statute was once shewed, may vpon the same record, make and award ful execution of the statute merchant, without hauing the sight or shewing therof at any other time after, & ỳ this statute holde place of all statutes marchants not fully executed at this time. An. 5. H. 4. ca. 12.

Execution

6 ¶ Whereas diuers persons within this Realme of Englande in times past, oftentimes haue bene taken and arrested by diuers Shirifes and other Officers of our Soueraigne Lorde the King by writtes, as well going out of the Chancery of our Soueraigne Lorde the King, as of his noble progenitors, for to haue execution of diuers recognisances made before the Maiors of the Staple of diuers summes, of which summes such persons, to whome the duetie belonged, had no cōuenient remedie, other then the saide executions, which persons thereby taken & arrested for execution of the same recognisances, bee oftentimes come in by diuers writs de corpus cum causa, before the king in his Chauncery out of prison, in ỳ which they be so kept, because of such executions, and there they doe sue, shewing forth diuers indentures & other things, in defesance of such recognisances, desiring writs of Scire facias, to warne the partie or parties, at whose sute they bee taken and arrested to aunswere vpon the same. And thereupon, by surety founde to the king in his Chancery, haue bēn deliuered out of prison, notwithstāding their said arrest for the executions of such recognisances, as aboue is saide, ne surety found to the recognisees, to whome they be so bound, to satisfie them of their duetie, in case that the matters compriſed within the saide writtes of Scire facias be not found nor adiudged for ỳ recognisors

Sureties

thereby bound, whereby the said recognisees haue beene sometime greatly delaied of their execution, & sometime their execution vtterly lost, & in time to come likely to be lost, because that no aduantage nor anaile thereof might come, be or grow to the said recognisees to whom such persõs be so bound, by the said surety so found to the king, because that the same person so bound, by the kings pardon, might be acquit and discharged for euer: Our Soueraigne lord the king considering that the said recognisees to whome persons bee bound, be often times without remedy, if so be the said recognisors would not pursue forth their said writtes of Scire facias with effect, or otherwise, that ẏ matters of their said writs of Scire facias be found or adiudged against them, and thereupon they withdrawe them to places priuileged, or eloine them out of the Realme, or else they would not appeare, so their bodies might be taken & put in execution, to the great hinderance and vndoing of such recognisees in time to come, and also because that the king is inherited of ẏ price of such sureties to himselfe by the course of the Chancery, the king will frõ hencefoorth that such sureties be made seuerally aswel to the king as to the party. An. 11. H. 6. cap. 10.

Maior of the staple Constable

7 ¶ Forasmuch as the Maiors of the Staple in diuers places of this Realme, where any Staple is kept, in the presẽce of the Constables of the same Staple, before this time, haue and might lawfully take recognisãce or knowledge for debts, only concerning & touching the marchandize of the same staple, betwixt merchãt & merchant of the same staple, according to diuers laudable statutes & prouisions before this time had, ordeined and made. Which Maiors & Constables, many and sundry times since the making of ẏ same estatute haue taken diuers recognisãces & knowledges of diuers of the kings subiects for debts, surmising the same knowledge or recognisance to be made for surety of payment of summes of money for such wares as were or bin bought in the same staple: where of trueth the same recognisance did not in any wise touch or concerne the merchandize of the same, ne also the parties, that is to saye, the cognisor, ne the cognisee that did knowledge & take the same recognisances, were merchants of the same staple: which recognisãces & knowledges takẽ in forme aforesaid, are not only clere contrary to ẏ true meaning & intent of the same former statute, but also thereby diuers great & sundry inconueniences, dammages and deceipts, do daily rise & growe to diuers of ẏ subiects of our said Soueraigne Lord the king, by reason of the misusing of ẏ same. And forasmuch as the kings highnesse of his most high wisedom, perceiueth ẏ misusing & execution of the same to be cõtrary to ẏ forme of the said former estatutes: Therfore his pleasure is, that some true, lawfull, & reasonable bond for surety of payment of the saide debts of his subiects, shalbe made and deuised by true and iust meanes which in it selfe may & shall purport right & equitie, and also consonant to reason: In consideration whereof, by the assent &c. it is &c. that from the first day of Aprill next comming, the chiefe Iustice of the kings Bench, & the chiefe Iustice of the Common place, which now be, or at any time hereafter shalbee, and euery of them by himselfe, & in their absence out of the terme, the Maior of ẏ staple at Westminster, & the Recorder of the citie of Lõdon for the time being, ioyntly together by their discretion, shal haue ful power & authoritie to take recognisãces or knowledges of euery of the kings subiectes for the payment of debts, according to such formes as hereafter ensueth.

Chiefe Iustice of both benches

Maior of the staple Recorder of London

Nouerint vniuersi per præsentes nos A. B. & C. D. armig' teneri & firmiter obligari Iohanni at Stile, in C. li. sterling, soluendum eidem Iohanni aut suo certo atturnato hoc scriptum ostend' hæred' vel executoribus suis, in tali festo &c. proxime futuro post datum præsentium. Et si defecero vel defecerimus in solutione debiti prædicti volo & concedo, vel sic, volumus & concedimus quod tunc currat super me, hæredes & executores meos, vel super nos & quemlibet nostrum, hæred' & executores nostros pœna in statuto stapulæ de debitis pro merchandisis in eadem emptis recuperand' ordinata & prouis. Dat. tali die, Anno regni regis &c. And that euery obligation that shalbee made, as is aforesaid, and acknowledged before any of the chiefe Iustices, or the saide Maior and Recorder, according to this acte, shalbee sealed with the seale of the partie or parties, that shall recognise or knowledge the same, and also with such Seale as the kings highnesse shal ordeyne and appoint for the same, and with the Seale of one such of the said Iustices, or with the seales

Seales

of

of the said Maior & Recorder, & with his or their name or names subscribed, that so shal take ỳ same recognisance or knowledge: And that euery of the saide two Iustices, & the said Maior and Recorder shal haue the custodie of one such seale by the kings highnes to be appointed, with one like print, scripture & fashion, which shall seuerally remaine with them to the intẽt aboue rehearsed. And further be it &c. that such an honest & discrete person as shal be assigned by the kings highnes, or the sufficiẽt deputie or deputies of the same person so to be assigned, shal make & write al such obligations as shal be knowledged & recognised by authoritie of this act, & shall cause the same obligations recognised and knowledged in forme as is aboue said, to be inrolled in two seuerall rolles indented, whereof one shall remaine with such of the said Iustices, or with the said Maior & Recorder, that so shall take the same recognisance in forme aforesaide, & the other rolle with the writer therof, appointed for the same. And that the said person by the kings highnes to be appointed for making, writing, & enrolling such obligations, or his sufficiẽt deputie or deputies, shalbe dwelling or abyding in the saide citie of London, vpon paine to forfait for euery time that he and his deputie shalbe absent by the space of two dayes x.li. And further it is, &c. that the said person so to be assigned by ỳ kings highnes, to write, make, & enroll such obligations, or his sufficient deputy or deputies, at the request of the creditours their executors or administratours, shal certifie such obligatiõs, as shalbe taken & recognised by authoritie of this act into ỳ kings court of Chancery, vnder the seale of the saide person so to be appointed for writing, making, and enrolling such obligations. And that euery person and persons, to whome any such obligation shalbe made, acknowledged, & enrolled, as is aforesaid, their executors, administrators, & the executors & administrators of euery of them, for default of payment of the debts conteined in such obligations, shall haue in euery point, degrée, & condition against the said recognisour & recognisours, & euery of them, their heires, executors & administrators, & the heires, executors & administrators of euery of them, like processe, execution, commoditie, & aduantage in euery behalfe, as hath been vsed and accustomed before this time, to be had, done, or made, of and vpon any obligation of the statute of the staple, and vnder such maner & forme as is for ỳ same statute of the staple prouided, paying for such processe & execution to be had, such like fees as is accustomed for proces & execution to be had vpon obligations of the same statute of the staple & not aboue. And that euery such perso & persons, that shalbe bounden or otherwise grieued by vertue of any obligatiõ to be made by authoritie of this acte, shall haue the like remedy by Audita querela, and all other remedies in the lawe, that they might haue had in case they had been bounden by obligation of the statute of the staple. And ỳ euery such person and persons, that shall haue processe for execution to bee had, by reason of any such obligation to bee made & knowledged according to this act, shall pay to the kings highnes, his heirs or successors, at the time of ensealing of the proces for the execution to bee had, one halfe peny for euery pound that shalbe conteined in the obligation, whereof execution shalbe required, & not aboue. And ỳ euery such person & persons, that shall happen to haue any execution of any lands, tenements or hereditaments, by reason of any such obligatiõs to be made & knowledged as is aboue said, their executors, administrators or assignes, & the executors, administrators & assignes of euery of them, if they or any of them bene put out or dissesed, shal haue like remedy in euery point & condition, as persons hauing execution in & vpon any statut of the staple after execution of them had, may, or might haue, by vertue of the said writing obligatorie of the statute of the staple, & execution of the same. And further be it &c. That euery of the said Iustices & the saide Maior and Recorder before whome any such obligations shalbe recognised, shal take for euery knowledge of euery one such recognisance iii.s.iiii.d. & not aboue. And ỳ clerke that shal write, make, & inrolle the same obligations, iii s.iiii d. And for the certificat of euery one such obligation, xx d. And if any of the said Iustices, Maior, recorder or clerke, take of any of ỳ kings subiectes, aboue the sum or summes to them limited by this estatute, that then the said Iustices, Maior, Recorder, or clerke, that so shall take contrary to the forme aforsaid, shall forfait for euery time so offending fourtie pounds. And further it is &c. that from the said first day of April, no Maior or Constable of the staple, for the pay-

Stale

Clerke

Enroll

Fo.

Certifie Chancery

Default of payment

Proces

Audita querela

Halfe peny

Execution

Iustices Maior Recorder

iii.s.iiii.d. Clerke

iii.s.iiii.d. Certificate

xx.d.

ment of any summe or summes of money, take any knowledge or recognisance of the said statute of the Staple, of any of ỹ kings subiectes, vpon paine to forfait for euery time so offending xl.li. the one moitie of all & singuler the saide penalties to be to the kings highnes, & the other moitie to the party that wil sue for the same. For the recouery whereof, the party that will pursue, shall haue his remedy by information, action of debt, bill, or plaint, in any of the kings courts, in which no essoine, protection, nor wager of law shalbe admitted. Prouided alway that this acte nor any thing therein conteined, be in any wise prejudicial or hurtfull to any Maior & Constables of the Staple, for any bonde or writing of the statute of the staple to be taken or receiued betweene merchãts being free of the same Staple, for merchandize of the same staple betwixt them lawfully bought and solde.

Forf. Moitie Merchants

Prouided also & be it further enacted, that al recognisances before this time taken before the Maior & Constables of any the said Staples, wherof the summes now be not pated, or otherwise contẽted, lawfully auoided or discharged by ỹ law, shalbe as good and effectuall, as though they had beene verily made for merchandize of the same staple, and betwixt merchant & merchant of the same staple, and as they should haue bẽne if this acte had neuer bin had ne made. An. 23. H. 8. ca. 6.

¶ Recordes.

Iustices Records

Iustices of assises, gaole deliuery, and of oyer and terminer, shall send all their records and processes, determined and put in execution, to the Exchequer at Michaelmas euery yere once, to be deliuered there, and the Treasourer & Chamberlaines, which for the time shal be, hauing the sight of the commissions of such Iustices, shal receiue the same records & processes of the saide Iustices vnderneath their seales, and keepe them in the treasurie as the maner is. So that the Iustices alwayes do first take out the estreats of the saide records & proces against them to sende to the Exchequer as they were wont before. An. 9. E. 3. ca. 5.

Exchequer Estreates

¶ Recoueries.

WHereas diuers, aswell noble men as other the kings subiectes haue suffered recoueries against them of diuers their manors, lordships, lãds & tenemẽts, for the performance of their willes, or for the suretie of their wiues ioyntours, or for the ioyntour of sonnes & heires apparant, & their wiues, or for any other person or persons, according to their couenants & agreements, & those persons that so haue recouered the said manors by the course of the cõmon lawe, had no remedy nor may haue to compell the fermer, freholders, & tenant, which holde of the same manors by ỹ rents, seruices, or customes, to attorne to them, nor could by the order of the lawe attaine to the rẽts, seruices or customes, (if they were denied) by distresse or action, without they could once attaine to the possession of the same rẽts, seruices & customes, by paying or doing the said rents, seruices or customs by the same freholders, fermers and tenants, which ought to do, diuers & many of them haue oftentimes refused, & yet doe, to the great offence and charge of their conscience, not onely to the disheritance of the saide recouerers, but also in breaking of the last willes of them against whome such recouery is had, & also to the disheritãce of the said husband, wiues, & other to whose vse the same recouery was so had. Also if there were any aduowson appendant to any of the said manors, the same aduowson had fallen voide, and a stranger had presented, the said recouerers, nor they to whose vse the same recouieries were had, had no remedie for the same disturbance, & sometime thereby they haue bẽne disherited: Be it therefore enacted &c. that the recouerers in all such recouieries, their heires and all assignes may from henceforth distraine for the foresaid rents, seruices and customes, so being due & vnpaide, & make auowrie or iustifie the same, as those persons against whome the saide recouery is, should haue done, if the said recouery had not beene had, and also haue like remedy for the recouering of the saide rent, seruices and custome by auowrie: And also Quare impedit for the said aduowson, if any disturbance be made, as those persons against whome the saide recouieries were had, might or should haue had by ỹ course of the common lawe, afore the saide recouery, if any such rentes, seruices or customs had bin denied them, or any such disturbance had bin had in their times. And also that euery auowant, and euery other person or persons that maketh auowrie, recognisance

Attorne Aduowson Heires Distraint Auowry Quare imp.

recognisance or knowledge, or iustifie, as bailife to any other person or persons in any replegiary, second deliuerance for any rent, custome or seruice, if their auowrie, conysance or iustification be found for them, or the plaintifes in the said actions, are otherwise barred, shall recouer their dammages and costes that they haue sustained, as the plaintife should haue don, if they had recouered in the saide replenins. Anno 7. H. 8. cap. 4.

Damages
Costes

2 ¶ Where afore this time diuers persons haue made leases of their manours, lands, tenements, & other hereditaments, sometime by their indentures, and sometime without writings, to other persons for terme of yeres, taking of them great fines for the incomes of the same Leases, and after the same leassours, their heires or assignes haue caused & suffered recoueries to be had against them in the Court of our soueraigne lord the king, and in other lords courts, vpō fained and vntrue title, by craft & couine, to put the said termers from their saide termes: And after such recoueries had, the same recouerers by reason of such recoueries and iudgements, haue entred into the said manors, lands, tenements, & other hereditamēts, so to ferme letten, & thereof haue expulsed the said fermers, contrary to the saide leases, couenants & agreements: And because it was doubted to some persō, whether the said termers might falsifie such recoueries or not: Be it, &c. that all such termers, shal & may falsifie for his terme onely, such recoueries aswell heretofore had, as hereafter to be had in such wise & forme as a tenant of a freeholde shall and may do by the course of the common law, where such tenant of freeholde was neither priuie nor partie to the same recouery. And that the same termers, their executors & assignes notwithstanding such recouery so had, shall retaine, hold & enioy their said termes according to their saide leases, against all such recouerers, their heires and assignes, after such recouery so had. And the said recouerers, shall haue like remedie against ỳ said termers, their executors & assignes, by auowrie or actiō of debt, for the rents & seruices reserued vpon the same leases being due after the same recoueries, and also like actions against them for wast done after the same recoueries so had, in like manner & forme as the said lessours should or might haue had, if the same recouery had neuer bēne had. And also be it, &c. that no manner of statute of the staple, statute marchant, nor execution by Elegit, be hereafter auoided, or in any wise made frustrate by meanes of any such fained recouery, but that all persons hauing any landes, tenements, or other hereditaments by execution, or being entituled to haue execution of any manors, lands or tenements in any such meanes, shal haue by force of this statute like remedy to auoide & falsifie the same recoueries, as before is ordeined and prouided for the Lessee for terme of yeres. An. 21. H. 8. cap. 16.

Termes
Falsifie

Waste

Statute staple
Statute marchant
Elegit

3 ¶ A statute made 32. H. 8. cap. 31. for the auoiding of recoueries by collusion against tenants for life, out of the meaning whereof because there were sundry euasions, another statute more strict was made, Anno 14. Eliz. cap. 8. which is after 5. and this repealed.

4 Where diuers of the kings most noble progenitors, & specially the king our soueraigne Lorde most liberally aboue al other hath giuen and graunted or otherwise prouided to his and their louing and good seruants & subiects aswell nobles as other, manors, meases, lands, tenemēts, seruices, and hereditaments, to them & to their heires males of their bodies, or to ỳ heires of their bodies lawfully begotten, minding at the time of such giftes not only to preferre & aduance presently the donées, but also their heires in blood of their bodies, according to the limitation of the said giftes. to the intent that the recompence for the seruice of such donées, should not only be a benefite for their owne persons, but a continuall profite and commoditie to and for their heires comming of their bodies, whereby such heires should haue in speciall memory and in daily remembrance, the profit that they haue and take by the seruice of their auncestors done to the kings of this Realme, & thereby be the better encouraged to doe like seruice to their Soueraigne Lorde as to their dueties or allegeance apperteineth. And forasmuch as sundry such donées in taile & their heires haue suffered & dayly suffer by their consents vntrue and fained recoueries to be had against them with cōmon voucher or otherwise, of manors, meases, lands, tenemēts or hereditamēts so giuen, granted, or prouided in taile by the kings Maiesty, or by his noble progenitors, as is aforesaid, to ỳ intent by fraud, couine, and vndue meanes not onely to

Donées in taile
Voucher
Fraude

binde and defeate their heires inheritable by the limittation of such giftes, but also the king of his prerogatiue, wardship, primerseison, and other his rights, whereby questions & diuersities of opinion haue risen, and yet bee, whether such feined & untrue recoueries against such tenants in taile, by their owne consents of lands, tenements, or hereditaments, whereof the reuersion or remainder is in the king at the time of such recouerie or recoueries had, should after the death of the tenant in taile, binde the heires in taile or not: For plaine declaration whereof, and to auoid and extinct from henceforth diuersities of opinions in such cases, Be it &c. that no such fained recouery, hereafter to be had by assent of parties against any such tenant or tenantes in taile of any landes, tenements, or hereditamentes, whereof the reuersion or remainder at the time of such recouerie had, shall bée in the king, shall binde or conclude the heires in taile, whether any condition, or voucher bee had in anie such fained recouerie or not, but that after the death of euery such tenãt in taile against whom any such recouery shalbee had, the heires in taile maie enter, haue, and enioy the lands, tenemẽts & hereditaments, so recouered according to the forme of the gift of entaile: the saide recouerie or anie other thing or things hereafter to be had, done, or suffered, by or against any such tenant in taile, to the contrary notwithstanding. And be it, &c. that the heires of euery such tenant in taile, against whom anie such fained recouery shalbe had, shal take none aduantage, for anie recompence in value against the voucher nor his heires.

Tenant in taile

Heires

Enter

Heire

Voucher

Prouided alwaies that this act nor any thing therein conteyned, be in anie wise preiudicial or hurtful to ỹ lessée or lessees of any such tenant in taile made, or to bee made by writing indẽted of any manors, lands, tenementes or hereditamentes for terme of one & twenty yeeres, three liues or vnder, whereupõ the accustomable rẽt or rentes, or more, is, or shalbe reserued yerely during ỹ said terme or termes, but the same lessee or lessees shall & may haue and enioy his or their termes and terme therein against the heire & heires of euery such tenãt in taile, according to the tenor, purport, & effect of the statute made in the xxiij. yeere of the reigne of our Soueraigne Lord king Henry the eight, (See cap. 31. before 3.) any thing in this act cõteyned, to the contrary thereof notwithstanding. An. 34. H. 8 cap. 20.

Leases

Where diuers persons being seised, or that had bẽn seised of landes, tenements, and hereditaments, as tenants by the curtesie of England, tenants in taile after possibilitie of issue extinct, or otherwise, onely for terme of life or liues, or of Estates determinable vpon life or liues, haue heretofore permitted and suffered other persons by agreement or couin betwéene them had, to recouer the same lãds and tenements, and other hereditaments against the same particular tenants in ỹ Quéenes Maiesties Court, or haue permitted and suffered themselues to be vouched by other persons, by agreement or couine betwéene them had in recoueries suffered of the same landes, tenements, & other hereditamẽts, in the Quéenes Maiesties court, to the great preiudice of those to whome the reuersion or remainder thereof hath appertained, or ought to appertaine:

Tenant by curtesie

Tenant in taile

Life

Couin

For remedy whereof be it enacted, that all such recoueries hereafter to be had or prosecuted by agreement of the parties, or by couin, as is aforesaid, against any such particular tenant of any lands, tenemẽts, or hereditaments, wherof the same particular tenant is, or hereafter shalbe seised of any such particular estate, as is aforesaid, or against any other with voucher ouer of any such particular tenant, or of any hauing, or ỹ had right or title to any such particular estate or tenancy, as is aforesaid, shal from henceforth, as against such person or persons to whõ any reuersion or remainder thereof, by force of any conueiance or deuise before ỹ time had or made, shal, ought, or lawfully may appertaine, & against their heirs & successors, be clerely & vtterly void & of none effect: any law or vsage heretofore had to ỹ contrary thereof in any wise notwithstanding.

Voucher

Void

Prouided alway, that this act, nor any thing therin contained, shall extend, or be preiudicial to any person or persons, that shall hereafter by good title recouer any lands, tenements, or hereditamẽts, without fraude or couine, by reason of any former right or title: but that all and euery such recouery & recoueries, so to be had or prosecuted vpon former rightes or titles, shal stand & be in like force, strength and effect, as they were before the making of this act: any thing herein conteined to the contrary in any wise notwithstanding.

Former right

Pro-

Prouided alſo, that all and euery ſuch recouery & recoueries, to be had or proſecuted of any lands, tenements, or hereditaments, as aforeſaide, by the aſſent and agreement of any perſon or perſons, to whome any reuerſion or remainder therof, then ſhall or ought to appertaine, (ſo that the ſame aſſent and agrément doe appeare of record in any Court of our ſoueraigne Ladie the Quéenes Maieſtie, her heires or ſucceſſours) ſhall ſtand and be in like force, ſtrength, & of like effect, againſt ſuch perſon and perſons that ſhall ſo aſſent and agree, their heires and ſucceſſours, as they were before the making of this act: any thing herein contained to the contrarie in any wiſe notwithſtanding.

Reuerſion Remainder

Be it further enacted by the authoritie aforeſaid, that one acte made in the xxvii. yeere of our late Soueraigne Lorde king Henry the eyght, entituled, an act for the auoiding of recoueries by colluſions, by tenants for terme of life, (See Anno 32. H.8.cap.31.before 3.) ſhall bee from the firſt day of July nert enſuing (See Anno 1572.) repealed, and ſhall no longer ſtand in force. Anno 14. Elizabeth cap. 8.

Repealed

¶Rediſſeiſin.

Freehold Iuſt. in eyer Aſſiſe

IF any be diſſeiſed of their freeholdes, & before the Juſtices in eyre, haue recouered ſeiſin by aſſiſe of nouel diſſeiſin, or by confeſſion of them which did the diſſeiſin, and the diſſeiſee hath had ſeiſin deliuered by the Shirife, if the ſame diſſeiſours after the circuite of the Juſticers, or in the meane time haue diſſeiſed ẏ ſame plaintife of the ſame freeholde, and thereof be conuict, they ſhalbee forthwith taken and kept in the kings priſon, vntill the king hath diſcharged them by fine, or by ſome other meane. And this is the forme how ſuch conuict perſons ſhall bee puniſhed: when the plaintifes come into the Court, they ſhall haue the kings writ directed to the Shirife, in which muſt bee contained the plaint of diſſeiſin don vpon diſſeiſin. And then it ſhalbee commaunded to the Shirife, that hee taking with him the keepers of plées of ẏ kings crown and other lawfull knights, in his proper perſon, ſhal go vnto the lande or paſture, for which the plaint hath been made: And that hee make by the Iurours and other neighbours and lawfull men, diligent inquiſition thereof. And if they finde him diſſeiſed againe (as before is ſaid) then let him doe according to the prouiſion afore mentioned. And if it be found otherwiſe, the plaintife ſhalbe amerced, & the other ſhall go quite, neither ſhal the ſhirife execute any ſuch plaint without ſpeciall cõmaundement of the king. In the ſame maner ſhalbe done to them that haue recouered their ſeiſin by Aſſiſe of Mortdanceſtour. And ſo ſhall it be of all lands and tenements recouered in the kings court by enqueſtes, if they be diſſeiſed after by the firſt deforceours, againſt whom they haue recouered in any wiſe by enqueſt. Merton.cap.3.An.20.H.3.

Imp. Deliuer Fine Shirife Amerce Puniſh

Amerce Mortdanceſtor Enqueſt

2 ¶They which be taken and impriſoned for diſſeiſin, ſhall not be deliuered without ſpeciall commaundement of the king, and ſhall make fine with the king for their treſpas. And if it be founde, that the Shirife deliuereth any contrary to this ordinance, hee ſhalbee grieuouſly amerced therefore. And neuertheleſſe they which are ſo deliuered by ẏ Shirife without the kings commandement, ſhall be grieuouſly puniſhed for their treſpas. Marleb.9.An.52.H.3.

3 ¶In writs of diſſeiſin from henceforth the double dammages ſhall be awarded, and the rediſſeiſours ſhall not be repleuiable hereafter by the comon writ. And like as in the ſtatute of Perton the ſame writ was prouided for ſuch as were diſſeiſed after they had recouered by aſſiſe of nouel diſſeiſin of Mortdanceſtour, or other Juries, euen ſo from henceforth the ſame writ ſhal further hold place for them that haue recouered by default, reddition, or otherwiſe, without recognition of Aſſiſes or Juries. W.2.cap.26.

Double dammages Nouel diſſeiſin Recouer Default

¶Reliefe.

IF any of our Earles, or Barons, or any other our tenants, which holde of vs in chiefe by Knights ſeruice, dye, and at the time of his death, his heire is of full age, & oweth to vs reliefe, he ſhal haue his inheritance by olde relief, that is to ſaye, ẏ heire or heires of an Earle for an whole Earledome one hundreth pound, the heire or heires of a Baron for an whole Barony, one hundreth marke. The heire or heires of a Knight for one whole Knights fée, one hundreth ſhillings at the moſt. And he that hath leſſe, ſhall giue leſſe, according to the cuſtome of the fées. Magna charta capitulo 3.

Tenants Chiefe Knights ſeruice Heire Reliefe Earle Baron Knight Knights fee

¶Religion.

ALl and euery determination, declarations, decrees, definitiõs. resolutions, & ordinances, as according to Gods word & christs Gospel, by his Maiesties aduise & confirmation, by his letters patentes vnder his graces great seale, shal at any time hereafter be made, set forth, declared, decréed, defined, resolued, & ordeined by the saide Archbishops, Bishops and doctors now appointed, or other persons hereafter to be appointed, by his royall Maiestie, or else by the whole clergie of England, in & vpon the matter of Christes religion & the Christian faith, & the lawfull rites, ceremonies & obseruations of the same, shalbe in all & euery point, limitation & circumstance thereof, by al his graces subiects, & other resiants and inhabitants within this his graces realm, & other his graces dominions, fully beléued, obeyed, obserued & performed to al purposes, intents, constructions and interpretations, vpon the paines & penalties therin to be comprised, as if the same determinations, declarations, decrées, definitions, resolutions and ordinances, and euery of them, with the paines & penalties therein comprised had béene, were, or should be by expresse wordes, termes and sentences plainly & fully made, set forth, declared, rehearsed and conteined in this present acte: Any vse, custome or statute heretofore vsed, obserued, or accustomed, to the contrary thereof in any wise notwithstanding. Prouided alwaies that nothing shalbe don, ordeined, defined, or prouided by authoritie of this act, which shal be repugnant or contrary to the lawes & statutes of this realme: any thing in this act, conteined to the contrary thereof notwithstanding. An. 32. H. 8. cap. 6.

Archbishops Bishops

Repugnant

¶Rents.

SEe Monasteries 10. that vpon letters patents made of lãds of Monasteries, there must be reserued to the king the tenth part of the value.

2 ¶Forasmuch as by the order of the common lawe, the executors or administrators of tenants in fée simple, tenants in fée taile, & tenants for terme of life, of rent seruices, rent charges, rent seckes, & fée fermes, haue no remedy to recouer such arrerages of the saide rents, or fée fermes, as were due vnto their testators in their lines, nor yet the heirs of such testator, nor any person hauing the reuersion of his estate after his decease, may distraine, or haue any lawful action to leuie any such arrerages of rents or fée fermes, due vnto him in his life as is aforesaid, by reason wherof the tenants of ỳ demeane of such lands, tenemẽts or hereditamẽts, out of the which such rents were due and payable, who of right ought to pay their rents & fermes at such dayes & termes as they were due, do many times kéep, hold, & retaine such arrerages in their owne hands, so that the executors & administratours of the persons to whome such rents or fée fermes were due, cannot haue or come by the said arrerages of ỳ same towards the payments of the debts, & performance of the will of the said testators: For remedy whereof be it &c. that the executors & administratours of euery such person or persons, vnto whome any such rent of fée ferme is or shalbe due, and not payed at the time of his death, shal & may haue an action of debt for all such arrerages against the tenant or tenants that ought to haue payed the saide rent or fee ferme, so being behinde in the life of their testator, or against the executors or administrators of the said tenants. And also furthermore it shalbe lawfull to euery such executor and administrator of any such person or persons vnto whome such rent or fée ferme is or shalbe due, and not payed at the time of his death as is aforesaid, to distraine for the arrerages of all such rents & fee fermes, vpon the landes, tenements, & other hereditaments, which were charged with the payment of such rents or fée fermes, and chargeable to the distresse of the said testator, so long as the said lands, tenements, or hereditaments, continue, remain, & be in the seison or possession of the said tenant in demeane, who ought immediatly to haue payde the saide rent or fée ferme so being behinde to ỳ said testator in his life, or in the seison or possession of any other persõ or persons claiming the said lands, tenements & hereditaments, only by & from the same tenant by purchase, gift, or discent, in like maner and forme as their said testator might or ought to haue done in his life time. And ỳ said executors & administrators shall for the same distresse lawfully make auowry vpon their matter aforesaid. Prouided alway that this acte, nor any thing therein con-

Heire

Distreine

Tenants

Executors Administrators

Arrerages

Action of debt.

Distreine

Auowry

Wales

conteined, shal not extend to any such manour, lordship, or dominion in Wales, or in the marches of the same, wherof the inhabitants haue vsed time out of minde of man to pay vnto every lord and owner of such lordship, manour, or dominion, at his or their first entry into the same, any sum or summes of money for the redemption and discharge of al dueties for forfeitures and penalties wherewith the said inhabitants were chargeable to any of the saide lords, aunceſters, or predeceſſours before his said entrie. And further be it &c. that if any man which nowe hath, or hereafter shall haue in the right of his wife, ante estate in fee simple, fee taile, or for terme of life, of or in any rentes of fee farmes, and the same rents or fee farmes now be or hereafter shal bee due, behinde and vnpayed in the said wiues life: then the sayde husband after the death of his saide wife, his executors, and administrators, shall haue an action of debt for the saide arrerages against the tenant of the demeane that ought to haue paied the same, his executors, or administrators. And also the said husbande after the death of his sayde wife, may distreine for the said arrerages in like maner and forme as he might haue done if his said wife had bẽn then liuing, and make auowrie vpon his matter as is aforesaid. And likewise it is &c. that if any person or persons, which now hath, or hereafter shal haue any rents or fee farms for terme of life or liues of any other person or persons, & the said rent or fee farme nowe bee, or hereafter shall bee due, behinde, and vnpayed in the life of such person or persons, for whose life or liues the estate of the saide rent or fee farme did depend or continue, and after the saide person or persons doeth die: Then hee vnto whom the said rent or fee farme was due in forme aforesaide, his executors and administrators, shall and may haue an action of debt against the tenant in demeane that ought to haue payed the same when it was first due, his executors, and administrators, and also distreine for the same arrerages vpon such landes and tenements, out of the which the saide rents or fee farmes were issuing and payable, in such like maner and forme, as he ought or might haue done if such person or persons, by whose death the aforesaide estate in the saide rents and fee fermes was determined and erpyred, had bene in ful life and not dead: And the auowrie for the

wife

Action of debt

Distreine

Auowrie

Action of debt

Distreine

taking of the same distresse, to be made in maner and forme aforesaid. Anno 32. H. 8 cap. 37.

¶Repeale.

ANno 1. Ed. 3. ca. 2. the repeale that was made for the exile of the Spencers, was annulled, and the exile to stande in his force, &c.

2 ¶Anno 15. Ed. 3. a statute was made conteining sire articles, but it was repealed by another Parliament holden in that yere.

3 ¶Where as it was ordeined at the last parliament for victualles & apparell, and that no English marchant should vse but one kind of marchandize: It is accorded that al people shall bee as free as they were in auncient time before ỳ said ordinance, and namely as they were in ỳ time of the grandfather of our soueraigne lord the king and his other good progenitours. An. 33. E. 3. cap. 2.

Victaile Apparell Marchant

4 ¶Anno 21. R. 2. cap. 13. it was enacted that the iudgement giuen against the Earle of Suffolke in 10. R. 2. should bee repealed, and his heyres restored, but this Parliament of An. 21. R. 2. was repealed by 1. H. 4. cap. 3.

5 ¶By An. 1. H. 4. cap. 3. the Parliament holden in An. 21. R. 2. and al the circumstances and dependances thereof bee repealed.

6 ¶Anno 39 H. 6. cap. 1. the Parliament holden at Couentry in An. 38. H. 6. and all statutes made in the same Parliament, were repealed.

7. ¶The sayd pretended Parlyament (See holden An. 9. E. 4 and Anno 49. H. 6. and An. 1. of his redemption) with all the continuances and circumstances depending vpon the same, bee voide & of none effect. And that all acts, statuts, ordinances, treats, communications, conuentions, & worckings in the saide pretensed Parliament, treated, cõmuned, accorded, wrought, had, or by the authority of the same Parliament enacted & ordeined, and all exemplifications made vpon the same, or ante part of them and euery of them shalbe reuersed, cancelled, voide, vndone, reuoked, repealed, and of no force nor effect. Anno 17. Ed. 4. cap. 7.

Voide

8 ¶If the Imperiall crowne of this realm, after the decease of the kings most royal Maiestie (whose life our Lord de long preserue) discend, come or remaine to the heires

Crowne

heires of our said soueraigne lord, or to any person to bee limited by his Highnes, as of very right it must & ought to doe, according to the lawes of this Realme established for the same, the said heires or such person being within the age of foure and twenty yeeres, and that then any acte or acts of parliament shal happen to be made and established in any Parlyament, that then shall bee holden before such heire or heires, person or persons then being in possession of the saide Crowne, shalbee of their ful ages of foure and twenty yeres, that then euery such heire or heires of our saide soueraigne lord, or such person so possessed of the crowne, and being within the same age of foure & twenty yeres, shal haue ful power and authority at all times after they shal come to their said full ages of foure and twenty yeeres, by their Letters Patents vnder the greate Seale of England, to reuoke, annul, & repeale all & singuler such actes, made and established by their royall assents in any parliament during the time that they were within their said age of foure and twenty yeres, their royall assents had to the same, during the time that they were within the said age of foure & twenty yeeres, or anie act or acts hereafter to be made to the contrary thereof notwithstanding. And be it ec. that euery such repeale, annullation, & reuersing of any acte or acts that shall bee made and established in any Parliament holden before the time that such heires or persons possessed of the crowne, shalbee of the saide age of foure and twenty yeeres, shalbe as good and effectual to all intents and purposes, as though it had bene done by authoritie of Parlyament. Anno 28. H.8.cap.17. This act is repealed by 1.E. 6.c.11. as here next following appeareth.

Heires with in age

xviii. yeres

L. patents Reuoke

Repealed

9 The saide acte of Parliament aboue recyted, made in the said xviii. yere of the reigne of the saide late king (cap.17. before 8.) and euery worde, article, clause, matter, sentence, and thing therein specified and conteined, shall by authoritie of this present Parlyament, bee to all intentes, constructions and purposes, vtterly void, annulled, repealed, and of none effect, and as though the same had neuer beene had ne made. Neuertheless, to the intent the kings maiestie our Soueraigne lord may haue power, authority, preheminence and prerogatiue at his full age of xviii. yeres, or any time after at his liberty & pleasure to repeale al statutes and acts of Parliament, aswel made in this present Parliament, as hereafter in any other Parlyament to bee holden before he shal accomplish ỳ said age of xviii. yeres, to be made or ordeined according to the true intent & meaning of the makers of the said former Statute. Bee it further ec. that our sayde Soueraigne lord the king that now is, at his full age of xviii. yeres, or at any times after, and all and euerie heire and heires of the said late king and other person and persons to whome the Imperiall crowne of this Realme shall hereafter discende, come or remaine by the appoyntment of the saide late King in that case provided and made (then being within the age of foure and twentie yeeres) shall haue full power and authoritie by vertue of this present acte (at all tymes after he or they shall come to his or their full age of xviii. yeeres, by his or their Letters Patents, vnder the great seale of Englande) to repeale all and singuler act and acts, or anie of them, as he or shall be made or established by his or their royall assents in anie Parliament holden, or to bee holden during the time that hee or they was, were or shall bee within the saide age of foure and twentie yeeres, other then this present acte of Parliament, and other then all pardons graunted and to be graunted within the saide seuerall ages of foure and twentie yeres by authority of parliamēt, so that the same repeale be made and vsed in maner and forme hereafter following, that is to say, that euery such letters Patents of repeale, shall conteine all such acts as shalbe repealed, & shalbe solemnly and openly proclained in the kings court of Chancerie, betweene the houres of nine and tenne before noone, at three seuerall daies, in euerie seconde of the iiii. vsuall Termes to be holden at Westminster, or elswhere, within this realm of England, and also one time in euery county of this Realme and in Wales, at the seuerall assises to bee holden in the same seuerall counties, betwixt like houres, & that then after fortie daies next after such proclamation in al & euery place & county aboue said so had & made, the said letters patents of repeale to take their force, strength and effecte, and not before, or from any other time or season, nor in any other maner or forme. And that all and euery such act and acts aswell made in this Parlyament as hereafter to bee made within the said age of xviii. yeres, of our soueraigne Lord the kings

Repeale

Pardons

L. patents

Proclaime Chancery

County Wales

Forty days

Voide

kings

kings Maiesty that now is, in the time of any of the said heire or heires, or other the said person or persons, then being in possession of the Imperiall crowne of this realme, and vnder the age of xviii. yeres, shalbe good & effectual to all intents, constructions and purposes, vntill the sayde letters patents of repeale, proclamatiõs, and forty dayes, shal be so had, made, run, and past, & that all and euery act and acts, thing and things vsed, had, committed, done, suffered, or executed by authority of the said act or acts or any of them, within any of the said ages of xviii. yeres, according to the purport, tenor and effect of the said act or acts or any of them, shal be good and effectuall for euer, the saide repeale so to be made in any wise notwithstanding. And that all & euery person and persons, bodies politike and corporate, shall & may by the authoritie of this present acte, from time to time, aswel after the saide repeale as before, plead or allege for his or their defence, excuse, indemnitie, profit, benefit, or aduantage, all & euery such act or acts, or any of them so reuoked, adnulled, or repealed, or to bee reuoked, adnulled, or repealed, for or concerning, nor in any wise touching any thing or things, had, vsed, graunted, suffered, possessed, committed, done, or agreed, by the authoritie, sufferance, or force of the said act and acts, or any of them, before the reuocation, adnullation, or repealing of the same, in such & as ample maner and forme, as if the saide act or acts so to be reuoked, adnulled or repealed, and euery of them had stand in his and their full strength, force, and effect, & as if the said act or acts had neuer bene reuoked, adnulled, or repealed: any thing in such repeale conteined notwithstanding. Prouided alwaies and bee it &c. that no king nor kings of this realme shall haue authoritie, power and prerogatiue, to repeale any act of parliamẽt or statute that shal bee made in the time of any king before the said age of xviii. yeres, other then such as bee or shall bee made in his owne time: any thing aboue mentioned to the contrary in any wise notwithstanding. An. 1. E. 6. cap. 11.

10 ¶ All clauses, sentences, and articles of euery other statute or act of parliament, made since the said xx. yeere of the reigne of king Henry the viii. against the supreme authority of the Popes holines, or see Apostolike of Rome, or conteining any other matter of the same effect, onely that is repealed in any of the statutes aforesaide, shal be also by authoritie hereof from henceforth vtterly void, frustrate, & of none effect. An. 1. & 2. P. & M. ca. 8. See this in Rome 4. and see there what statutes be repealed expresly.

Pope

¶ Repleader.

FRom henceforth if any issue be tryed by the othe of twelue or more indifferent men, for the party plaintife or demandãt, or for the party of the tenant or defendãt, in any maner of action or sute, at the common law of this realme, in any of ỹ kings courts of Recorde, that then the Iustice & Iustices by whome Iudgement thereof ought to bee giuen, shall proceed and giue iudgement in the same, any mispleading, lacke of colour, insufficient pleading, or Ieofaile, any miscontinuance or discontinuance, or miscohueying of proces, misioyning of the issues, lacke of warrant of atturney for the party against whom the same issue shall happen to be tried, or any other default or negligence of any of the parties, their counsellers or atturneis had or made to the contrary notwithstanding. And the said iudgements thereof so to bee had and giuen, shall stand in full strength and force to all intents and purposes, according to the saide verdict, without anie reuersal or vndoing of the same by writ of error or false iudgement, in like maner and forme, as though no such default or negligẽce had neuer bin had or cõmitted.

Issue

Iustices Iudgement

Mispleading

Ieofaile

Miscontinuance

Discontinuance

Warrant of atturney

Prouided alway, and be it &c. in auoiding of error and other great inconueniẽces that do daily fortune to rise and grow in the kings Courts of Record at Westminster through the negligence of Atturneis, because they deliuer not their warrants of atturney, in such action and sutes wherein they bee named atturnie, according to the lawes of this Realme, that all and euery such person and persons which shall fortune hereafter to bee Atturney, to or for any other person or persons being demaundant or plaintife, tenant or defendant, in any action or sute at any time hereafter commenced or taken in any of the kings said courts, and plead to an issue in the same action or sute: that then the same Atturnies & euery of them from time to time, shall deliuer or cause to bee deliuered his or their sufficient and lawful warrant of Atturney to be entred of Record for euery of the said actions or

Negligence

Warrant

sutes

sutes, wherein they bee named atturneis to the officer or his deputie ordeyned for the receit and entring thereof in the same terme, when the saide issue is entred of record in the said court, or afore, vpon paine of forfeiting vnto our said soueraign lord ten pounds sterling for euery default for non deliuering of the saide warrant of atturney. And also further to suffer such imprisonment, as by the discretion of the Iustices of the court for ỳ time being, where any such default shal fortune to be had or made, shall bee thought conuenient: this present acte with the prouiso, to indure to the last day of the next parlyament. Anno 32. H. 8. cap. 30. This act is continued An. 33. H. 8. cap. 17. and An. 37. H. 8. cap. 23. and after An. 2. E. 6 cap. 22. it is made perpetuall.

Fork.

Imprisl.

¶ Repleuin of Cattell.

Beasts

Shirife

Libertie

Bailifs Shiriffs

IF the beasts of any man be taken, and wrongfully withholden, the Shirife after complaint made to him therunto, may deliuer them without let or gainsaying of him that toke the beastes, if they were taken out of lyberties. And if the beasts were taken within any liberties, and the bailifs of the liberty wil not deliuer them, then the Shirif for default of those bailifs shall cause them to be delyuered. Marlebridge cap. 21.

Distreine Seruice

Withernam Auow

Countie Courts

2 ¶ Forasmuch as the Lords of fées distreining their tenants for seruices and customes due vnto them, are many times grieued, because their tenants do repleuie the distresse by writ or without writ. And when the Lords at the complaint of their tenants, do come by attachment into the countie, or vnto another Court, hauing power to holde pleas of Withernam and do auow the taking good and lawfull: by reason that the tenants disauow & do disclame to holde ought of him (which tooke the distresse) and auowed it, hee that distreined is amerced, and the tenants goe quit to whome punishment cannot be assigned for such disauowing by record of ỳ countie, or of other courts hauing no record. It is prouided and ordeined from henceforth, that where such lords cannot obteine iustice in counties, & such manner of courts, against their tenants, assone as they shalbe attached at the sute of their tenants, a writ shal bee granted to them, to remoue the matter before the Iusticers, afore whom and none other where, iustice may be ministred to such Lords. And the cause shalbee put in the writ, because such a man destreined in his fee for seruice and customes to him due. Neither is this acte preiudiciall to the lawe commonly vsed, whereby it is prohibited, that no plée shal bee moued before Iusticers at the sute of the defendant: For though it appeare at the first face that the tenant is plaintife, & the lord defendant: Neuertheles, hauing respect to that, that the Lord hath distreined and sueth for seruices and customes being behinde, he appeareth indéd to bee rather plaintife then defendant. And to the intent the Iustices may knowe what fresh seisin the Lordes may aduow the distresse good & lawfull vpon their tenants: From henceforth it is agréed and enacted that a reasonable distres may be aduowed vpō the seisin of any ancestor or predecessor, since the time that a writte of Nouel disseisin hath runne. And because it chanceth many times that the tenaunt after that he hath repleuied his beasts, doth sel or alien them, wherby returne cannot bee made vnto the lord that distreined, if it be adiudged:

Writ

Distresse

Shirifes Bailifes

Pledges

Recouerie

Default

Shirife Iudicial writ

It is prouided, that Shirifes or Bailifs from henceforth, shall not only receiue of the plaintifes pledges for the sute, before they make deliuerance of the distres, but also for the returne of ỳ beasts, if returne bee awarded. And if any take pledges otherwise, he shall answere for the price of the beastes, and the lorde that distreineth shall haue his recouerie by writ, that hee shall restore vnto him so many beasts or cattell: And the Bailife be not able to restore, his lord shal restore. And forasmuch as it happeneth sometime, that after the returne of the beasts is awarded vnto the distreiner, and the partie so distreined, after that ỳ beasts bee returned, doth repleuie them againe, and when he séeth the distreiner appearing in ỳ court ready to answere him, doth make default, wherby returne of the beasts ought to be awarded againe vnto the distreiner, and so the beasts bee repleuied twise or thrise, & infinitelie, and the iudgements giuen in the Kings court take no effect in this case, whereupon no remedy hath bene yet prouided: In this case such proces shalbe awarded, that so sone as returne of the beasts shall be awarded to the distreiner, the shirife shalbe cōmanded by a iudiciall writ to make returne of the beasts vnto the distreiner, in which writ it shalbe expressed, ỳ the shirife

shall

shall not deliuer them without writ, making mention of the iudgement giuen by the Iusticers, which cannot be without a writ issuing out of the rolles of the saide Iusticers, before whome the matter was moued. Therefore when he commeth vnto the Iusticers, & desireth repleum of the beasts, hee shall haue a iudiciall writ, that the shirife taking suretie for the sute, and also of the beasts or cattel to be returned, or for ỹ price of them (if returne be awarded) shall deliuer vnto him the beasts or cattell before returned, and the distreiner shalbe attached to come at a certeine day before the Iusticers, afore whom the plea was moued in the presẽce of the parties. And if hee that replemed make default againe, or for another cause returne the distresse being nowe twise replemed, the distresse shal remaine irrepleuiable, but if a distresse bee taken of new, and for a newe cause, the proceese aboue said shalbe obserued in the same new distresse. W. 2. cap. 2.

Suretie

¶ Receit.

Lease

London

Collusion
Default

Terner
Maiors
Bailifs
Inquests

Iudgement

Tenants

IT is prouided also, that if a man lease his lands for terme of yeres within the citie of London, and he to whome the freehold belongeth, causeth himselfe to be impleaded by collusion, and maketh default after default, or commeth into the court, & giueth it vp to make the terner lose his terme, & the demandant obteine his sute, so that ỹ terner may recouer by writ of couenant: The Maior & the Bailifes may inquire by a good inquest in the presente of the terner and of the demandant whether the demandant moued his plea vpon good right that he had, or by collusion and fraud to make the terner lose his terme. And if it be found by the Inquests that the demaundant moued his plea vpon good right that he had, the iudgment shalbe giuen foorthwith. And if it be found by Inquest that he impleaded him by fraude to put the terner from his terme, then shall the terner inioy his terme, & the executiõ of iudgement for the demandant shall be suspended vntil the terme be expired. And in like manner it shal bee of equity before the Iusticers in such case, if the terner doe challenge it afore the iudgement giuen. Gloces. ca. 11. An. 6. E. 1.

2 ¶ Where that any purchaseth a writ against the tenãts by the curtesie, in taile, in dower, for terme of life, or of yeres and the demandant sueth so farre that ỹ lands bee in maner recouered, whereupon another cõmeth in before iudgement giuen, and saith that he hath fee and right in those lands, & prayeth the court, that in asmuch as he is come before iudgement, hee may be receiued to defend his right, & to make aunswere vnto the demandant thereof by force of a certeine statute lately made by the king that now is at Westminster. (S. W. 2. cap. 4. which is in Cui in vita 1. & 2.) whereby as well such as had no right, as they oftentimes in the case afore mentioned, falsy and in deceit of the Court, did come in and pray to bee receiued to make aunswere to the intent that their admission might prolong the demandant from the atteining vnto iudgement, and seisin of his lande, and for to cause those demandants to replead of new, whereby such demandaints are greatlie deferred in the case aforesaid; for to recouer their right in the kings court, by reason of such malice, as well by mistaking of the saide statute, as for any other cause iust and reasonable, and this is vsed and founde daylie before our Iustices: In consideration wherof our Soueraigne Lorde the king, for to withstand all such malice in the foresaide case, and intending to prouide a remedie therein, in his full Parliament hath ordeined, and from hencefoorth commandeth straightly to be obserued, that is to witte, the Mundaye next after the feast of the Purification of our Lady, the twentieth yere of his reigne, that if any before iudgment in the foresaide case, commeth in by a collaterall title, and desireth to bee receiued, before his receit hee shall finde sufficient suretie (as the court will awarde) to satisfie the demaundant of the value of issues of the lands so to be recouered from the day that hee is receiued to make aunswere, vntill the time that finall iudgement bee giuen vpon the petition of the demandant. And if the demandant recouer his demand, the defender shal be grieuously amerced, if he haue whereof: and if he haue not, he shall be imprisoned at the kings pleasure. And if hee can proue his right to be as good, as hee affirmed at such time as he was receiued, he shall goe quit. An. 20. E. 1.

Surtis

Amerc.
Imprisõ.

3 ¶ If any such tenant bee impleaded, and he in the reuersiõ come into the court, and prayeth to be receiued to defende his right at the daye that the tenant pleadeth to the action or before, hee shall bee receiued to plead in chief to the action, without taking

taking any delay by voucher, ayd prayer, nonage, or any other delay, so that after such receit, he shall haue no maner delay by protection essome of the kings seruice, cõmon essoin, or any other delay, but that the businesse bee hasted, in as much as it may bee by the law, & that dayes of grace be giuen by the discretion of the Iudges, betweene the demandant and him that is receiued in such case, without giuing the common day in plea of land, if the demandant will not assent, to the intent that the demandants be not too much delayed, because they must plead with two aduersaries, & in the right of pleas that be now depending in such case, they in the reuersion shalbe receiued in the manner, as before is saide, at the next daye that the parties haue in court, although the same parties haue pleded in chief before this time.

Reuersion

Suretie

Prouided alwaies, that they in the reuersion, which pray to bee receiued, as before is said, shal find suretie of the issues of the tenements demaunded for the time ẏ the same demandaunts bee delayed after the said plea determined betweẽ the demandants and tenants, if the iudgement passe for the demandaunt, against them in the reuersiõ aforesaid, aswell where the receit is counterpleaded, as where it is granted. An. 13. R. 2. cap. 16.

¶ Residence.

Clerks

IT pleaseth our soueraigne lord the king that such clerks as attend in his seruice shal be corrected by their Ordinaries like as other, but so long as they are occupied about his business they shall not be bounden to kæpe residence in their Churches.

Residents

This is added of new by the Kings Counsil. The king and his ancestors since time out of minde haue vsed that clerks during such time as they are in his seruice, shall not be compelled to kæp residẽce at their benefices. And such things as be thought necessarie for the king and the Common wealth, ought not to be called preiudicial to the liberty of the Church. Articuli cleri cap. 8. An. 9. E. 2.

Farme Lease

Letters P.

2 That no spirituall person, secular, or regular, of what degrꝛe soeuerhee or they bee, shall from henceforth take to farme to himselfe, or to any person or persons to his vse, of the lease or grant of the king our soueraigne Lord, nor of any other person or persons, by letters patẽts, Indentures, writings, by word or otherwise, by any maner of meanes, any manors, lands, tenements, or other hereditamẽts for terme of life, for terme of yeres, or at wil, vpon pain to forfeit ten pounds for euery moneth that he or any other to his vse shal occupy any such farme by reason of any such lease or grant hereafter to bee made. The one halfe of which forfeiture to be to the king, and the other halfe thereof to euery such person as will sue &c. in any of the kings courts: In which action and suite, no wager of law shall be admitted for the defendant &c. And bee it &c. that all and euery such spiritual person or persons, which now haue or occupy in farme by themselues, or by any other to their vse, any manors, lands, tenements, or hereditaments, of the lease or grant of ẏ king our soueraigne Lord, or any other person or persons, for terme of life, or for yeres, or at will, by any writing or otherwise, or that now haue any annual rents, or other annual aduantage or profit by occasiõ or colour of any such lease or farme, shall clerely bargeine, sell, giue, or grant away on this side the feast of S. Michael the Archangel next comming, to any such lay person or persons, as they wil at their owne nominations and appointment, all such lease, terme, interest & profit as anie such spirituall person or any other to his vse now hath or haue, in or by reasõ of any such farme: so that in no wise any such spiritual person or persons at any time after the same feast, by themself or any other to their vse by any maner of meanes, fraud or male engine, shal haue, vse, or occupy in farme, any manors, lands, tenements, or hereditamẽts, of the demise, lease, or grant of any person or persons heretofore made, or hereafter to be made, to themselfe, or to any other to their vses, nor from the sayde feast shall take any annuall rent, or other annual aduantage or profit, by occasion or colour of any such lease or farme by any maner of meanes, vpõ pain to forf. for euery moneth so occupying any such farme at any time after ẏ saide feast cõtrary to this present acte x. li. and vpon paine to forfeit ten times so much as any spiritual person or other to his vse, shal take in any annual rent aduantage or profit, by occasiõ or colour of any such lease at any time after ẏ said feast. The one halfe of which forfeiture to bee to the king &c. & the other halfe to him that will sue &c. in any of the kings courts, in which action and suite no wager of law shalbe admitted &c.

Fforf.

Moitie

Farme

Rents

Fraud

Forf.

Forf.

Moitie

And

And be it &c. that al such leases made or hereafter to be made vnto any such spirituall person or persons, or to any other to their vse for terme of life, terme of yeres, or at will, of any mannours, lands, tenements, or hereditaments, whereof they or any of them shall take anie profit, or medling by themselfe or by any other to their vse, after ỹ said feast of S. Michaell, by colour of any such lease or grant, & not by them bargained, graunted, & sold away before the saide feast, as is before limited, shall from thencefoorth be vtterly voyde, & of none effect, aswel against the leasour or leasours, granter or granters, their heirs & assignes, & against euery of them, as against the lease or leasées, & their executors and assignes and euery of them.

Voyd

Prouided alway that this present acte shall not extend to any spiritual person or persons, in and for taking to farme any temporalties during the time of vacations, of any Archbishoprikes, Abbies, Priories, or other Collegiall, Cathedrall, or Conuentuall Churches, nor to any spirituall person or persõs, that shal tender or make any trauers vpon any offices or office, concerning his or their freehold. And be it &c. that no spirituall person or persons, secular or regular, of what estate or degrée soeuer they bee, shall from hencefoorth by himself, nor by any other for him, nor to his vse, bargeine and buy to sell againe, for any lucre, gaine or profit in any faires, markets, or other places any maner cattels, corns, lead, tin, hides, leather, tallow, fish, woll, wood, or any manner of vitaile or marchandize, what kind soeuer they be of, vpon paine to forfeit treble the value of euery thing by them, or by any other to their vse, bargeined and bought to sel againe, contrary to this present act.

Temporalties Vacation

Trauers

Buy Markets Faires

Vitaile Marchandise Foyl.

And that euery such bargaine and contract hereafter to be made by them, or by any to their vse, contrary to this act, shall be vtterly void and of none effect, and the one halfe of euery such forfeiture to be to the king our Soueraigne Lord, and the other halfe to him that will sue for the same by originall writ of debt, bil, plaint, or informatiõ, in any of the kings courts. In which action or sute, no wager of law for the defendant shal be admitted, nor any essoine, nor protection allowed. Prouided alway, that if any such spiritual persõ or persons shall happen hereafter without fraude or couine to buy anie horses, mares, mules, to the onely intent to occupie for himselfe or his seruants to ride to & fro, vpon his necessary businesse, or any other cattels or goods, to the onely intent and purpose at the buying thereof, to be imployed and put in and about his necessarie apparell of his owne house, or of his person and seruants, or in, for and about the onely occuping, manuring, or tillage of his own glebe or demeane lãds annexed to his church, or for the necessary expences of his owne houshold kéeping, and after the buying of any such horses, cattels, or goods, or exercise of them or any of them, happeneth to mislike any of them, that they should not be good, profitable, nor conuenient for anie of the purposes aboue saide, for the which they were bought: that then euery such spirituall person or persons may lawfully bargeine & put away such things so by him bought without fraude or couin, for any of ỹ purposes aboue saide, at his pleasure and aduantage. This acte or any thing therein conteined, to the contrary notwithstanding.

Bootes

Moitie

Horses Mares

Cattels

Tillage

Spiritual persons

Prouided alwaies, that al Abbats, Priors, Abbesses, Prioresses, Prouosts, presidents, Maisters of colleges & hospitalles, and all other spirituall gouernors & gouernesses of any spiritual monasteries or houses of religiõ, by what name or names soeuer they bee called, hauing manours, lands, and tenements, hereditamentes, & other yeerely profits in the right of their monasteries or houses, of the yerely valu of eight hundred markes or vnder, & not aboue, may vse and occupy asmuch & as many of their demeane lands, ke farmes, to their most aduantage, commodity and profit to and for the only maintenance of their housholdes & hospitalities, in as ample & large maner, as they or any of them or their predecessors, or the predecessors of any of them, at any time by the space of an hundred yeres last past, before the making of this act, had done, vsed & occupied: Any thing in this present acte to the contrary notwithstanding.

Religious persons

Eight hundredmarks

Demeane lands

Prouided also that euery spiritual person and persons, not hauing glebe or demeane lands in their owne handes, in the right of their Churches, monasteries and houses, for pasturage of cattell, or for increase of corne, to and for the only expenses of their housholdes, or for their carriages & iournies: may take in farme other lands, and buy and sell corne and cattell, for the onely mayntenance, tyllage, and

Glebe

Farme

pasturage

pasturage of such farmes, so that the increase thereof bee alwayes imployed and put to and for the onely expenses in their houseliolds and hospitalities, and not in any wise to buy and sell againe, for any other commoditie, lucre, or aduantage, any Corne corne or cattell, renewing, comming, or growing, in, & vpon any such farme, or otherwise, but only the remaine and ouer- Ouerplus plus aboue their expenses of their household, if any such shal happen to the breed and increase thereof, without fraud or couin: Any thing in this present acte to the contrary hereof notwithstanding.

And bee it further enacted, that if any Benefice Cure person or persons hauing one benefice with cure of soule, being of the yerely value of eight pounds or aboue, accept and take any other with cure of soule, and be Institute Induct instituted and inducted in possession of the same: that then and immediatly after such possession had thereof, the first benefice First Void shalbe adiudged in the law to be void.

And that it shal be lawfull to euery pa- Patron Present tron hauing the aduowson therof, to present another, and the presentée to haue the benefite of the same, in such like maner & forme, as though the incumbent had dyed Licence Dispensatiõ or resigned, any licence, vnion, or other dispensation, to the contrary hereof obteined notwithstanding. And ỳ euerie such licence, vnion, or dispensatiõ had or made hereafter to be obteined, cõtrary to this preſẽt act, of what name or names, qualitie or qualities, soeuer they be, shalbe vtterly voide and of none effect. And if anie Voide person or persons at any time after the first day of Aprill, in the yere of our Lorde God 1530. contrary to this present acte, procure and obteine at the court of Rome Rome Licence or elswhere, any licence or licences, vniõ, tolleration, or dispensation, to receiue and take any moe benefices with cure, then is aboue limited, or els at any time after the said day, put in execution any such licẽce, tolleration, or dispẽsation before that obteined contrary to this act: that then euery such person or persons so after the sayd day suing for himselfe, or receiuing or taking such benefices by force of such licence or licences, vniõ, tolleration, or dispensation, that is to say, the same person or persons onely, and none other, shall for euery such default incurre the danger, pain and penaltie of twenty pounds sterling, and also lose the whole profits of euery such benefice or benefices, as hee receiueth or taketh by force of any such licence or lycences, vnion, tolleration, or dispensation. The one halfe of which forfeiture to be to the king &c. and the other halfe thereof to him that will sue for the same &c. In which sute no wager of law &c. shalbe admitted or allowed. Poitit

Prouided alwaies that this acte concerning the non kéeping of moe benefices with cure of soule then one, extende ne bee preiudiciall to any person or persons, which at any time before the saide first day of Aprill in the yere of our Lorde God one thousand fiue hundred and thirtie, shall be really intituled or possessed of any such benefices with cure of soule as cõcerning or touching any of the same benefices, whereof they shall then be already really intituled or possessed before the said day, to or vnder the number of foure, and not aboue, and if any such spirituall person or persons so being intituled or possessed of moe benefices with cure of Foure benefices soule then foure, doe not by the saide first day of Aprill, clerely and without yerely pension, resigne or otherwise gine vp all Resigne and euerie such benefice and benefices, as he shall bee so intituled and possessed of, aboue the said number, that then it shall be lawfull for euerie Patron, hauing the ad- Patron uowson of anie such Benefice ouer the number aforesaid, to present another and Present the presentée to haue the benefit of the same in like maner and forme, as though it had bene void by death or resignation of the incumbent, any licence, vnion, or other dispensation to the contrarie hereof obteined, notwithstãding. And this clause of presentation to bee taken and vnder- Presentatiõ stanãen of such Benefices with cure of soule, as were giuen to any such spirituall person after the saide number of foure benefices with cure, finished and fulfilled.

Prouided also that all spirituall men now Spirituall persons being, or which hereafter shall bee of the K. Councel kings Councill, may purchase licence or Licence dispensation, and take, receiue and keepe Three benefices three parsonages or benefices, with cure k. chapleins of soule, and that all other being the kings chapleines, and not sworne of his councel, and Chapleines of the Quéene, Prince or Princes, or of anie the Kings children, brethren, sisters, vncles, or aunts, may semblably purchase licence or dispensati- Two benefices on, & receiue and keepe two parsonages or benefices with cure of soule. And in Archbishop likewise that euerie Archbishop & Duke Duke may haue fiue Chapleines, whereof euery one shall and may purchase lycence or Fiue chapleins Licence dispen-

Fort. Profits

Two benefices

dispenſation, & take, receiue, & kæpe two parſonages or benefices wt cure of ſoule, and that euery marques & earle may haue fiue chapleins, whereof euerie one may purchaſe licence or diſpenſation, and take, receiue & kæpe two perſonages or benefices with cure of ſoule. And that euery vicount & other biſhop may haue iiij. chapleins, wherof euery one may purchaſe licence, and receiue, haue and kæpe ij. parſonages or benefices with cure of ſoule, as is aforeſaid. And that the Chācellor of Englād for the time being, and euery baron and knight of the garter, may haue iij. chaplaines, whereof euery one ſhall now purchaſe licence or diſpenſation, & receiue, haue, & kæpe two parſonages or benefices, with cure of ſoule. And that euery duchelle, marques, counteſſe, and baroneſſe, being widowes, may haue ij. chapleins, whereof euerie one of them may purchaſe licence or diſpenſation to receiue, haue, & kæpe two benefices, with cure of ſoule, & that the Treaſurer and Comptroller of the Kings houſes, the kings Secretarie, and Deane of his chappel, the kings Anner, & the maſter of Rolles, may haue euerie of them two chapleins, & the chiefe iuſtice of the Kings Bēch one chapleine, and the Warden of the fiue portes for the time being one chapleine, whereof euery one may purchaſe licence, & receiue, haue, and kæpe two parſonages or benefices, with cure of ſoule. And that the brethren and ſonnes of all temporall Lords, which are borne in wedlocke, may euerie of thē purchaſe licence or diſpenſation, and receiue, haue & kæpe as many parſonages or benefices with cure, as the Chapleins of a Duke or an Archbiſhop. And likewiſe the brethren & ſonnes borne in wedlocke of euery knight, may euerie of them purchaſe licence or diſpenſation, and receyue, take, and kæpe two parſonages or benefices, with cure of ſoule.

Marques
Earle
Fiue chapleins
Two benefices
Vicount
Biſhop
Foure chapleins
Two benefices
Chancellor
Baron
Knight
Three chapleins
Two benefices
Ducheſſe
Counteſſe
Widowes
Two chapleins
Two benefices
Chiefe iuſt.
Warden of fiue portes
Lords ſonnes
Lords brethren
Knight

Prouided alwayes, that the ſaid chapleins ſo purchaſing, taking, receyuing, and kæping benefices, with cure of ſoule, as is aforeſaid, ſhall bee bound to haue and exhibite where nēde ſhall be, letters vnder the ſigne and ſeale of the King, or other their Lord and Maſter, teſtifying whoſe Chapleines they be, and elſe not to enioy anie ſuch pluralitie of benefices by ſuch chaplein: Any thing in this acte notwithſtanding.

Letters teſtimonial

Be it alſo prouided, that all doctors and bachelers of Diuinitie, doctors of Lawe, and bachelers of the Law canon, & euerie of them, which ſhal be admitted to any of the ſaid degrees, by any of the vniuerſities of this realme, & not by grace onely, may purchaſe licence, and take haue, and kæpe ij. parſonages or benefices, with cure of ſoules, ſo that alwaies the ſaid libertie by any of the prouiſions beforeſaid giuen to any of the ſaid counſellers, chapleins, and other perſons before ſpecified, to purchaſe licence or diſpenſation, and take, receiue, & kæpe more benefices then one, after the maner and forme aforeſaid, be taken and vnderſtanden to extend in number to no more benefices, with cure of ſoule, then is aboue limited, accoūting in the ſame, and as parcell thereof, ſuch benefices with cure of ſoule, as anie of the ſaid perſons ſhall haue in reall title, or in their poſſeſſion, at the ſaid firſt day of Aprill, in the yēre of our Lord God, 1530.

Doctors
Bachelers
Two benefices
Cure of ſoule

Prouided alſo, that euerie Archbiſhop, becauſe he muſt occupie viij. chapleins at conſecrations of biſhops: And euerie Biſhop, becauſe he muſt occupie ſeuen chapleins at giuing of orders and conſecration of churches, may euery of them haue two Chapleins ouer and aboue the number aboue limited vnto them, whereof euerie one may purchaſe licence of diſpenſatiōs, and take, receiue, and kæpe as many parſonages or benefices with cure of ſoule, as is before aſſigned to ſuch chapleins.

Archbiſhop
Eight chapleins
Biſhop
Seuē chapleins

Prouided alſo and be it &c. that no perſon or perſons, to whom anie number of chapleins, or any chapleine by anie of the prouiſions aforeſaid is limited, ſhall in anie wiſe by colour of any of the ſame prouiſions, aduance any ſpirituall perſon or perſons, aboue the number of them appointed to receiue, or kæpe any more benefices with cure of ſoule, then is aboue limited by this act: Any thing ſpecified in the ſaid prouiſions notwithſtanding. And if they do, then euery ſuch ſpiritual perſon or perſons ſo aduanced aboue the ſaid nūber, to incurre the paine and penaltie conteined in this act. Be it alſo enacted, that as well euery ſpiritual perſon now being promoted to anie Archdeaconry, Deanry, or dignitie in any Monaſterie or Cathedrall Church, or other Church cōuentual or collegiall, or being beneficed with any parſonage or vicarage, as all and euerie ſpirituall perſon or perſons, which hereafter ſhall be promoted to anie of the ſaid dignities or benefices, with anie parſonage or vicarage, from the feaſt of S. Michael

Spirituall perſon

Reſidence

thael the Archangell next comming, ſhal be perſonally reſident & abiding in, at, and vpõ his ſaid dignitie, prebend or benefice, or at one of them at the leaſt. And in caſe any ſuch ſpirituall perſon at any time after the ſaide feaſt, kæpe not reſidence at one of his ſaid dignities, prebends or benefices, as is aforeſaid, but abſent himſelfe wilfully by the ſpace of one moneth together, or by the ſpace of two moneths, to be accoũted at ſeueral times in any one yære, & make his reſidence & abiding in any other places by ſuch time, that then he ſhall forfeit for euerie ſuch default, tenne poũds ſterling. The one halfe thereof to the king, &c. and the other half of the ſame to the partie that will ſue, &c. In which action & ſute the defendant ſhal not wage his lawe, &c. And if any perſon or perſons procure or obteine at the Court of Rome, or elſewhere, anie maner of licence or diſpenſation, to be non reſident at their ſaid dignities, prebend or benefices, contrarie to this act, that then euerie ſuch perſon or perſons putting in execution any ſuch diſpenſation or licence for himſelfe, from the ſaid firſt day of April, in the yære of our Lord God, 1530. ſhall renue and incurre the penaltie, damage, and paine of twentie pounds ſterling for euerie time ſo doing, to bee forfeited and recouered as is aboueſaid, and ſuch licence or diſpenſation ſo procured, or to bæ put in execution, to be void and of none effect.

Absent

One moneth

Forf. Moitie

Rome

Non reſident

Forf.

Void

Prouided alwaies, that this acte of non reſidence, ſhall not in any wiſe extend, ne be preiudiciall to anie ſuch ſpirituall perſon as ſhall chance to be in the kings ſeruice beyond the ſea, nor to anie perſon or perſons going to anie pilgrimage, or holy place beyond the ſea, during the time that they ſhal ſo be in the kings ſeruice, or in ỳ pilgrimages going and returning home, nor to any ſcholer or ſcholers being conuerſant & abiding for ſtudy without fraud or couin at anie Vniuerſitie within this realme or without, nor to any of the chapleins of the Kings and Quænes, daily or quarterly attending and abiding in the Kings or Quænes moſt honorable houſeholds. Nor to anie of the chapleins of the prince or Princes, or anie of the Kings or Quæns children, brethren or ſiſterne, attending daily in their honourable houſeholds, during ſo lõg as they ſhall attend in anie of their ſaid houſholds. Nor to anie chapleine of any Archbiſhop or Biſhop, or of ſpirituall or tẽporall Lordes of the Parliament, daily attẽding, abiding, and remaining in anie of their honourable houſholds. Nor to anie chapleine of anie ducheſſe, marques, counteſſe, vicounteſſe, or barronnes, attending daily, & abiding in anie their honourable houſholds. Nor to anie chapleine of the Lord Chanceller or Treaſurer of England, the kings chãberlain or ſteward of his houſhold for the time being, the Treaſurer & comptroller of the kings moſt honourable houſhold for the time beyng, attending daily in anie their honourable houſholds. Nor to anie chapleine of anie of the knights of the honorable order of the Garter, or of ỳ chiefe Juſtice of the Kings bench, warden of the Portes, or alſo of the maſter of the Rols. Nor to anie Chapleine of the Kings ſecretarie, & deane of the chapell, or Amner for the time being, daily attending and dwelling in any their houſholdes, during the time that anie ſuch chapleine or chapleines ſhal abide and dwel without fraud or couin, in anie of the ſaid honourable houſeholdes. Nor to the Maſter of the Rolles, nor Deane of the Arches. Nor to anie Chanceller or Commiſſarie of anie Archbiſhop or Biſhop. Nor to as manie of the twelue maſters of the Chancerie, and twelue Aduocates of the Arches, as be or hereafter ſhalbe Spirituall men, during ſo long time as they ſhall occupie their ſaid roumes and offices. Nor to anie ſuch ſpirituall perſons as ſhall happen by Iniunction of the Lord Chanceller, or the kings Counſell to bæ bound to anie daily appearance and attendaunce to anſwere to the lawe, during the time of ſuch Iniunction. Prouided alſo that it ſhall bæ lawfull to euerie ſpirituall perſon or perſons, being Chapleins to the King our ſoueraigne Lord, to whom it ſhal pleaſe his Highneſſe to giue anie benefices or promotions ſpirituall, to what number ſoeuer it be, to accept & take the ſame without incurring the daunger, penaltie and forfeiture, in this eſtatute compriſed. And that alſo it ſhall be lawfull to the Kings highneſſe, to giue licence to euerie of his owne Chapleines for non reſidence vpon their benefices: Anie thing in this preſent acte contained to the contrarie notwithſtanding. And be it &c. that no ſpiritual perſon Secular, regular, beneficed with cure as is afore rehearſed, from the feaſt of S. Michael the Archangell next comming, by authoritie of anie maner licence, diſpenſation, or otherwiſe, ſhall take

R. ſeruice

Pilgrime

Scholer

R. chapleins

Princes chapleins

Archbiſhop Biſhop

Duchelle

Twelue maſters

Twelue aduocates

Iniunction

Licence

Non reſidence

Stipend take any particular ſtipend or ſalarie to ſing for anie ſoule, nor haue, occupie by himſelfe, or by anie other to his vſe, anie Farme parſonage or vicarie in farme, of the leaſe or grãt of anie perſon or perſons, nor take any profite or rent out of any ſuch farme, Forf. vpon paine to forfeit xl.s. for euerie ſuch wæke that he or any to his vſe ſhall occupy or haue any ſuch ſtipend or farme contrarie to this preſent act: And vpon paine Forf. to loſe ten times the value of ſuch profit or rent as hee ſhall take out of anie ſuch Waitie farme after the ſaid fealtie. The one halfe of which forfaiture to bee to the king, &c. and the other moitie to him that will ſue &c. in anie of the kings courtes, in which ſute, &c. no wager of lawe ſhall be admitted, &c. Prouided alway that no Deanrie, Archdeaconrie, Chancellorſhip, Treaſurerſhip, Chanterſhip or Prebend, in anie Cathedral or collegiall Church, nor parſonage that hath a Vicar indued, nor anie benefice perpetually appropriate, bee taken or comprehended vnder the name of benefice hauing cure of ſoule, in anie article afore ſpecified.

Prouided alſo and be it, &c. that no ſpirituall perſon or perſons, regular or ſecular, of what eſtate, degrée or condition ſoeuer he or they bee, from the firſt day of Aprill next comming, haue, vſe or kæpe, by him or themſelues, or by anie perſon or perſons to his or their vſe or commo- Tanhouſe ditie, any maner of tanhouſe or tanhouſes to be vſed or occupied to his or their owne vſe, commoditie, or behoke, nor from the ſaid firſt day of Aprill next comming, ſhal haue, vſe or kæpe any maner of brew- Brewhouſe houſe or brewhouſes, to anie other vſe, intent, or behoke, then onely to bee ſpent and occupied in his or their owne houſes, Forf. vpon paine to forfeit for euery moneth ſo vſing and occupying anie of the ſaid my- Moitie ſteries or occupations, tenne pound. The one Moitie thereof to the King &c. and the other moitie to him that will ſue, &c. in anie of the Kings Courts, in which action and ſute no wager of law ſhall be admitted, &c.

Prouided alwaies, that euery Duches, Widowes Marques, Coũteſſe, baroneſſe, widowes which haue taken, or that hereafter ſhall take any huſbands vnder the degrée of a Chapleins Baron, may take ſuch number of Chapleins as is aboue limited, to them beyng widowes, and that euerie ſuch Chapleine Licence may purchaſe licence to haue & take ſuch number of benefices with cure of ſoule, & haue like libertie of non reſidence, in maner and forme as they might haue done, if their ſaid Ladies & Maſtreſſes had kept themſelues widowes: anie thing in this preſent act contained to the contrarie notwithſtanding. Non reſidence

Prouided alwaies that euery ſpirituall perſon or perſons hauing landes, tenements, or other poſſeſſions in the right of their houſes, aboue the yerely value of 800. marks eight hundred marks, may kæpe and retaine in their occupation and manurance, as much of their ſaid lands and tenemẽts, and other poſſeſſions, as ſhall be neceſſarie & ſufficient for paſturage of their cattels, and for tillage of corne, to bee imployed & ſpent for the only maintenance, ſuſtentation and kæping of his or their houſhold and hoſpitals, without fraud or couin: Any thing in this preſent act to the contrarie notwithſtanding. Prouided alway, that it may be lawfull to euery ſpirituall perſon & perſons, to take in farme Farme any meaſes, manſions or dwelling houſes, Dwelling houſe hauing but onely orchards or gardẽs in any Citie, Borough or towne, for their owne habitation or dwelling: Any thing in this acte to the contrarie notwithſtanding. So that no perſon ſpirituall, other then be aboue prouided for, for their non Non reſi- reſidence, haue any libertie of non reſi- dence dence by colour of this prouiſo. An. 21. H. 8, cap. 13. See Rome 5. diuers articles of this act repealed.

3 ¶ As well euery Judge of the ſaid Judges high courtes (S. of the common place and kings bench) and euery of the Chancellor and chiefe Baron of the ſaide Eſchequer, the kings generall atturney, and generall ſollicitour, which for the time is, be or ſhal be, ſhall and may frõ hencefoorth at his libertie retaine & haue ſingularly to euerie of them in his houſe, or attendant on his perſon, one chapleine to haue one benefice Chapleins with cure of ſoules, which may be abſent frõ his ſaid benefice, and not reſident vpon the ſame: The ſaid ſtatute made in the ſaid xxi. yeere, cap. 13. (before 2.) or anie other ſtatute, act, or ordinãce made to the contrary, in any wiſe notwithſtanding. An. 25. H. 8. cap. 16.

4 ¶ All and ſin[illegible] ſpirituall perſon and perſons, which ſhal bee, or hereafter ſhall be to any benefice or benefices pro- moted, as is aforeſaid, being aboue the age Age of fortie yeeres: The Chanceller, Vice-chanceller, Cõmiſſary of the ſaid vniuerſities, or any of thẽ, wardens, deanes pro-

nolls, preſidents, rectors, maſters, principals and other head rulers of Colledges, Hals, & other houſes or places corporate within the ſaid vniuerſities, or any of thē, Doctors of the chaire, Readers of Diuinitie in the cōmon ſchooles of diuinitie in any of the ſaid vniuerſities only excepted, ſhall be reſident and abiding, at, and vpon one of their ſaid benefices, according to ẏ intēt and true meaning of the ſaid former act, vpon ſuch paine and penalties as bee conteined in the ſaid former act, made and appointed for ſuch beneficed perſons for their non reſidence. And that none of the ſaid beneficed perſons, being aboue the age aforeſaid (except before excepted) ſhal from hēceforth be excuſed of their non reſidence vpon the ſaid benefices, for that they be ſtudents, or reſiāt within the ſaid Vniuerſities, or any of them: any prouiſo, or anie other clauſe or ſentence ſpecified or conteined in the ſaid former act of non reſidence, or any other thing or things to the contrarie hereof in any wiſe notwithſtanding. And ouer this be it, &c. that all & ſingular ſuch beneficed perſons, beyng vnder the age of xl. yeres, reſiant and abiding within the ſaid Vniuerſities, or anie of them, ſhal not enioy the priuiledge and libertie of non reſidence, conteined in the prouiſo of the ſaid former act, made for the ſcholers and ſtudents of the ſaid Vniuerſities, or any of them, vnleſſe he or they be preſent at the ordinarie Lecture and Lectures, as well at home in their houſes, as in the common Schole or Schooles, and in their proper perſons, kēpe ſophemes, problemes, diſputations, and other exerciſes of learning, be opponent and reſpondent in the ſame, according to the ordinance and Statutes of either of the ſaide Vniuerſities, where he or they ſhall be ſo abiding or reſiant, anie thing conteined in the ſaid prouiſo or former acte, to the contrarie notwithſtanding. Prouided alway, that this acte ſhall begin to take effect at the feaſt of Saint Michael the Archangell nexte comming, and not before. Prouided alway that this acte, nor anie thing therein conteined, ſhall extend to anie perſon or perſons which now is, or hereafter ſhall be [redacted]ers of any publike or common lecture in Diuinitie, Law ciuile, Phiſike, Philoſophie, Humanitie, or any of the liberall Sciences, or publike or common interpreters or teachers of the Hebrew tongue, Chaldie or Greeke, in whatſoeuer colledge or place of any of the ſaid Vniuerſities the ſaid perſons for the time being, ſhal read the ſame common or publike lectures. Nor yet to anie perſon or perſons, which after or about the age of xl. yeres, ſhall reſort to anie of the ſaid Vniuerſities, to procēd doctors in Diuinitie, law ciuile, or Phiſike for the time of their procēdings, & executing of ſuch ſermon, diſpoſitions of Lectures, which they be found in the ſtatutes of the Vniuerſities there to doe for the ſaid degrees ſo obtained. An. 28. H. 8. cap. 13.

Age

Readers

5 ¶ That the Chancellor of the ſaide court of the duchie of Lancaſter, the Chāceller of your highneſſe court of Augmētations, the Chaunceller of your graces court of firſt fruites & tenthes, the maſter of your highnes wardes and liueries, and euery of your graces generall Surueiors of your highneſſe lands, the Treaſurer of your graces Chamber, the Treaſurer of your highneſſe court of augmentations, & the groome of your graces ſtoole, and euery of them for the time being, ſhall & may receiue ſingularly to euery of them in his houſe, or attendant vnto his perſon, one Chapleine hauing one benefice with cure of ſoules, which may bee abſent from his ſaid benefice, and not reſident vppon the ſame, the ſaid eſtatute made in ẏ xxj. yere of your moſt gracious raigne (cap. 13. before 2.) or any other eſtatute, acte or ordinance made to the contrarie in anie wiſe notwithſtanding.

Chancellor Lancaſter

Chancellor

Maſter of Wardes

Surueiors

Treaſourer

Groome

Chapleine

Non reſident

Prouided alway and be it, &c. that euery of the ſaid Chapleins ſo beyng beneficed, as is aforeſaid, and dwelling with any of the officers aforenamed, ſhall perſonally repaire two times in euery yere at the leaſt, to his ſaid benefice and cure, and there to tarie & abide by the ſpace of eight daies at euery ſuch time at the leaſt, to viſite and inſtruct his ſaide cure, vpon the paine to forfeite for euery time ſo failing, forty ſhillings, the one moitie thereof to ẏ king &c. the other to ſuch as will ſue, &c. in anie of the kings Courts of record, in which ſute no eſſoine &c. ſhall be allowed. An. 33. H. 8. cap. 28.

8. dayes

Forf. Moitie

¶ Reaſonable aide.

FOraſmuchas before this time reaſonable aide to make ones ſonne knight, or to marrie his daughter, was neuer put in certaine, nor how much ſhould bee taken, nor at what time, wherby ſome leuied vnreaſonable aide, & more then often ſeemed

neceſſary,

necessarie, whereby the people were sore grieued: It is prouided, that from hence forth of a whole knights fee there be taxed but xx.s. And of xx.li. lande holden in socage, xx.s. and of more, more, and of lesse, lesse, after the rate. And that none shall leuie such aide to make his sonne knight, vntill his sonne be fiftéene yéeres of age, nor to marry his daughter, vntil she be of the age of seuen yéeres. And of that there shal be made mention in the Kings writ, formed on the same, whē any wil demaund it. And if it happen, that the father, after he hath leuied such aide of his tenants, die before he hath maried his daughter, ỹ executors of the father shall be bound to the daughter, for so much as the father receiued for the aid. And if the fathers goods be not sufficient, his heire shall bee charged therewith vnto the daughter. Westm.1. cap.35. An.3.E.1.

Knights fee

Knight

Sonne
Daughter

Executors

heires

2 ¶ Reasonable aid to make the kings eldest sonne knight, & to marry his eldest daughter, shall bée demaunded and leuied after the forme of ỹ statute thereof made, and not in other maner, that is to say, of euerie fée holden of the King without meane, xx. shillings, and no more, and of euery xx.li. of lād holden of the king without meane in socage, xx.s. and no more. An.25.E.3.cap.11.

K. sonne
K. daughter

¶ Restitution.

AN.1.H.4.cap.5. it was enacted, that they that were forejudged by the parliament holden Anno 21.R.2. or their heires, should be restored to their lands, & to such of their goods, as the king was not answered of.

2 ¶ If any felon or felons hereafter do robbe or take away anie money, goods or cattels from anie of the Kings subiectes frō their person, or otherwise within this Realme, and thereof the said felon or felons bee indicted, and after arraigned of the same felonie, and found guiltie thereof, or otherwise attainted by reason of euidence giuē by the partie so robbed, or owner of the said money, goods or cattels, or by anie other by their procurement, that then the partie so robbed, or owner shalbe restored to his said money, goods and cattels, & that as well the Justices of gaole deliuerie, as other Justices, afore whom anie such felon or felons shall bee found guiltie, or otherwise attainted, by reason of euidence giuen by the partie so robbed or owner, or by anie other their procurement, haue power by this present acte, to award from time to time writs of restitution for the said money, goods, and cattels, in like maner as though any such felon or felons were attainted at the suite of the partie in appeale. An.21.H.8.c.11.

Felons

Restored goods
Justices

Writs of restitution

¶ Resumption.

ANno 1.R.3.ca.15. an act was made, whereby all letters patents, statutes, confirmation, and actes of Parliament of anie hereditaments made to Quéene Elizabeth, wife to king Edward the fourth, were made voide, and all men to bee discharged of the profites and Trespasses thereof.

Letters P.

2 ¶ Anno 28.H.6. anacte was made, whereby all lands, tenements, graunts, annuities, rents and fees, granted by the king since the first day of his raigne, were resumed. And after An.31.H.6.cap.8. the resumption was repealed concerning the fees, wages, rewardes, and profites of the officers, which were the first daie of his raigne or before.

¶ Returne of shirifes and bailifes.

SUch as doe feare the subtiltie of Shirifes, shall deliuer their writs original and iudicial in the open Countie, or again in the Shire, where the collection of the Kings money is, and may take of the shirife or undershirife beyng present, a bill, wherein the names of the demaundants and tenants mentioned in the writ, shall bée conteyned, and at the request of him that deliuered the Writ, the seale of the Shiriffe or Undershirife shall bée put to the bill for a testimonie, and mention shal be made of the day of the deliuerance of the Writ. And if the Shirife or Undershire will not put his seale to the bill, the witnesse of Knights and other credible persons being in presence, shall be taken, that put their seales to such Bill. And if the Shirife will not returne Writs deliuered vnto him, and complaint thereof be made to the Justices, a Writ iudicial shall goe vnto the Justices assigned to take assises, that they shall inquire by such as were present at the deliuerance of the Writ to the Shirife, if they knew of the deliuerance, and the Inquest shall bée returned. And if it be found by the inquest, that the writ was deliuered to him, dam-

Shirifes

Bill

Witnesse

Justices

Enquire

Damages

mages shal be awarded to the plaintife or demandant, having respect to the qualitie and quantitie of the action, and to the perill that might have come to him by reason of the delay that he sustained, & by this meane there is remedie when the Shirife

Tarde

returneth, that the writte came to late, whereby he could not execute the Kings cõmandement. Oftentimes also Pleas be delated, by reason that the Shirife returneth, that he hath cõmaunded the Bailifs of some Libertie, which did nothing therein, & nameth liberties, that neuer had the Returne of writs, whereupon our Soueraigne Lord the king hath ordained, that the Treasourer and Barons of the Exchequer shal deliuer in a roll all the liberties in all maner of Shires that have returne of Writs. And if the Shirife answere, that hee hath made Returne to a Bailife of an other libertie, then it is contained in the said Roll, the Shirife shal be forthwith punished, as a disheritor of the king and his crowne. And if peraduẽture he returne, that he hath deliuered the writ to a Bailife of some libertie, that in deed hath returne, the Shirife shal be cõmaunded, that he shall not spare for no libertie, but to execute the kings precept, and that he doe the Bailiffes to wit, to whom hée returned the writ, that they be ready at a day cõtained in the writ, to answere why they did not execute the Kings precept. And if they come at the date, and acquite themselues, that no returne was made to them, the shiriffe shalbe forthwith condẽned to the Lord of the same libertie, & likewise to the partie grieued by the delay for to render dammages. And if the Bailiffes rome not in at the date, or doe not acquite themselues in maner aforesaid in euerie iudiciall writ, so long as the plee hãgeth, the Shiriffe shall be commaũded to spare for no libertie, &c. Many times also Shirifes make false Returnes as touching these articles. Quod de exitibus, &c. returning sometime, and lying, that there be no issues, somtime that there are final issues, when they may returne great, and sometime doe make mention of no issues, wherefore it is ordeined and agreed, that if the plaintife demaund of the Shiriffes returne, it shall bee graunted him. And if he offer to auerre, that the Shirife might haue returned greater issues vnto the king, hee shall haue a Writ Judiciall vnto the Justices assigned to take Assises, that they shall inquire in presence of the Shiriffe, (if he will be there) of what and how greate issues the Shiriffes might haue made returne from the daie of the writte purchased, vnto the day conteyned in the writte. And when the Inquest is returned, if hee haue not afore answered for the whole, he shal be charged with the

Estreats

ouerplus by the extreats of the Justices deliuered in the Exchequer, and neuertheless shall bee grieuously amerced for the concealement. And let the Shiriffe know, that rentes, corne in the graunge, and all moueables (except horse harnesse, and houshold stuffe) be conteyned within the name of Issues. And the King hath

Issues

commaunded, that Shiriffes shall be punished by the Justices once or twise (if need be) for such false returnes. And if they offend the third time, none shall haue to doe therewith but the King. They make also many times false answeres, returning that they could not execute ỳ Kings precept, for the resistance of some great man: wherefore let the Shiriffes beware from hencefworth, for such maner of answeres redound much to the dishonour of the King and of his crowne. And assone as his Vnderbailiffes do testifie, that they found such resistance, forthwith al things set apart, (taking with him the power of the Shire) hée shall goe in proper person to doe execution: and if he find his Vnderbailiffes false, he shall punish them by imprisonment, so that other by their example may bée reformed. And if he doe find them true, be shall punish the resisters by

Imppll.

imprisonment, from whence they shall not bée deliuered without the Kings speciall commaundement. And if percase the Shiriffe when hee commeth, doe finde resistance, hée shall certifie to the Court the names of the resisters, aiders, consenters, commaunders, and fauourers, and by a writ iudiciall they shall bee attached

Attach

by the bodies to appeare in the Kinges Court: and if they be conuict of such resistance, they shalbe punished at the Kings pleasure: neyther shall anie officer of the Kinges meddle in assigning the punishment, for our Soueraigne Lord the King hath reserued it specially to himselfe, because that resisters bene reputed disturbers of his peace and of his realme. W. 2. cap. 39. An. 13. Ed. 1.

2 ¶ Because the punishment of trespasse for the desert of any persõ offending ought to be set, and many Shirifes of the

Shiriffe

realm are altogither lay, hauing no knowledge

ledge of returne of writs, which hitherunto haue bin returned into ỹ kings Court, sometime are learned, yet hauing so great cõfidence ouer their clerkes doings, that of writs to them directed, to be ouerseene and examined, they care not any thing to meddle themselues therewithall, and alwaies in time past, as well in the Exchequer, as elsewhere in the kings Courts it hath bin vsed, that for writs executed vnduly, the Shirifes to whom they were directed, haue bin amerced, and their clerks which haue returned & made false, fained, & friuolous answeres to the same writs, nothing at all, whereby it is presumed, & thought to be true, those Clerkes to haue takẽ more audacity of offending. The honorable fathers W. of Hothõ, archbishop of Dublin, W. of Luda, of Ely, W. of Graueseud of London, W. of Langton of Couẽtrie, and the bishop of Lichfield the kings treasorer, & John of Langton chãcellor of England, John of Cobham, & his fellowes barons of the Exchequer aforesaid: Also the Justices of either bench, & other more of the kings counsell called together to the same Exchequer at West. ỹ thursday in the feast of S. Valẽtine, in the yere of king E. 26. consulting to prouide a remedie in the case aforesaid, that hereafter clerkes of shirifes giuing false answers to ỹ kings writs, may know, not to passe ouer such their deceitfulnesse vnpunished, as hitherunto they haue done, neither the shirifs in that case for the doings of their clerkes, may receiue punishmẽt, as before very oftẽ they haue done. They haue agreed & prouided, that they answere before the Treasurer & barons of the Exchequer of our Lord the king, & elsewhere in the Courtes of the same king, before his Justices whatsoeuer, of false returns, & as well the clerkes as the Shirifes thẽselues be punished, so that if the default of returne be foũd in the person of the clerk, and not in the person of the Shiriffe, the Clerke shall satisfie to the partie hurt, of the losse which the partie can lawfully shew, that he sustained for default of the returne aforesaid, & neuertheles towards the king, shall be punished, according to the discretiõ of the Justices before whom he shall be conuicted, hauing regard to the quantitie of the offence, and the Shirifes then in that case shall bee quiet, so that their clerkes be sufficient to satisfie, as is aforesaid, to which if they be not, for their default, the Shirifes vnder whom these Clerkes doe attend such office, shall answere and satisfie. & it is to be knowen that this prouisiõ, from the date of the making of the same, hath bene obserued of the shirifes and their Clerkes in London and Middlesex, because they are forewarned of the same &c. And as to the other shirifs of the Realme, & their Clerkes, the prouisiõ aforesaid shal hold place in the morrow of the clause of Easter nert cõming, and not before, because then they shall be forewarned, vpon their profer, and afterward in the morrow of the clause of Easter in the yere of king Edward 28. the prouision aforesaid was expounded in the Eschequer to all Shirifs of England, and then it was agreed by the kings councell, that Clerkes of Shirifes giuing false answere, should be punished at the summõs of the Eschequer vpõ the account of Shirifs, if they be conuicted hereupõ in forme as aboue is prouided to punish them for writs falsely executed, Tractatus contra Vicecomites & Clericos.

Clerke of the shirife

Amerce Clerke

Clerici

Punish

Shirife

Clerke

Damages

Shirife

Shirife

Answere

Accompt

Execution

3 ¶ And because it is manie times complained in the Kings Court vpon returnes, that Bailifes of frãchiles (hauing full power to returne the Kings writtes) haue deliuered to Shiriffes, that haue bin afterward changed, and otherwise returned in the Kings Court, to the dammage of the parties, and the delay of right: It is agreed, that for such returnes as hereafter bee deliuered to Shiriffes by such Bailifes of franchises, an indenture shall be made betweene the baylife of the franchise by his proper name, and the Shirife by his proper name. And if the Shirife change the returne so deliuered to him by indenture, and hee thereof conuict at the sute of the Lord of the franchise, of whom he receiued the returne, if the Lord haue had anie dammage, or if his Franchise be distreyned, or at the sute of the partie that hath sustained losse through that occasion, hee shall be punished by the King for his false returne, and shall yelde vnto the Lord and to the partie double dammages. Also it is agreed, that from henceforth Shirifes and other Bailifs, that receiue the kings writs, returnable in his Court, shall send their owne names with the returnes, so that ỹ Court may know of whom they toke such returnes, if need be, & if any Shirife or other Bailife leaue out his name in his returnes, hee shalbe grieuously amerced to the kings vse. An. 12. E. 2. cap 5.

Bailifes

Indenture

2. damages

Amerce

4 ¶ Such execution shall bee done of them that make false returnes of writs, (whereby right is deferred) as it is ordained in the secõd statute of Westminster, with like paine at the kings commaũdement. An.28.E.1.cap.16. Stat. de Articuli super chartas.

Bailifes

5 ¶ It is prouided, that from henceforth against the false returnes of bailifs of franchises, which haue full Returne of Writs, a man shal haue auerrement and recouer as well against them, as against the kings Shiriffe: as well of to little issues returned, as in other cases, so that it falleth not in preiudice of ẏ Lords, nor in ẏ blemish of their franchise. And that the

Auerment

Church

estate of holy Church be alwaies saued. And that al the punishment fall onely vpon the bailifes by punishment of their bodies, if they haue not whereof to answere, An.1.E.3.cap.5.

6 ¶ Where it was ordeyned by the statute of Westminster 2. those that will deliuer their Writs to the Shiriffe, shall deliuer them in the full Countie, or in the

Ful countie Shirife

Bill

rier Countie, and that the Shiriffe or vndershiriffe shall thereupon make a Bill: It is accorded and established, that at what time or place in the Countie a man doeth deliuer anie Writ to the Shiriffe, that they shall receyue the same Writs, and make a Bill, after the forme conteyned in the same Statute, without taking any thing therefore. And if they refuse to make a Bill, other that bee present shall set to their seales, and if the Shiriffe or Undershiriffes doe not returne the saide Writs, they shall bee punished after the forme conteyned in the same statute. And

Refuse

Iust. of ass.

also the Iustices of Assises shall haue power to enquire thereof at euerie mans complaint, & to award dammages, as hauing respect to the delay, and to the losse, and perill that might happen. An. 2.E.3. cap.5.

Damages

7 ¶ An.4.H.6.cap.1. an act was made to endure to the nert Parliament, concerning the returne of Shirifes.

¶ Reuenues.

Acquitãces

ANno 3.H.8.cap.3. an act was made, that acquitãces made by John Heiron the kings general Receiuor, or any other appointed to the office, shall be a good discharge against the king, to endure to ẏ nert parliament. And that the same John Heiron, and euery other person that shal haue the saide or like office of receite, bee chargeable and charged to euerie person and persons, spiritual and temporal, now hauing, or that hereafter shall haue any interest in any parte of his or their receipts, by title of inheritance, or succesiõ, or by graunt, assignement, acte of Parliament, or otherwise. And that euery of thẽ haue like remedie against the said John, and euery other person that shal haue the said or like office of receipt, as they haue had, or ought to haue had against anie other person that haue receiued of anie of the premisses, this present acte notwithstanding. And that euery such person spirituall or temporal, for non paiment of al such summes of money, as they, or any of them ought to haue of the said receipts by title of inheritãce or succession, or by grãt, assignement, act of Parliament, or otherwise, haue their actions and remedies in euery of the kings courts against the said John, and euery other person, hauing the same or like office of receipt, for their recouerie and payment of all summes that shall be so due vnto them, or any of them, after the first day of this present Parliament, An.1.H.8.cap.3.

Remedy

Actions

¶ Rie and Winchelsey.

ANno 2.E.6.cap.30. is an Acte made against Balast to bee cast into the chanell. See the Statute.

Balast

¶ Richmond.

FRom the feast of Saint Marke the Euangelist nert comming, no maner of spirituall person or others, now hauing, or that from the said feast shall haue any maner of benefice or other spirituall promotion within the sayde Archdeaconrie (of Richmond in Yorkeshire) shall in no wise aske, leuie, demaund, or take, after the decease of anie person or persons, anie such portions or pensions, nor anie other demaund or duetie, in the name or lieu of the same, vpon payne to incurre such dangers, forfeitures, and penalties, as be conteined in the Statute of Prouisors made in the xvi. yere of the raigne of our most noble progenitour king Edward the third, but that all and euery the kings subiects of the said Archdeaconrie, and their executors and administratours from henceforth shall be ordered, entreated & vsed for their goods and cattels, after their

Spiritual person

Benefice

Yorkeshire

their decease, in like maner, forme, order, and condition, as is contained in the Statute made in the 11. yeere of your most noble & victorious raigne for probate of testamẽts, & none otherwise, anie vse, custome, bill, compossition, prescription, or ordinance heretofore had, obtained, or vsed to the cõtrary, win the sayesaid Archdeaconry, in any wise notwithstanding. An. 26. H. 8. cap. 15. See the Statute.

¶ Right.

THe writ that is called Precipe in capite, shalbe from henceforth granted to no man vpon any freehold, whereby anie free man may lese his court. Magna Charta cap. 25.

¶ Riots, Routs, vnlawful assemblies, and rebellions.

ANno 2. R. 2. cap. 6. an acte was made concerning routes, but Anno 2. R. 2. stat. 2. that act was repealed. Repealed

2 ¶ Where at the Parliament holde An. 5. R. 2. cap. 6. Forasmuch as villaines & other offenders had made insurrection, and had risen by assemblies in outragious number: It was straightly defended, that none from thenceforth should make or begin againe those riots or rumors, nor other like, vpon paine of being taken for a traitor: And neuertheless diuers haue made of late such assẽblies in outragious number: Therfore the K. in this present parliament hath defended to all the liege people, aswel Lords as other, of whatsoeuer estate they be, that none shall make such assemblies, riot, or rumor, against the peace in no wise: And if anie such assembly be begun, assone as the shirifes and other the Kinges ministers, may thereof haue knowledge, they with the strength of the Comtie and Countrey, where such case shal happen, shall set disturbance against such malice with all their power, and shall take such offenders, and put thẽ in prison till due execution of the law bee of them made. And all Lordes and other liege people of the realme, shall be attending with all their strength and power to the shirifes and ministers aforesaid. An. 17. R. 2. cap. 8. Assemblies Shirifes Imprisl. Lords

3 ¶ If any riot, assẽbly, or rout of people against the Law be made in anie parties of the Realme, that the Justices of peace, three or two of them at the least, & the shirife or vndershirife of the Countie where such riot, assembly, or rout shall be made hereafter, shall come with the power of the county (if need be) to arrest them, and shall arrest them, & the same Justices and shirife or vndershirife shal haue power to record that, that they shall finde so done in their presence against the lawe. And that by the record of the same Justices and shirife or vndershirif, such trespassers and offenders shalbe conuict in the maner and forme as is contained in the statute of forcible entries, (before in forcible entrie 2.) And if it happen that such trespassers & offenders be departed before the coming of the said Justices and shirif or vndershirife, that then the same Justices, three or two of them shal diligently inquire within a moneth after of such riot, assemblie or rout of people so made, and shall heare and determine the same according to the law of the land. And if the truth cannot bee found in the manner as afore is said, then within a moneth then nexte following, the Justices, three or two of them, & the shirife or vndershirife aforesaid, shall certifie before the king and his counsel all the dedes & circumstances thereof, which certificate shalbe of like strength & force as the presentment of twelue men, vpon which certificate the said trespassers and offenders shalbe put to answere, and they which shall be found guiltie, shalbe punished after the discretion of the king & his Counsel. And if such trespassers and offẽders doe trauerse the matter so certified: the same certificate and trauerse shall bee sent into the kings bench, there to be tried and determined as the lawe requireth. And if the same trespassers and offenders do not come before the king & his counsell at the first commandement, then there shall be made an other commandement, directed to the Shirife of the Countie, to take that said trespassers & offenders, if they may be found, and to bring them at a certain day before the king & his said Counsel, or in the kings bench. And if they cannot bee founde, the shirife or vndershirife shall make proclamation in his ful comtie, next insuing the deliuerie of the saide second cõmandement, that they come before the king & his said Counsell, or in the Kings Bench, or in the Chãcerie in time of vacation, within three wekes then next following. And in case the same offenders come not as afore is said, and the Proclamation made and returned, they shall be conuict and attainted of the riot, assembly

2. Iust. of p. Shirife Arrest Record Conuict Inquire Diet & ter. 2. Iust. of p Shirife Certifie Answere Punish Trauerse K. Bench Default Shirife Proclamation Conuict Attaint

assembly or route aforesaid, notwithstanding any article or ordinance made to the contrarie. And moreover that the Justices of peace dwelling most nigh hell in every Countie where such riot, assemblie or route of people shalbe made hereafter, together with the shirife or vndershirife of the same countie, and also the Justices of assises for the time that they shalbe there in their sessions, in case that any such riot, assemblie or rout be made in their presence, shal doe execution of the same Statute, euerie one vpon paine of C.li. to bee paid to the king as often as they shall be found in defaulte of execution of the same statute. An. 13. H. 4. cap. 7. See after 7.

Just. & P.

Shirife

Jus. of ass.

4 ¶ Forasmuch as many riots, routs, & assemblies haue bin made since the making of the statute of 13. H. 4. c. 7. (before 3.) because it hath not bin put in due execution: Be it &c. that if default be founde in the said two Justices of Peace, or Justices of Assise (that is to saie named in the saide statute An. 13. H. 4. cap. 7. before 3.) and the shirife or vndershirife of the countie, where such riot, assemblie, or route should be made, touching the execution that they ought to make by vertue of the said statute, & whereof the said statute maketh mention, that then at the instance of the partie grieued, the kings commission shall goe out vnder his great seale, to enquire as wel of the truth of the cause, & of the originall matter for the partie complainant, as of the default or defaults of the said Justices, shirife or vndershirife, in this behalfe supposed, to be directed to sufficient & indifferent persons, at the nomination & by the aduise of the Chancelor of the realme of England. And that the said Commissioners incontinent shal send into the Chancerie the inquestes & matters before them in this behalfe taken & found. And moreouer that the Cozoners of the same Countie for the time being, in which countie such riot, assemblie, or rout shall be made, shall make the panell that shalbe vpon the said commission returnable, for the time that the shirife that is so supposed in defaulte, shall stand in his office, which Cozoners shal returne no persons, but only such which haue lands, tenements, or rents, to the value of tenne pound by yere at the least. And also that the same Cozoners shal returne vpō euery of ẏ said persons empanelled at ẏ first day, when issues be to be lost, twenty shillings at the least, & at the second day xl. s. at the least, & at the third day one hundred shillings at the least, & at euery day after, the double at the least, which issues so returned because of non apparance of such persons impanelled, shall be adiudged as forfait to the king, and leuiable to his vse. And if default bee found in the said Cozoners, touching the returne of such persons to be impanelled, or touching the returne of such issues, as afore is said, that euerie of them shal pay to the kings vse xl. li. And if it happen that the said shirife so reputed in default be discharged of his office at the time that such commission shal goe out of the Chancerie, that then the new shirife of the same Countie, his successor mediate or immediate for the time being, and not the Cozoners of the same Countie, shall make the panel vpon this Commission returnable in manner and forme as the said Cozoners should do in time when the shirife so reputed in default stode in his office: And that the same new shirife shall incurre like paine of forfeie poundes against the king, if anie default in him be founde touching the returne of anie persons, by him to be impanelled, which haue not lands, tenements, or rents to the value of x. pounds by yere, or for returning such Issues as ẏ said Cozoners be aboue charged to returne, as the said Cozoners be to lose against the K. in this behalfe. And that the Chancelour of England for the time being, as sone as hee may haue knowledge of such riot, assembly or rout, he shall doe to be sent the kings Writ to the Justices of the Peace, and to the Shirife or vndershirife of the Countie where they be so made, that they shal put the statute thereof made in execution, vpon the paine contained in the same. And though that such writ come not to the saide Justices, Shirife or vndershirife, they shall not bee excused of the paine aforesaide, if they make not execution of the saide Statute.

Default Just. of P. Just. of ass.

Shirife

Commissiō

Inquire

Chancelor

Inquest

Cozoners

Panell

x. li. Land

Issues

Foyf.

Default Cozoners

Foyf. xl. li. Shirife

Panell

Foyf.

x. li. Land

Issues

Chancelor

Just. of P. Shirife

Justices

Prouided alwaies, that the Justices & other officers aforesaid, shall doe their offices aforesaide at the K. costes in going, tarying, & returning, in doing their saide offices by paiment thereof to be made by the shirife of the same county for the time being, by Indentures betwixt the shirife and the said Justices and other officers aforesaid, to be made of the payment aforesaide: whereof the said Shirife vpon his accompt in the Eschequer, maie haue due allowance. And that such riotours attainted

Kings cost

Shirife Indentures

Accompt

tainted of great and heinous riots, shall haue one whole yeeres imprisonment at the least, without being let out of prison by baile, mainprise, or in any other maner during the yere aforesaide, & that the riotours attainted of pettie riots shall haue imprisonment as best shall séeme to the king and to his counsel. And that the fines of such riotours attainted, shall bee by the said Justices increased and put in greater summes then they were wont to bee put in such cases before this time, in ayde and supportation of the costes of Justices and other officers aforesaid in this behalfe. And that the kinges liege people being sufficient to trauaile in the Countie where such routs, assemblies or riots be, shall be assistant to the Justices, Commissioners, shirife or vndershirife of the same countie when they shalbe reasonably warned, to ride with the said Justices, commissioners, and shirife or vndershirife in aide to resist such riots, routes, and assemblies, vpon paine of imprisonment, and to make fine & ransome to the King. And that the bailifes of franchises shal doe to bee impanelled sufficient people, as before, vpon paine to lose to the K. fortie pound, in case that such sufficient persons may bee founde within the same franchises. And that like ordinances and paines shall holde place and take effect in Cities, Boroughs, and other places and Townes infranchised, which haue Justices of the Peace within the Cities, Boroughs, townes and other places aforesaid, And that this Statute shall begin to holde place incontinent after the Proclamation thereof made. Anno 2. Hen. 5. cap. 8.

Impriſon
Mainpriſe
Impriſon
Fines
Aſſiſt
Impriſon
Bayliffe Empanell.
Fayl.
Cities

5 ¶ Forasmuch as great & grieuous complaints haue bin made to our Soueraigne Lord the king by the commons in this present parliamẽt of diuers murders, mãslaughters, robberies, batteries, assẽblies of people in great nũber, in maner of insurrection, and of diuers other rebellious riots, & after such offences the saide felons and offenders flée, and withdrawe them to diuers woods, and secret and vnknowen places, & elsewhere, to the intent and purpose to auoide the execution of the common law, and that they should not be brought to answere, wherupon our soueraigne lord the King, cõsidering the forsaid com plaint, by the aduise and assent of the Lords spirituall and temporall in the same parliamẽt assembled, hath ordained and stablished at the request of the saide commons, that if anie person in time to come, come into the Chancerie, and make complaint duely, that any such felon or offendor as afore is said, flée or withdraw them to ante such place or elsewhere, to the intent aforesaid, vpon such complaint, a bil shalbe sufficiently made for the king: And the Chancelour of England for the time being, after such bill to him deliuered (if he may be duelie informed, that such bill containeth troth) shall haue power to make according to his discretion, a Writ of Capias at the Kinges suite, directed to the shirife of the county or counties where the said murders, manslaughters, robberies, batteries, and other offences be supposed by the said bill to be done and perpetrated returnable in the said Chancerie at a certaine day. And if the persons in the said writte contained, bee taken by the said shirife, or yeelde them in the same Chancerie, that then such persons shall be put in ward, or to mainprise after the discretion of the Chancelor. And moreouer that bee send to inquire of such offences, and vpõ that shalbe done as the law requireth. And if the shirife returne at the day of the Capias returnable, that the persons in the same comprised for any of these cauſes aforesaid, cannot be by him taken, and the same persons doe not yeld them in the said Chancerie, that then the said Chancelor shall do to be made a writ of Proclamatiõ, directed to the saide Shirife, returnable in the Kings Beneh at a certaine daie, that he shall make Proclamation in two countes, that the persons named in the said writte, shal come at the said daie in the Bench aforesaide, there to answere to the matter comprised within the said bill, vpon paine to be conuict of the matter comprised in the said Bil. And that in euery such Writte of Proclamation shall bee contained the substance of the matter comprised within the saide Bill, and if they come not at the daie of such Proclamation returned, then shall they bee holden and adiudged for conuict, and attainted as afore is said. And if they come at the Proclamation, bee it of them enquired and done in manner as aboue is said.

Murders
Inſurrectiõ
Flye
Chancerie
Bill
Chancelor
Capias Shirife
Impriſ. Mainpriſe
Proclamation
K. Bench Answere
Paine
Writ
Conuict Attaint

Prouided alwaies, that the suggestions of such riots be witnessed to the Chancelor of England by letters, sealed vnder ỹ seales of two Justices of P. at the least, and the shirife of the Countie, where such

2. Iuſt. of p. Shirife

riots

riots shalbe made, before that the writ of Capias be granted, in which writ of Capias the matter which is comprised within the same Bill shall bee as well expressed, as in the writ of proclamation thereof to be made. And if such cause happen in the Countie Palantine of Lancaster, or elsewhere in anie franchise, where there is a Chancelor and a seale, that then the Chancelor of England shall doe to bee written or sent by the Kinges writ to the Chauncelor of such countie or franchise, all the suggestion in the said bill comprised, commanding him to make such execution as in the said article is comprised, so alwaies that the Kings writ doe not runne out of the Chauncerie of England into such a Countie or franchise, otherwise then hath bin vsed in times past. And that this ordinance shall stande in his force vntil the ende of the nert Parliament. An. 2. H. 5. cap. 9. This acte is made perpetuall, as appeareth here next following.

Lancaster
Chancelor
Execution

¶ The said late statute (See Anno 2. Hen. 5. cap. 9. before 5.) shall nowe be kept and firmely holden for a statute for euer, as well of murders, manslaughters, robberies, batteries, assemblies of people in great number, in manner of insurrections, and diuers other rebellions and ryots made and committed before the beginning of this present parliament, as in time to come.

Murders
Mãslaughter

Prouided alwaies, that it be witnessed by two Iustices of the Peace of the counties where such riots shall bee supposed, that the common fame and voice runneth in the same Counties of the same ryots, before that the Writte of Capias shalbe awarded.

2. Iust. of p.

Prouided also, that if anie such case happen in the said Countie palantine of Lancaster, or elsewhere in a place infranchised, where there is a Chauncelour and a seale, that then the saide Chauncelour of such Countie or place infranchised for the time being, after complaint to him duelie made and witnessed by a Iustice, or the Lieutenaunt of a Iustice, and the Shirife of such Countie Palantine or place infranchised, for the time being, in the forme afore said, shall haue like power to awarde a Capias and a Writte of proclamation afore said, as the said Chancelour of England hath, Anno 8. Hen. 6. cap. 14.

Lancaster
Chancelor
Shirife
Capias
Proclamation

¶ Because the Statute of 13. H. 4. cap. 7. (before 3.) is thought good and necessarie: Therefore be it &c. that the said Acte made the said xiij. yere of king Henry the fourth cõcerning riots, assemblies or routs of people, and all and euery article & articles comprised in the same: And also all other estatutes before this time made, concerning the punishment of riotours at the time of the making of this Act being in force, from henceforth stande in their forces, and bee duely put in execution after the tenors and purports of the same. And forasmuch as in the saide statute made in the said xiij. yeere, it is not expressed of what sufficiencie, the Iurors empaneled should be, or what issues they should lose if they appeare not, nor no mẽtion therein made of any punishment of the maintainers and embrasors of the Iurors that shall so bee impaneled, shoulde haue for their misdemeanour, if anie be: It is therfore &c. that if anie riot, rout, or vnlawfull assemblie be committed & done at anie time after ỳ first day of May nert comming within this realme of Englãd, that ỳ shirife hauing a precept directed to him, shall returne 24. persons dwelling within the shire where such riot, rout, or vnlawfull assembly shall bee so committed and done, whereof euery of them shal haue lands & tenements within the same shire, to the yerely value of twentie shillings of Charter hold, or of freeholde, or xxvj. s. viij d. of copy holde, or of both, ouer and aboue all charges, for to inquire of the said riot, route, or vnlawfull assemblie: And hee shall returne vpon euerie person by him empanelled in issues, at the first day twentie shillings, at the second day fortie shillings, if that they appeare not & be sworne to inquire of the premisses at the first day: and if default be found in the Shirife or vndershirife for returning of other persons not being of the said sufficiencie, or returne not issues in forme aforesaid, that then the saide Shirife shall forfaite to our Soueraigne Lord the king for either, xx. pound. And if the said riot, route, or vnlawfull assembly be not found by the said Iurie, by reason of anie maintenaunce or embracerie of the saide Iurors, then the same Iustices and the shirife or vndershirife, ouer and aboue all such certificate that they muste and bee bounde to make, according to the saide Statute made the saide thirteenth yeere, shall in the same certificate certifie the names of the maintainers and embrasors, in that behalfe, if anie be, with their mis-

Iurors
Issues
Shirife
Precept
Empanell
Lands
Issues
Default
Shirife
Forf.
Maintenance
Embracerie
Iust. of P.
Shirife
Certifie

misdemeanours that they knowe, vpon pain of euerie of the said Justices and shirife, or vndershirife to forfait xx.li. if the same Justices, and shirife, & vndershirife haue no reasonable excuse, for non certifiing of the same: which certificat so made, shalbe of like force & effect in the lawe, as if the matter contained in the same, were duly found by the verdict of the 12. men. Forf.

Maintainer Embracer Forf. And euerie person duely prooued to bee a maintainer or embrasor in the same, shall forfaite to our said Soueraigne Lord xx. li. And aswel the same maintainer as the embrasors shall be committed to Ward, there to remaine by the discretion of the Justices. An. 19. H. 7. cap. 13. Imprison

8 ¶ Anno 3. E. 6. ca. 5. a great act was made against rebellion & vnlawfull assēblies and rising of the Kings people, to cōtinue to the end of the next Parliament. And after An. 7. Ed. 6. cap. 11. it was continued to indure to the last day of the next Parliament. And after An. 1. Ma. 1. parliamento cap. 12. it was repealed, as hereafter followeth 9. Rebellion Repealed

9 ¶ Forasmuch as it is most necessary in a Common wealth, to prouide that peace may be continued in the realme, & that all thinges contrarie thereunto by foresight be eschewed: Be it &c. that if anie persons to the number of xij. or aboue, being assembled together at any time after the xx. day of Decēber next comming, shal intend, go about, practise or put in vre with force of armes, vnlawfully, and of their owne authoritie, to alter or change any lawes made or established for religion by authoritie of Parliament, which shal stand in force after the said xx. day of December, or any other lawes or statutes of this Realme, or any of them, the same number of twelue or aboue, being commanded or required by the Shirife of the shire, or any Justice of peace of the same shire, or by the Maior, shirife, Justices of peace, or bailifes of any citie, borough, or towne corporate, where any such assēblie shall bee vnlawfully had or made, by proclamation in the Queens name, to retire and repaire to their owne houses, habitations, or places from whence they came, and they or anie of them notwithstanding such proclamation shal remaine and make their abode, or continue together by the space of one whole houre after such commandement or request made by Proclamation, or after that shall willingly in forcible and riotous manner attempt to do, or put in vre any thing aboue specified: that then as well euerie such abode or cōtinuing together, as euery such act or offence, that after such commandement or request by Proclamation had or made, shalbe attempted to be done, practised, or put in vre by any persons, being of the number aforesaid, shal be iudged felonie in all and singuler those persons, that so shall make their abode, or continue together, or shall attempt, or commit anie such acte, and the offenders therein to bee adiudged felons, and shal suffer only execution of death, as in case of felonie. 12. persons Force of armes Chaunge lawes Religion Shirife L. Iust. of p. Maior Proclamation One houre Felonie

And furthermore it is enacted, ordained and established, &c. that if anie persons to the said number of twelue or aboue, after the saide twentie day of December shall intend, goe about, practise or put in vre in manner & forme aforesaid, to ouerthrow, cutte, breake, cast downe or digge vp the pales, hedges, ditches, or other inclosure, or anie parkes, parke, or other groundes or ground inclosed, or the bankes of anie fishpond, or pole, or any conduite for water, conduite heads, or conduite pipes, having course of water, to the intent that the same, or anie of thē from thencefwrth should remain open, not enclosed or void, or vnlawfully to haue common or way in the said parkes or parke, or other ground or groundes inclosed, or in any of them, or to destroye in manner and fourme aforesaid, the deere in any manner of parks or parke, or any Warrens or warren of Conies, or any Douehouses, or anie fish in anie fishpond or pole, or to pull or cut downe any Houses, Barnes, Milles or Bayes, or to burne any stacks of corne or graine, or to abate, defaulke or dimnish ẏ rents or yerelie value of anie manours, lands or tenements, or the price of anie vitaile, corne or grain, or anie other thing vsual for the sustenance of men, and being required or commanded by any Justice of the Peace, or by the shirife of the countie, or by the Maior, bailife or bailifes, or other Head officers of any Citie or towne corporate, where such assembly shall bee had by Proclamation to bee made in the Queenes name to retire or returne in peaceable maner to their habitatiōs, places and houses, from whence they came, and they or any of them, notwithstanding such Proclamation shall remaine, or make their abode, or continue together by the space of one whole houre, after such commaundement or request made Ouerthrow Pales Hedges Inclosure Parke Fishponde Conduite Claime Common way Destroye Deere Warrens Douehouses Houses Milles Burne stackes Vitaile Corne Any Justice of peace Shirife Maior Bailife Proclamation One houre

by

by proclamation, or after that shal in forcible maner doe, or put in vre any of the things last before mentioned, ẏ then as wel euerie such abode or continuing together, as euery such acte that after such cõmandement or request by proclamatiõ had or made, shalbe done, practised or put in vre, by anie persons, being aboue the number of twelue, shall be adiudged Felonie, & the offenders therin to be adiudged felons, & shall suffer only the execution of death, as in case of felonie. And also it is &c. that if any person or persons, after the said 11. day of December, vnlawfully and without authoritie, by ringing of anie bels, sounding of anie trumpet, drumme, horne, or other instrument whatsoeuer, or by firing of any Beacon, or by malitious speaking or vttering of any wordes, or making of any outcrie, or by setting vp, or casting of anie billes, bill or writing whatsoeuer, or by anie other deed or acte, shall raise or cause to be raised or assẽbled any persons to the nũber of 12. or aboue, to the intent, that the same persons should doe, commit, or put in vre any of the actes or things aboue mentioned, and that the persons to the number of twelue, or aboue, so raised and assembled, after request or commandement had or giuen in forme aforesaid, shall make their abode or continue together, as is aforesaid, or vnlawfully & in forcible maner, perpetrate, do, commit, or put in vre any of the acts or things abouesaid: that then all & singuler persons, by whose speaking, deed, act or anie other the meanes aboue specified, any persons to the number of 12. or aboue, shall be raised or assembled, for the doing, committing or putting in vre any of the acts or things aboue mentioned, shall be adiudged for his so speaking or doing, a felon, and shal suffer execution of death, as in case of felonie.

12. persons — Felonie — Ringing Trumpet Drumme Horne — Words — Bils — 12. persons — After request — Felonie

And also it is &c. that if any wife, or seruant of any of the same persons, or any other person whatsoeuer, shall willingly and without compulsion, bring, send, deliuer or conuey anie money, harnesse, artillerie, weapon, meate, bread, drinke, or other victual, to any person or persons so being assembled, as is aforesaid, during such time as hee or they shall so be assembled, or be together, as is aforesaid: that then euery wife, seruant, or other person so bringing, sending, deliuering or conueing any money, harnesse, artillerie, weapon, meate, bread, drink or victual, to the same persons so being assembled together in forcible maner, or to any of them, and not departing to their house or dwelling places, vpon request or commandement made vnto them, as is aforesaid, shall bee adiudged a felon, & shal suffer execution of death, as in case of felonie. And furthermore it is &c. that if anie persons aboue ẏ number of two, and vnder the number of twelue being assembled together at anie time, after the said twentie daie of Decẽber, shal intend, goe about, practise or put in vre with force of armes vnlawfully, & of their owne authoritie, to murder, kill, or slay anie of the Queens Maiesties subiects, or to ouerthrow, cut, breake, or cast downe, or digge vp the pales, hedges, ditches, wal or other closure of any Parkes, parke, or other grounde incloſed, or the banke of anie fish pond or pole, to the intent that the same, or anie of them, from thencefoorth should remaine open, not inclosed or void, or to haue common or way in ẏ same park or parks, or other grouds or ground inclosed, or in any of them, or to destroy any maner of parks or park, or fish pond or pole, or anie warrẽs or warren of Conies, or anie Doue houses, or to pull or cut downe any house, barne, mill, or to burne any stacks of corne or graine, or to alter, defaulke, or abate the rents or yerely value of any manors, landes or tenements, of any the Queens subiects, or the price of anie victuall, corne or graine, or any other thing vsuall for the sustenance or apparell of men, and being required or commaunded by any Justice of the peace, or the shirife of the Countie, or by anie Maiors, bailifes, or Bailife, or other head officer of anie Citie or Towne corporat, where such assembly shalbe had, by proclamatiõ to be made in the Queens name to retire, or returne to their habitatiõs, place or houses, and they so required by such proclamation, shall not so doe, but after that shall in forcible manner in forme aforesaid, attempt to doe or put in vre any of the things last aboue mentioned: that then euerie of the same persons, being aboue the number of two, & vnder the number of twelue, shall suffer imprisonmẽt of his or their bodies, by the space of one yeere without baile or mainprise. And also that if any person or persons, at anie time after the saide twentie daie of December, shall bee damnified or hurted by the doing, committing, or putting in vre of any vnlawfull acte, or thing aboue mentioned,

Felonie — Aboue two persons — Force of armes — Murder — Pales Hedge Inclosure — Parkes Ponds Conies Doucheuses Houses — Rents — Victaile Corne — Any Iustice of peace Shirife Maior Bailife — Proclamation — Imprison — Mainprise

mentioned, that the al & singuler persons so damnified, & hurt, shall recouer & haue damages with the costs of their suite sustained in that behalf trebled, against the offenders therin. And forasmuch as such euil disposed persons, which of late time made commotions and rebellion in certaine places within this Realme, being but few in number, at such time as they did begin the same commotion, were not in short time after the beginning thereof suppressed by strength, for that the louing subiects at that time, for feare to incurre in danger of the Lawes of this Realme, durst not take vpon them so to do, a great number of euil disposed persons did come, and ioine themselues to the saide small number, whereby the same euill disposed persons tooke vpon them such boldenes, that they would not be reduced to obedience without much bloodshedding, to the great danger of the person of the Prince, where if the said Subiects durst haue taken vpon them to haue suppressed them at the beginning, such inconuenience and bloodshed should not haue followed.

Treble damages Costes

Therefore it is enacted &c. that if any persons aboue the number of two, that at anie time after the saide twentie date of December, shall bee vnlawfully, and of their owne authoritie assembled together, to the intent with force and armes to do, practise or put in vre anie of the things aboue mentioned, that then it shal be lawfull to euerie Justice of peace, and to euerie Shirife in anie countie being within the Quéenes dominions, & to euerie Maior, Bailife, and other head officer of anie Citie or towne corporate, for the time he shall be in office, or anie other person or persons, hauing the Quéens commission, or letters from her Highnesse, aswell to raise and assemble the Queenes louing subiects, in maner of warre, to bee arreared in such great number, as he or they shal thinke meete or able, to the intent by violence and strength, to suppresse, appehende and take the saide persons that so shall be vnlawfully assembled: And that if the said persons so vnlawfully assembled, after such commandemēt or requeſt by proclamation made, shall continue together, and not indeuour themselues to returne towards their habitations, houses or places, from whence they came, in such short time as they may conueniently, that then it shall bee lawfull to euerie Justice of Peace, Shirife, and also euerie Maior, baillife, and other head officer of anie Citie or towne corporate, & to euerie other person, hauing authoritie as is aforesaid, after such commandement or requeſt by proclamation made, and to such persons as shall bee assembled with anie Justice of Peace, or Shirife, or with anie Maior, Bailife, or other head officer of anie Citie or towne corporate, and with euerie other person hauing authoritie, as is aforesaide, to suppresse, apprehend, and take those persons so vnlawfully assembled, which after such proclamatiō made, shall continue together, and not indeuour themselues to returne toward their habitations, or places from whence they came, & that if the said persons so vnlawfully assembled together, or any of them shall fortune to be killed, slaine, maimed, or hurt, in, or about the suppressing or taking of them, that then euerie such Justice of peace, shirife, Maior, Bailife, and other head officer, and euerie other person, hauing authoritie, as is aforesaid, and all and singuler persons by him or them assembled, shall bee free, discharged, and vnpunishable, as well against the Quéene, as against all and euerie other person and persons, of, for, or concerning the killing, slaying, mayming, and hurting of anie person or persons, so vnlawfullie assembled, that shall fortune to be killed, slaine, maimed, or hurt, about or by occasion of suppressing or taking of them.

2. persons

Any Justice of peace Shirife Maior Bailife

Proclamation

Any Justice of Peace

Shirife Maior Baylife

Suppresse

Kill Maime.

Just. of P. Shirife

Discharged

And furthermore be it &c. that al and euerie copyholder, or customarie holder, being yeoman, artificer, husbandman, or labourer, and being of the age of eightéen yeres or more, and vnder the age of threscore yeres, not sick, impotent, lame, maimed, ne hauing anie other iust or reasonable excuse or cause to the contrarie, and being required by the Shirife, Justice of peace, or other hauing authoritie by this acte, or by Commission, or letters, as is aboue said in that behalfe, they declaring their said authoritie, or being required by the immediate Lord or Lords, of whome such copyholdes, or customarie holds then shalbe holden, to serue the Quéens Maiestie for any the causes aboue rehearsed, & refuse so to doe, shall onely during the life of such person or persons, so refusing, forfait and lose to his or their Lord or Lords, of whome such copy, or customarie holdes then shall bee immediately holden and shoulde bee holden, during the life of

Copiholder Artificer Labourer 18. yeres old

Shirife Just. of P.

Forf:

of such person or persons so refusing, in case he or they had not so refused, all their copyholds, & customary holds. And that it shalbe lawful to euery such lord or lords, their heires or assignes of whom such copyholds or customarie holds shall be immediatly holden, and should been holden, in case ẏ such person or persons had not so refused, by vertue of this present acte, to enter and take into his or their handes or possession, all such copyes holdes, and customarie holdes, so holden of them, or any of them immediatly, & to retaine the same during onely the life of euerie such offender or offenders, in such maner and forme as he or they should haue had the rents or seruice of such copy holde and customarie hold, in case such person or persons so refusing, had not refused. And that all and euery farmer, being a yeoman, husbandman, artificer or labourer, and being of the age of eightéene yeres or more, & vnder the age of threescore yeeres, not sicke, impotent, lame, maymed, ne hauing any other iust or reasonable excuse, or cause to the contrarie, and being required by the shirife, Justice or Justices of the peace, or other hauing authoritie by this act, or by commission, or letters, as is aforesaid in that behalfe, they declaring their said authoritie, or being required by their landlord or landlords for the time being, to whom the rents of such farmes shall bee then rising comming or growing, to serue the Quéenes maiestie for anie the causes aboue rehearsed, and refuse so to doe, shall during only the life of such farmer or farmers, so refusing, forfaite and lose to such Landlord and Landlords as should haue had the rent of such Farmers during the life and liues of such person and persons so refusing, all their said farmes, and that it shalbe lawfull to euerie such Landlord and Landlords, their heires and assignes to whom the rents of such farmes should haue bin due, during the life of such person or persons so refusing, in case such person or persons had not so refused, by vertue of this present acte to endure and take into his or their handes or possession, all such farmes, and to retaine the same during onely the life of euerie such offender or offenders.

Lords Heires

Farmer Artificer Labourer

Shirife Iust. of P.

Seruice

Refuge

Forf.

Prouided alwaies, and be it &c. that after the death, expiration, or determinatiõ of the interest or terme of yeres, of euerie such copy holder, customary holder, or farmer, as so shall offend & forfait any of the said copy holdes, customarie holdes, or farmes, as is aforesaid, that then all and euerie such person & persons, as should or ought to haue had the said copy holds, customarie holds or farmes, after or by the death, expiration, or determination of the interest or terme of yeeres, of such copyholder, customarie holder or Farmer, in case such copy holder, customarie holder or Farmer, had not so offended ne forfaited, shall and may haue the same copy holdes, customarie holds & farmes, by entry, action, admission, or otherwise, in like maner, forme, & condition, and by such waies and meanes as they & euery of them should, might or ought to haue had, if no such forfaiture or offence had been had, done, or committed.

And also be it &c. that if anie person or persons, which at ẏ time after the said xx. day of Decemb. shalbe spoken vnto, moued, or stirred to make any commotiõ, insurrection, or vnlawful assembly for any of the intents aboue mentioned, & doe not within 24. houres next after hee or they shalbe spoken vnto, moued or stirred, vnlesse he haue a good reasonable cause of excuse, declare the same to one Justice of the peace, or shirife of the said Countie, or to the Maior, shirifes, bailifes, or other head officers of anie citie or towne corporate, where such speaking, motion or stirring shall be had, shall suffer imprisonment by the space of 3. moneths without baile or mainprise, vnles he shall be discharged by thrée Justices of the Peace of the same shire, where the offence shall be, whereof one of the said Justices shalbe of the Quorum. And it is &c. that if any person or persons, being aboue ẏ age of eightéen yeres, and vnder the age of threescore yeres, being able to serue, & not sicke, lame, or impotent, shalbe required by any Iust. of the P. or anie Shirife of anie countie, where anie such assemblie shalbe, or by anie Maior, bailife, or other head Officers of anie Citie, borough or towne corporate, or by anie other, by the commandement of anie such Justice of peace, shirife, Maior, Bailife, or other head officer, to goe with him or them to suppresse the persons vnlawfully assembled, in maner & forme aforesaid, that thē euery person which so being able and required, doth willingly and obstinatly refuse so to doe, shall suffer imprisonment of his bodie for one yere, without baile or mainprise.

Comunicã

24. houres

Declare Iust. of P.

Shirife Maior Bailife

Imprison

Mainprise

3. Iust. of P.

Quorum

18. yeres

Iust. of P. Shirife Maior Bayliffe

Imprisõ.

Mainprise

Prouided alwaies, and be it &c. that if the

the Quéenes highnesse shal by her letters patentes make any Lieutenant in any Countie or Counties of this Realme, for the suppression of any commotion, rebellion, or vnlawful assembly, that then aswel all Justices of peace, of euery such Countie, and the Shirife & Shirifs of the same, as all Maiors, Bailifes, and other head Officers, and all inhabitants & subiects of any Countie, Citie, Borough or Towne corporat, within euery such Countie, shal vpon the declaration of the saide Letters patents, & request made, be bound to giue attendance vpon the same Lieutenant, to suppresse any commotion, rebellion, or vnlawfull assembly, vnlesse he or they, being so required, haue any reasonable excuse for his not attendance, vpon paine of imprisonment for one whole yere.

Lieutenant

All Justices of peace

Shirife Maiors Bailifes

Imprison

And be it ec. that the order and forme of the Proclamations that shalbe made by the authoritie of this act, shalbe as hereafter followeth, or with the like order and words in effect, that is to say, the Justices or other person authorised by this acte to make the said Proclamation, shall make or cause to be made an Oyes, and after that shall openly pronounce, or cause to be pronounced these words, or like in effect. The Quéene our Soueraigne Lady chargeth and commaundeth al persons being assembled, immediatly to disperse themselues, and peaceably to depart to their habitations, or to their lawfull businesse, vpon the paines conteined in the acte lately made against vnlawfull and rebellious assemblies. And God saue the Queene.

Proclamation

Prouided alwaies, and be it enacted by the authoritie aforesaide, that if any person or persons do or shall molest, let, hinder or hurt any person or persons, that shal proclaime, or go to proclaime, according to the Proclamation & order, made in the Statute aforesaid, whereby such Proclamation shall not be made: that then all & euery such person & persons so molesting, letting, hindering or hurting, and hauing knowledge of his message, shal incurre & be in such danger, and suffer such paine or paines and forfeitures, as the persons assembled, to whom ỹ Proclamation should haue bin made, should by this act incurre, for not obeying the proclamation if it had bèn made, or for doing after the Proclamation of any the things before in this act expressed. And also all and euery such person and persons being assembled, to the number aforesaid, to attempt or do any of the things aforesaide, to whome proclamation should or ought to haue bèene made, if the same had not bèn let, as is aforesaid shal likewise in case they doe afterward commit, put in vre, and doe any things aforesaid, they hauing any maner wayes knowledge of the let so made, or by any meanes procuring the same let, incurre & be in like daunger, and suffer like paine or paines & forfaiture aforesaide in euery their degrées, as though the proclamation had bèen made: Any clause, article or sentence heretofore in this act included, made to the contrary notwithstanding. And be it ec. that this act, or the effect thereof shalbe openly read, published or declared, at euery quarter sessions, and at euery Lète and Lawday.

Molest

Foft.

Foft.

Quarter sessions Leet Lawday

Prouided alwaies, and be it ec. that all and euery the heire and heires of all and euery the offender or offenders in any the cases aforesaid, and all and euery person & persons, bodies politike and corporate, & their heires, successors and executors, and euery of them, other then such person and persons onely as shalbe attainted, conuicted, or outlawed, of any the aforesaide offences of felony, shal haue, holde, and enioy all such right, title, entrie, interest, leases, possessions, rentes, conditions, profits, commodities, & aduantages, as they or any of them haue, or hereafter shall haue, or of right ought to haue, in, or to any honors, castles, manors, landes, tenements, woods, rents reuersions, seruices or hereditaments whatsoeuer, in, or to any part or parcell thereof, in as large and ample manner and forme, to all intents, constructions and purposes, as if such attainder had neuer bèen had ne made: Any thing in this acte to the contrary in any wise notwithstanding. Sauing to all & euery person and persons, bodies politique and corporate, and their successours, their libertes and franchises, in such manner and forme, as if this act had neuer bèene had ne made.

Prouided

Heire

Bodies politike

Sauing

Libertes

And bee it enacted, that if any person or persons, after the said twentie day of December, doe moue, stirre or procure any person or persons, to cõmit or doe any of ỹ offences in this present act specified, that then euery such person which shall so procure, stirre or moue any person or persons so to offend, shall suffer such paine and punishment by imprisonment, without baile or mainprise, as is before expressed in this

Procure

Imprif.

Mainprise

40. persons

3. houres

Proclamation

Felony

Lieutenant

Deputy Conuent

Accessary

Receiue

Attainder

Conuiction

Blood

Franchises

Anno 3. E. 6 Repealed

presēt acte against counsellers of such offences. And that if any persons, to the number of fourtie or moe, after the saide twentie day of December, shall assemble together in forcible manner, vnlawfully and of their own authoritie, to the intent to doe, exercise, or put in vre any of the things aboue specified, or to doe other felonious or rebellious act or actes, and so shall continue together by the space of three houres after proclamation shall bee made, or nigh the place where they shall so be assembled, or in some market towne thereunto next adioyning, and after notice thereof to them giuen: that then euery person so willingly assembled in forcible maner, and so continuing together by the spate of three houres, after such Proclamation shalbe made, and notice therof giuen, shalbe adiudged a Felon and shall suffer death, as in case of felony. And be it &c. that no lieutenant or lieutenants, that shall be appointed or made by authoritie or colour of this acte, or for to execute this act, shal in any wise make, put, or cōstitute vnder him or them, or in his or their place, any deputie or deputies, nor shall call, conuent, or appoint to appeare before him or them, by the onely authoritie of lieutenancy or of cōmission of lieutenancy, any person or persons, for any cause or matter whatsoeuer, saue only for the causes and matters expressed in this presēt acte, and for none other. And that no person or persons shalbee put to any losse, forfaiture, paine, or punishment of life, land or goods, as accessarie to any person or persons that shall commit any of the offences conteined in this presēt act for receiuing, comforting or ayding of any such offender after such acte cōmitted or done. And that no attainder or conuiction of any person or persons for any offence or offences herein conteined, shall be any maner of corruption of blood betweene the offender and any of his auncestors, or such person or persons as should haue beene heire to such offender, if no such attainder or conuiction had been had, sauing to all & euery person and persons, body and bodies politike & corporate, and their successors, their liberties and franchises, in such maner and forme, as if this act had neuer beene had ne made. And be it &c. that one acte of Parliament made in the Session of the Parliamēt holden vpō prorogation at Westminster the fourth day of Nouember in the third yeere of the reigne of king Edward the first, and there continued and kept to the first day of February in the fourth yeare of the reigne of the saide King, intituled by the name of an acte, for the punishing of vnlawfull assemblies, and rising of the kings subiects, and all and euery branch, clause, sentēce and article therin conteined, shalbe from the twentie day of December next comming, vtterly voide, and of no force, to all intents, constructions, and purposes. And this act only to be put in execution, for, & concerning the offences mentioned in the saide former act. This acte to continue vnto the ende of the next Parliament. Anno 1. M. 1. Parliamento cap. 12. And after Anno 1, M. 2. Parliamento cap. 12. this act is continued to the last day of the next Parliament. And after Anno 1. & 2. P. & M. cap 16. it is continued to the last day of the next Parliament. And after Anno 2. & 3. P. & M. cap. 21. it is continued to the last day of the next Parliamēt. And after Anno 4. & 5. P. & M. it is continued to the last day of the next Parliament. And it is continued 1. El. cap. 17. as followeth. Clause

10 ¶ Forasmuch as experience hath made manifest that the statut of Anno 1. Mar. Parl. 1. cap. 12. (before 9.) is a very good and a beneficiall lawe, for the Common wealth & quiet of the Realme: Be it &c. that the said acte and statute and euery branch, clause, and article therein contayned, shall stand, remaine, continue and be in full force and strength, to all intents and purposes, for and during the naturall life of the Quēnes most excellent Maiestie that nowe is (which Almightie God long preserue and cōtinue) and to the end of the next Parliament then next following. And that the said acte and statute, and the wordes and sentences mentioned and contained in the said Acte, shall extend and be in the Quēnes Highnesse that now is as fully and amply, as euer the same did extend to the said late Quēne Mary. An. 1. Eliz. cap. 17.

11 ¶ Anno 11. H. 7. cap. 7. an acte was made against riots and routes, to endure to the next Parliament.

¶ Robberies.

FOrasmuch as the peace of this Realme hath bene weakelie kept heretofore for lacke of quicke and fresh sute making after felons in due maner, and namely because Fresh suit

cause of franchises, where the felons are receiued: it is prouided, that all generally be ready & apparelled at the commaundement & summons of Shirifes, & at the cry of the countrey, to pursue & arrest felons (when any nede is) aswell within franchises as without, and they that will not so do, & thereof be attainted, shall make a grieuous fine to the king. And if default be found in the lorde of the franchise, the king shal take to him the same franchise: And if default be in the bailif, he shal haue one yeres imprisonment, and after shall make a grieuous fine: And if he haue not whereof, he shall haue imprisonment of two yeres: And if the Shirife, Corroner, or other bailife within Franchise or without, for reward or for prayer, or for any maner of affinitie, cõceale, cõsent, or procure to conceale the felonies done in their Bailiwikes, or otherwise doe forbeare to attach or arrest such felons (there as they may) or otherwise to do their office for fauour borne to such misdoers, and bee attainted thereof, they shal haue one yeares imprisonment, & after make a grieuous fine. And if they haue not wherof to make fine, they shall haue imprisonmẽt of three yeares. W.1.cap.9.Anno 3.Ed.1. And after Anno 23.Henr.6.capitul.5. it is enacted that this Statute shall bee put in execution.

Shirifes
Arrest
Franchises Refuse Fine
Franchises Bailife Imprisonment. Fine
Shirife Coroner
Conceale
Attache Office Fauour
Imprisonment
Fine

2 ¶ For asmuch as from day to day robberies, murders, and burning of houses, be more often vsed then they haue bin heretofore, and Felons cannot be attainted by the othe of Iurours, which had rather suffer felonies done to strangers to passe without paine, then to indict the offenders, of whome a great part be folke of the same Countrey, or at the least if the offenders bee of another Countrey, the receiuers be of places nere. And they do the same, because the othe is not now put vnto Iurors, nor vpon the Countrey where such felonies were done, as to the restitution of damages hitherto no paine hath bene limitted for their concealement and latches: Our lorde the King, for to abate the power of Felons, hath established a paine in this case, so that from henceforth, for feare of the paine more then for feare of any othe, they shall not spare any, nor conceale any felonies. And commaundeth that proclamation be solemnely made in all Counties, Hundreds, Markets, Faires, and al other places, where great resort of people is, so that none shall excuse themselues by ignorance, that from henceforth euery countrey be so well kept, that immediatly vpon robberies and felonies committed, such fresh sute bee made from towne to towne, and from countrey to countrey. Likewise, when neede require, that Inquests bee made in townes by him that is Lorde of the towne, and after in the hundred, and after in the franchise, and in the countie, and sometime in two, three, or foure counties, in case where felonies bee committed in the marches of shires, so that the trespassers may bee attainted. And if the countrey doe not aunswere for such maner of misdoers, the paine shalbe such, that the countrey, that is to wit, the people dwelling in the countrey shal answere for the robberies done, and also for the damages, so that the whole hundred, where the robberie happeneth to be done with the franchises, being within the precinct of the same hundred shall answer for the robberies done. And if the robberie chance to be done in ỳ diuision of two hundreds, in such case both hundreds together with the franchises, shal answere it. And after that the felonie or robberie is done, the countrey shall haue no longer space then xl. daies, within which it shal behoue them to agree for the robbery & trespasse, or else that they aunswer for the bodies of the offenders. And forasmuch as the king wil not that his people should be suddenly put in feare of this penaltie, that seemeth very hard to many, ỳ king granteth that they shall not incurre it immediatly, but it shalbe respited vntill ỳ Easter next following, & within that time the king shall see how the Countrey will order themselues, & whether such felonies & robberies do cease. After which terme let al be assured, that the foresaid penaltie shall runne generally, that is to wit, that euery cõtrey, that is to say, the people of the countrey shal aunswere for the felonies & robberies done among them.

Murderers
Felony
Iurours
Counties Hundreds Markets Faires
Fresh sute
Enquests
Marches
Damages Hundred
Franchises
Two hundreds
Fourtie dayes

And for the more suretie of ỳ countrey, the king hath commaunded, that in great Townes being walled, the gates shalbee closed from the Sunne setting vntill the Sunne rising, & that no man do lodge in the suburbs, nor in any forrein part of the Towne but in the day time, nor yet in ỳ day time, without his Host will aunswere for him, and the Bailiffes of townes euery weeke or at ỳ least euery fifteenth day, shall make inquirie of all persons being

Walled Townes
Host Bailife
Enquire

lodged in the ſuburbes, and in the foꝛreſt parts of the Townes. And if they do finde any that doe lodge oꝛ receiue in any maner, men, of whom there is ſuſpition, that they be people againſt the peace, the bayliues ſhal do right therein. And the king commandeth that from henceforth watches be made, as it hath bin vſed in times paſſed, that is to wit, from the feaſt of Aſcenſion, vnto Michaelmas, in euery Citie by fiue men at euery gate, in euery Boꝛough by twelue men, in euery towne by fiue oꝛ foure, accoꝛding to the number of inhabitants of the Towne, and they ſhall watch all night from the Sunne reſing vnto the Sunne riſing. And if any ſtranger do paſſe by them, he ſhalbe arreſted vnto the moꝛning: And then if no ſuſpicion be found, he ſhall goe quite, and if they finde ſuſpition, they ſhall foꝛthwith deliuer him to the Shiriſe, and hee ſhall receiue him without dammage, and ſhall kæpe him ſafely vntill he be deliuered in due maner: And if they will not obey the arreſt, hue and crie ſhalbe leuied vpon them, and the watchmen ſhall follow them with all the towne & the neighbour townes, with hue & crie from towne to towne, vntill that they be taken & deliuered to the Shiriſe, as beforе is ſaid, and foꝛ the arreſtmẽts of ſuch ſtrangers none ſhalbe puniſhed.

Watch

Arreſt

Shiriſe

Hue & cry

And further it is commaunded, that the high wayes, leading from one market towne to another, ſhalbe enlarged where as woods, hedges, oꝛ dikes be, ſo that there be neither dike, vnderwood, noꝛ buſh, wherby any may eſcape to do euil, wtin ij. hundꝛed foote of eche ſide ẏ way, ſo as this ſtatute do not extend vnto aſhes noꝛ vnto great wood, ſo as it be there vnderneath. And if by the default of the loꝛd, that will not auoide the dike, vnderwood, oꝛ buſhes in the maner aforeſaide, any robberies be done, the loꝛd ſhall anſwer it. And if murther be done, the loꝛd ſhal make fine foꝛ it at the kings pleaſure. And if ẏ loꝛd be not able to fell the vnderwods, the Countrey ſhal aid him therin. And ẏ king willeth, ẏ in his demeane lands & woods within Foreſt & without, the wayes ſhalbe inlarged (as beforе is ſaid.) And if percaſe a Parke be neere to the high waye, the loꝛde muſt mainſh his Parke the ſpace of two hundꝛed foote from the high wayes, as beforе is ſaid, oꝛ els muſt make ſuch a wall, dike, oꝛ hedge, that the euil doers may not paſſe ne returne to do euil.

High waies

Woods

Two hundꝛed foote

Dike Underwood Loꝛd

M. demeans

Wayes

Parke Two hundꝛed foote

And further it is cõmanded, that euery man haue his houſe harneſſe foꝛ to kæpe the peace after ẏ ancient aſſiſe, that is foꝛ to ſay, that euery man betwixt xv. yeere of age & thꝛeſcoꝛe yeres, ſhalbe aſſeſſed & ſwoꝛne to haue armoꝛ, accoꝛding to the quantitie of their lands and goods, that is to wit, foꝛ fifteene pound lands, and goods of foꝛtie marks an halberd, helme of yꝛõ, a ſwoꝛd, a knife, and an hoꝛſe. And foꝛ ten pouns of land, and twentie marks goods, an halberd, an helme, a ſwoꝛd, & a knife. And foꝛ fiue pound landes, a doublet, an helme of yꝛon, a ſwoꝛd and a knife, & from foꝛtie ſhillings land & moꝛe vnto an hundꝛed ſhillings of land, a ſwoꝛd, a bow and arrowes, and a knife. And he that hath leſſe then foꝛtie ſhillings yeerely, ſhall be ſwoꝛne to kæpe giſarmes, knines, and other leſſe weapõs. And he that hath leſſe then twentie markes in goods, ſhall haue ſwoꝛdes, knives, and other leſſe weapõs, and all other that may haue them, ſhall haue bowes & arrowes out of the foꝛreſt, and in the foꝛreſt bowes and bolts. And that view of armoꝛ be made euery yeere two times. And in euery hundꝛed & franchiſes two Conſtables ſhall be choſen to make the view of armoꝛ, and the Conſtables aforeſaid ſhall preſent beforе Juſtices aſſigned, when they ſhal come into the countrey, ſuch defaults as they ſhall haue found of armour, and of ſutes, and of watches, and of high wayes, and alſo ſhal preſent all ſuch as doe lodge ſtrangers in vplandiſh Townes, foꝛ whom they will not anſwere. And the Juſtices aſſigned ſhall preſent the ſame at euery Parliament vnto the king, and the king ſhall prouide remedie therein. And from henceforth let Shiriffes and Bailiffes of franchiſes and without, greater oꝛ leſſer, that haue any bailiwike oꝛ foꝛreſtrie in fee oꝛ otherwiſe, take good hæde that they follow the crie with the Country, and as they are in abilitie, to kæpe hoꝛſes & armoꝛ, ſo to doe. And if there be any that doe not ſo, that ẏ defaults be preſented by the conſtables to the Juſtices aſſigned, & after by them to ẏ king, as beforе is ſaid. And the king commandeth & foꝛbiddeth, ẏ from henceforth neither Faire noꝛ Market bee kept in Churchyards, foꝛ ẏ honour of the church. Giuen at Winton the 8. day of October, the 13. yere of king Edwards raigne. An. 13 Edw. 1. Stat. de Winton. See part of this Statute concerning Armour altered and repealed, in Playes 2. and in Armour 8.

Harneſſe

Ordꝛe Lands Goods Armour

Bowes Arrowes Uiew Hundꝛeds Conſtables

Juſtices

Preſent

Parliament

Shiriffes Bailiffes

Defaults

Faires Markets Churchyards

And

And part of it confirmed and changed in peace 1. And see here following 3. 4. and 5. more. This seemeth not to be any statute.

3 ¶ The maner of inquiring vpon the statute of Winchester (before 2.) when it is obserued, and when not, and of such as haue not obserued the contents thereof to be obserued: Of felonies & robberies committed after Easter in the 13. yere of the raigne of king Edward, and in what maner such felonies were done, where & by whom, & of their sutes by inquests, according to the tenor of the Statutes made thereupō afterward. And if ỳ shirife haue answered for the bodies of such offenders or not. Also if the gates of ỳ cities or great townes were shut from the time of the sunne going downe, vntill the sun rising. And if any strangers were lodged in the suburbes or in the out parts of the Citie, but in the day, for whom their hosts will not answere. And also how bailifes and other officers of townes haue made inquiry thereof. And if watches haue bin kept as is contained in the said statute or not, and how the watchmen haue kept their watch. And if the kings high waies from one marchant towne to another be enlarged, aswell in the kings owne townes as elswhere, according to the statute, and if they bee not enlarged, to inquire what waies, & where they be, and who ought to haue inlarged thē. And of such as let such inlargements aswell in parkes as in other woods. Also if all men betweene the age of fifteene and threscore be sworne to keepe the peace. Also if they haue weapōs in their houses according to the quantitie of their lands & goods for maintenance of the peace according to the statute. And also if Constables do make view of armour in due maner, & of other things belōging to their office or not. Also if shiriffes, hundreders, bailiffes of liberties, and fosters come at hue and crie leuied, & if they make pursute for keeping the Kings peace, according to the statute or not. Articles vpō the Statute of Winton. An. 13. Edward. 1.

Felonies
Shiriffes
Cities Townes
Strangers
Hostes Bailifes
Watches
Highwaies
Othe Armour
Constables
Shiriffes Hundreders Bayliffes

4 ¶ Whereas in the Statute made at Winchester, in the time of King Edward, grandfather to the king that now is (before 2.) it is contained, that if anie stranger passe by the countrey in the night, of whom any hath suspition, he shal be arrested and deliuered to the Shiriffe, & remaine in warde till he be duely deliuered. And because there hath bene diuers mans slaughters, felonies & robberies done in times past, by people that bee called Roberdsmen, Waskers, & Drawlatches: It is accorded that if any man haue any euil suspition of such, be it by day or by night, they shall be incontinently arrested by the Constables of the townes. And if they be arrested within franchises; they shall be deliuered to the bailiffes of the franchise. And if in the guildable, they shall be deliuered to the shiriffes, & kept in prison till the coming downe of the Justices of the gaole deliuery, and in the meane time the shiriffes and bailiffes of the franchises shal cause enquirie to be made of such persons arrested, and at the comming of the Justices, they shall returne their enquests before them, and that that they haue found, and the cause of the takings with the bodies, and that the Justices shall proceede to the deliuerance of such persons arrested after the law. And in case that the shiriffes or bayliffes of the franchises haue not enquired of such persons arrested, they shal be amerced, and neuertheless the Justices shall make enquirie, and further proceed to the deliuerance as before said. An. 5. Ed. 3. cap. 14.

Roberdsmen Drawlatches
Constables Franchises
Guildable Shiriffes
Bailifs Enquire
Inquests
Just. of G.
Amerce

5 ¶ Because that great clamor & grieuous cōplaints be made aswell by aliens as by denizens, that marchants and other passing through the Realme of England with their marchandises and other goods, be slaine & robbed, and namely now more then they were wont, whereof remedie hath not bene made to the complainants: Our soueraigne Lord the king cōsidering the profite which may come to the saide realme by comming and abiding of marchāts Aliens in the same Realme, and the damage and mischiefe which to them and other is done daily by such māslaughters and robberies, and willing to prouide for the suretie and indemnitie of marchants and other aforesaid, hath ordained & stablished by the assent of all his Parliament, to the intent that marchants aliens shall haue the greater will & courage to come into the saide Realme of England, & that remedie from henceforth bee spedilie made to such marchāts and other robbed, according to the forme contayned in the statute late made at Winchester (before 2.) that is to sale, that solemne crie bee made in all Counties, hundreds and markets, faires, and all other places where solemne assemblie of the people shalbe, so that none by ignorannce shall excuse

Marchants
Proclamation

him, that euery countrey from henceforth be so kept, that immediatly after felonies & robberies done, fresh sute be made from towne to towne, & from country to country, & enquests, if nede be, shalbe also taken in the townes by him which is soueraigne of the towne, & after in hundreds, franchises, & in the countie, & sometime in two, three, or foure counties, in case when felonies shalbe don in the marches of the counties, so that the offenders may be attainted: And if the country do not aunswer of such manner offenders, the paine shalbe such, that euery country, that is to say, the people dwelling in the country, shal aunswere of the robberies done, & of the damages, so that all ỳ hundred where the robberie shalbe done, with the franchises which be within the precinct of the same hundred, shal answere of the robbery done. And if the robberie be done in the diuises of two hundreds: both hundreds shall answere together with the franchises. And longer terme shall not the country haue after the robberie or felony don, then xl. dayes, within which them behoueth to make gre of the robberie or of ỳ offence, or that they answere of the bodies of the offenders. Anno. 28. Edwardi. 3. cap. 11.

Fresh sute
Enquests
Hundred
Franchises
Fourtie dayes

6 ¶ Whereas by two ancient statuts, the one made in the Parliament holden at Winchester, in the xiii. yeere of the raigne of king Edward the first, & the other in the xxviii. yere of ỳ raigne of king Edward the thirde, it was for the better repressing of robberies and felonies (amõgst other things) enacted to this effect, That if the countrey doe not answere for the bodies of such malefactours, that then the paine should bee such, that is to wit, that the people dwelling in the country, shalbe answerable for the robberies done, & the damages: so that the whole hundred where the robberie shalbe done, with the franchises which are within the precinct of the same hundred, shal answer the robberies done. And if the robberie chaunce to be done in ỳ diuision of two hundreds, that then both the hundreds together, with the franchises within the precinct of them, shalbe answerable, as in the said two seueral statutes it doth more at large appeare. Forasmuch as the saide partes of the saide seuerall statutes being of late dayes more commonly put in execution then heretofore they haue been, are found by experience to be very hard & extreme to many of the Quenes Maiesties good subiects, because by the same statuts they doe remaine charged with the penalties therin contained, notwithstanding their vnabilitie to satisfie the same, and though they do as much as in reason might be required in pursuing such malefactors and offenders, wherby both large scope of negligence is giuen to the inhabitants and resiants in other hundreds & counties, not to prosecute the hue & cry made, followed & brought vnto them, by reason they are not chargeable for any portion of ỳ goods robbed, nor with any damages in that behalfe giuen, & also great incouragement and imboldening is likewise giuen vnto the offenders to commit dayly more felonies and robberies, as seeing it in maner impossible for the inhabitants & resiants of the said hundred and franchises wherin the robberie is committed, to apprehend them without the ayde of the other hundreds and Counties adioyning, and for that also that the party robbed hauing remedie by the aforesaid statutes for the recouering of his goods robbed, and damages against the inhabitants and resiants of the hundred wherein the robbery was committed, is many times negligent and careless in prosecuting and pursuing the saide malefactors and offenders: Our soueraigne Lady the Queenes Maiestie, not willing therefore that her people should be impouerished by any such paine or penaltie, which should be hard or grieuous to them, and hauing special regarde to abate the power of felons, and to represse felonies, doeth for remedie hereof, with the consent of the Lordes Spirituall and Temporall, and of the Commons in this present Parliament assembled, and by the authoritie of the same Parliament establish and enact, that the inhabitants & resiants of euery or any such hundred, (with the franchises within the precinct thereof) wherein negligence, fault or defect of pursuite, and fresh suite, after hue and cry made, shal happen to be, from and after fourtie dayes next after the ende of this present session of Parliament, shall aunswere and satisfie the one moitie or halfe of all and euery such summe and summes of money and damages, as shall by force or vertue of the saide statutes or either of them be recouered or had, against or of the said hundred, with the franchises therein, in which any robberie or felonie shal at any time hereafter be cõmit-

Hundred
Fresh sute
Hue & cry
Moitie

ted

ted or done. And that the same moitie shal & may be recouered by action of debt, bill, plaint or information in any of ỳ Quæns Maiesties Courts of Record at Westminster, by and in the name of the Clerke of the peace for the time being, of or in euery such Countie within this Realme, where any such robbery and recouery by the partie or parties robbed shal be, without naming the Christian name or surname of the said Clerke of ỳ peace, which moitie so recouered, shall be to the onely vse & behoofe of the inhabitants of the said hundred where any such robbery or felony shalbe committed or done. Clearke of the peace

And be it further enacted by the authoritie aforesaid, that if any Clerke of the peace, of or in any Countie within this Realme, shall at any time hereafter commence or preferre any such sute, action, or information, and shall after the same so sued, commenced or preferred, happen to die, or to be removed out of his office before recouery and execution had: that yet no such action, sute, bill, plaint or information, sued, commenced, or preferred, shall by such displacing or death, be abated, discontinued or ended, but that it shall and may be lawful to and for the clerke of the peace next succeeding in the said Countie, to prosecute, pursue and follow all and euery such action, bill, plaint, sute and information, for the causes aforesaide, so hanging and depẽding in such maner and forme, and to all intentes and purposes, as that Clerke of Peace might haue done which first commenced or preferred the said sute, bill, plaint, or information. And although the whole hundred where such robberies & felonies are committed with the liberties within the precinct thereof, are by the said two former statutes charged with the answering to the party robbed his dammages: yet neuertheless the recouery & execution, by and for the party or parties robbed, is had against one or a very few persons of the said inhabitants, and he and they so charged, haue not heretofore by lawe had anie meane or way to haue any contribution, of or from the residue of the said hũdred where the said robbery is committed, to the great impouerishment of them against whome such recouery or execution is had. Contribution

For remedy whereof, Bee it enacted by the authority aforesaid, that after executiõ of damages by the party or parties so robbed had, it shall and may be lawfull (vpon complaint made by the party or parties so charged) to and for two Justices of the peace (whereof one to be of the Quorum) of the same countie, inhabiting within the said hũdred, or nere vnto the same where any such execution shalbe had, to assesse, tare ratably & proportionably, according to their discretions al & euery the townes, parishes, villages & hamlets, as wel of the said hundred where any such robbery shal be committed, as of the liberties within the said hundred, to & towardes an equall contribution to be had & made for the releefe of the said inhabitant or inhabitãts, against whome the partie or parties robbed before that time had his or their execution: And that after such taratiõ made, the constables, constable, headborowghes or headborough of euery such towne, parish, billage and hamlet, shal by vertue of this present act haue full power & authoritie within their seuerall limits, ratably & proportionably to tare & assesse according to their abilities, euery inhabitãt & dweller in euery such towne, parish, billage & hamlet, for & towards the paymẽt of such taxation & assessement as shalbe so made, vpon euery such towne, parish, billage & hamlet as aforesaid, by the said Justices: & that if any inhabitant of any such town, parish, billage or hamlet, shal obstinately refuse & deny to pay the said taxation and assessement, so by the said constables, constable, headborowghes or headborough, tared and assessed, that then it shall and may be lawfull to and for the saide Constables and headborowghes, and euery of them within their seuerall limits and iurisdictions, to distreine all and euery person and persons so refusing and denying by his and their goods and chattels, and the same distresse to sell, and the money thereof comming to retaine to the vse aforesaide. And if the goods and chattels so distrained and solde, shalbe of more value then the saide taxation shall come vnto, that then the residue of the said money ouer and aboue the saide taxation shall be deliuered vnto the saide person or persons so distrained. Just of P. Tare Tare Refuse Distraine

And bee it further enacted, that all and euery the said cõstables & headborowghes, after ỳ they haue within their seuerall limits & iurisdictions leuied and collected their said rates and summes of money so tared, shal within x. daies after such collection pay and deliuer the same ouer vnto the said Justices of peace, or one of them; Constables Headborowghes

to the vse & behoofe of the saide inhabitant or inhabitãts, for whom such rate, taxation & assessement shalbe had or made as aforesaid, which money so payd, shal by the Iustices or Iustice so receiuing the same, be deliuered ouer (vpon request made) vnto the saide inhabitant or inhabitants, to whose vse the same was collected.

And be it further enacted by the authoritie aforesaid, that the like taxation, assessement, leuying by distresse & paymẽt, as aforesaide, shalbe had & done within euery hundred where default or negligẽce of pursute & fresh sute shalbe, for & to the benefite of all & euery inhabitant and inhabitants of the same hundred, where such default shalbe, that shall at any time hereafter by vertue of this present act, haue any dammages or money leuied of them, for or to the paymẽt of the one moitie or half of the money recouered against the said hundred where any robbery shall be hereafter committed. Hundreds

Prouided also, and be it further enacted by the authoritie aforesaid, that where any robberie is, or shalbe hereafter cõmitted by two, or a greater number of malefactours, & that it happen any one of the said offenders to bee apprehended by pursute to be made according to the said former mẽtioned lawes & statutes, or according to this present act, that then & in such case, no hundred or franchise shall in any wise incurre, or fal into the penaltie, losse or forfaiture mẽtioned either in this present act, or in the said former statutes, although ẏ residue of ẏ said malefactors shal happen to escape, & not to be apprehended: any thing in this statut, or in the said former statute to ẏ contrary notwithstanding. Robbery. Offender taken

Prouided also, that no person or persõs hereafter robbed, shall take any benefite by vertue of any the said former statutes, to charge any hundred where any such robberie shalbe committed, except he or they so robbed, shall cõmence his or their sute or action within one yeare next after such robberie so to be committed. One yere

And be it further enacted by the authoritie aforesaid, that no hue or cry, or pursuite hereafter to be done or made by the Countrey or inhabitants of any hundred, shalbe allowed & takẽ to be a lawfull hue & cry, or pursuit, vpon or after any the said felons or offenders, except the same hue & cry & pursuit be done & made by horsemen & footemen, any vsage or customs to the contrary notwithstanding. Horsemen & footemen

And bee it further also enacted by the authoritie of this present Parliament, that no person or persons that shall hereafter happen to be robbed, shall haue or maintaine any action, or take any benefit by vertue of the saide two mentioned statutes, or either of them, except the saide person and persons so robbed, shall with as much conuenient spẽd as may be, giue notice and intelligence of the saide felony or robbery so committed, vnto some of the inhabitants of some towne, village, or hamlet neere vnto the place where any such robberie shalbe committed, nor shall bring or haue any action, vpon or by vertue of any the statutes aforesaide, except he or they shal first within twentie daies next before such action to bee brought, bee examined vpon his or their corporal othe, to be taken before some one Iustice of the Peace of the Countie where the robbery was committed, inhabiting within the said hundred where the robbery was cõmitted, or neere vnto the same, whether he or they doe knowe the parties that cõmitted the said robbery, or any of them. And if vpon such examination it bee confessed that he or they do know the parties that committed the saide robbery, or any of them, that then he or they so confessing, shall before the saide action be commenced or brought, enter into sufficient bond by recognisance before the saide Iustice, before whome the saide examination is had, effectually to prosecute the same person and persons so knowen to haue committed the saide robbery, by indictment or otherwise, according to the due course of the Lawes of this Realme. Anno 27. Elizabeth cap. 13. Othe. Recognisance.

¶Rochester.

ALl writtes to be purchased by the wardens of the newe bridge of Rochester & their successors, or by other against them to be purchased, shalbee maintained & sustained by the law of England. And although that the saide wardens or any of them be remoued or expulsed from their said office, or do die, hanging ẏ said writs, neuertheless the same writs shal stand & be good & effectuall in the Lawe for euer. An. 9. H. 5. cap. 12. Writs. Wardens

¶Roiston.

WHere the Towne of Roiston was in fiue seuerall Parishes, after by

An.

An. 32. H. 8. cap. 44. the Church of the late priory in Roiston is made ỹ parish church of Roiston, & a vicar perpetuall made for the same parish, and the king made patrō of the vicarage. & the Vicarage made vnder the dioceſſe of the Bishop of London, & the tithes of the corne, hey, woll, lambe, and calfe, appointed to the parsons of the fiue parishes, as before this act, & the Vicar of Roiston to haue other tithes, offerings, oblations, obuentions, or other eccleſiaſtical duties and rights, and the fiue parsōs to haue like remedy for their tithes of corne, the woll and lambe, and calfe, as before this ſtatute.

Vicar perpetuall K. patron

Bishop of London

Tithes Oblations

¶ Rome.

WHere the kings humble and obedient ſubiects, the clergie of this realme of England, haue not only knowledged according to the trueth, that the conuocations of the ſame clergie, is, alwaies hath bēn, and ought to bee aſſembled only by the kings writ, but alſo ſubmitting themſelues to the Kings Maieſtie, hath promiſed In verbo ſacerdotij, that they will neuer from henceforth preſume to attempt, alleage, claime, or put in vre, or enact, promulge, or execute any newe canons, cōſtitutions, ordinances prouinciall or other, or by whatſoeuer other name they ſhalbe called in the conuocatiō, vnleſſe the kings moſt royall aſſent & licence may to them be had, to make, promulge, and execute the ſame, and that his Maieſtie doe giue his moſt royall aſſent & authoritie in that behalfe. And where diuers conſtitutions, ordinances & canons prouinciall or ſynodal, which heretofore hath bēn enacted, and be thought not only to bee much preiudiciall to the Kings prerogatiue royall and repugnant to the lawes and ſtatutes of this Realme, but alſo ouermuch onerous to his Highnes & his ſubiects, the ſaid clergie hath moſt hūbly beſought the kings highnes, that the ſaide conſtitutions and canons may bee committed to the examination and iudgement of his Highneſſe and of 32. perſons of the kings ſubiects, whereof 16. to be of the vpper and nether houſe of the parliament, of the temporaltie, & other ſixteene to be of the Clergie of this Realme. And that all the ſaide 32. perſons to bee choſen and appointed by the kings Maieſty. And that ſuch of the ſaide conſtitutions and canons as ſhall bee thought and determined by the ſaid two and thirty perſons, or the more part of them worthy to be abrogated & adnulled, ſhalbe aboliſhed & made of no value accordingly: And ſuch other of the ſame conſtitutions and canons, as by the ſaid xxxii. or the more part of them ſhalbee approued to ſtand with the lawes of God, and conſonāt to the lawes of this Realme, ſhall ſtand in their full ſtrength and power, the Kings moſt royall aſſent firſt had and obteined to the ſame. Bee it therfore now enacted by authority of this preſent parliament, according to the ſaide ſubmiſſion and petition of the ſaid clergy, that they nor any of them from henceforth ſhall preſume to attempt, alleage, claime, or put in vre any conſtitutions or ordinances, prouinciall, or ſynodals, or any other canons, nor ſhall enact, promulge, or execute any ſuch canons, conſtitutions, or ordinances prouinciall, by whatſoeuer name or names they may bee called in their Conuocations in time comming, which alway ſhal be aſſembled by authoritie of the kings Writ: vnleſſe the ſame clergy may haue the kings moſt royal aſſent and licence, to make, promulge, & execute ſuch canons, conſtitutiōs, & ordinances prouinciall or ſynodall vpon payne of euery one of the ſaide clergie, doing contrary to this act, and being therof conuict, to ſuffer impriſonment, and to make fine at the kings will. And foraſmuch as ſuch canons, conſtitutions, and ordinances heretofore hath bēn made by the clergie of this realme, cannot now at the ſeſſion of this preſent Parlyament, by reaſon of ſhortneſſe of time, bee viewed, examined, and determined, and 32. perſōs to be choſen and appointed according to the petition of the ſaide clergie, in forme aboue rehearſed: Be it therefore enacted by authoritie aforeſaide, that the kings Highneſſe ſhall haue power and authoritie to nominate & aſſigne at his pleaſure the ſaid xxvij perſons of his ſubiects, whereof ſixtēn to be of the clergie, and ſixteene to be of the temporaltie, of the vpper & nether houſe of the Parlyament. And if any of the ſaide xxvii. perſons ſo choſen, ſhall hap to die before their full determination, then his highneſſe to nominate other from time to time of the ſaid two houſes of the parlyament to ſupply the number of the ſayde xxvii. And that the ſame xxvii. by his highneſſe ſo to be named, ſhal haue power and authoritie to view, ſearch, & examine the ſaid canons, cōſtitutions, & ordināce prouinciall

Clergie

Conuocatiō

K. writ

Licence

Aſſent

Conſtitutions Canons King Two and thirtie perſons Sixteene temporall Sixteene of the clergie

Clergie

Conuocatiō

Impriſ. Fol.

King

Two and thirtie perſons

Authoritie

uinciall and ſynodall, heretofore made: & ſuch of them, as the kings highneſſe & the ſaid xxxii. or the more part of them, ſhall deeme, & adiudge worthy to bee continued, kept and obeyed, ſhal bee from thenceforth, kept, obeyed, and executed within this Realme, ſo that the kings moſt royal aſſent vnder his great ſeale be firſt had to the ſame. And the reſidue of ỳ ſaid canõs, conſtitutions and ordinances Prouincial which the king & the ſaide thirty and two perſons, or the more part of them ſhal not approoue, or deeme and iudge worthy to be abolite, abrogate, and made fruſtrate, Voide ſhall from henceforth be void and of none effect, and neuer be put in executiõ within this realme.

Prouided alway that no canons, conſtitutions or ordenance ſhall bee made or put in execution within this realme, by the authoritie of the Conuocation of the clergy, which ſhal bee contrariant or repugnant to the kings prerogatiue royall, R. prerogatiue or the cuſtomes, lawes or ſtatutes of this realme: any thing conteined in this act to ỳ contrary hereof notwithſtãding. And be it &c. that from ỳ feaſt of Eaſter, which ſhalbe in the yere of our Lord God, 1534. Appeales no maner of appeales ſhall be had, prouoked, or made out of this realme, or out of any the kings dominions to the Biſhop of Rome, nor to ỳ ſee of Rome, in any cauſes or matters happening to be in contention, and hauing their commencement & beginning in any of the Courts within this Realme, or within any of the kings dominions, of what nature, condition or qualitie ſoeuer they be of, but that all maner of appeales, of what nature or condition ſoeuer they bee of, or what cauſe or matters ſoeuer they concerne, ſhall bee made and had by the parties grieued, or hauing cauſe of appeale after ſuch maner, forme, and condition as is limited for appeales to bee had & proſecuted within this realme in cauſes of matrimony, tithes, oblations, & obuentions, by a ſtatute therof made and eſtabliſhed ſithen the beginning of this preſent Parlyament, & according to the forme and effect of the ſaid ſtatute, any vſage, cuſtome, preſcription, or any thing or things to the contrary hereof not withſtanding.

Iuſtice Courts And for lacke of iuſtice, at, or in any the courts of the Archbiſhops of this realm, or in any the kings dominions, it ſhall bee lawfull to the parties grieued to appeale Chancery to the kings court of Chancery. And that vpon euerie ſuch appeale a commiſſion ſhall bee directed vnder the great ſeale, to ſuch perſons as ſhall bee named by the kings Highnes, his heires or ſucceſſors, like as in caſe of appeale frõ the admiral Court, to heare & definitiuely determine Diffinitiue. ſuch appeales, & the cauſes concerning ỳ ſame: Which commiſſioners, ſo by the Commiſſioners kings highnes, his heires or ſucceſſors to be named or apoynted, ſhall haue full power and authority to heare, and definitiuely determine euery ſuch appeal, with the cauſes and all circumſtances concerning the ſame: And that ſuch iudgement Iudgement & ſentence as the ſaid Commiſſioners ſhall make and decree in and vpon any ſuch appeale, ſhall be good and effectuall and alſo definitiue. And no further appeales to be had or made from the ſaid commiſſioners for the ſame.

And if any perſon or perſons at anie time after the ſayde feaſt of Eaſter, prouoke or ſue any manner of appeales, of what nature or condition ſoeuer they bee of, to the ſaide Biſhop of Rome, or to the ſee of Rome, or doe procure or execute anie manner of proceſſe from the See of Rome, or by authoritie thereof, to the derogation or let of the due execution of this acte, or contrarie to the ſame: that then euerie ſuch perſon or perſons ſo doing, theyr ayders, counſellers, and abetters, ſhall incurre and run into the daungers, paines, and penalties conteined and Premunire limited in the act of proniſion and premunire, made in the firſtenth yere of ỳ kings moſt noble progenitour, king Richard the ſecond, againſt ſuch as ſue to the court of Rome, againſt the kings crowne and prerogatiue royall.

Prouided alwaies, that all maner prouocations & appeales hereafter to be had, made, or taken from the iuriſdictions of any Abbats, priors, or other heads, any gouernours of monaſteries, abbies, priories and other houſes & places exempt in ſuch caſes, as they were wont or might afore the making of this act by reaſõ of grants or liberties of ſuch places exempt, to haue or make immediatly any appeale or prouocations from ỳ biſhop of Rome, otherwiſe called the Pope, or to ỳ ſee of Rome, that in all ſuch caſes euery perſon or perſons, hauing cauſe of appeale or prouocation, ſhall and may take and make their appeales and prouocatiõs immediatly to the Kings Maieſtie of this Realme into the court of Chancerie, in like maner and Chancerie forme

forme as they vsed afore to do to the see of Rome, which appeales and prouocations so made, shall bee definitiuely determined by authoritie of the kings commission, in such maner and forme as in this act is aboue mentioned. So that no Archbishop nor bishop of this realme shal intermit or meddle with any such appeales otherwise or in any other manner, then they might haue done before the making of this acte, any thing in this act to the contrary therof notwithstanding.

Archbishop Bishop

Canons

Prouided also, that such canons, constitutions, ordinances and synodals prouinciall, being already made, which bee not contrariant nor repugnant to the lawes, statutes and customes of this realme, nor to the damages or hurt of the kings prerogatiue royal shall now stil be vsed & executed as they were afore the making of this act till such time as they bee viewed, searched, or otherwise ordered or determined by the said two & thirty persons, or ỳ more part of them, according to the tenor, forme and effect of this present act. An. 25 H. 8. ca. 19. This act is repealed by 1. & 2. P. & M. and reuiued by An. 1. El. cap. 1.

Repugnant

Prerogatiue

2 ¶ Where sithen the beginning of this present parliamẽt, for represse of the exaction of annates & first fruits of Archbishoprikes and bishoprikes of this realme, wrongfully taken by the bishop of Rome, otherwise called the Pope, and the see of of Rome: It is ordeined and established by an act, amongst other things, that the paiments of the annates or first fruits, & all maner contributions for the same, for any such Archbishoprike or Bishoprike, or for any buls to be obteined from the see of Rome, to or for the said purpose or intent, should vtterly cease, & no such to be payed for ante Archbishoprike or Bishoprike within this realme otherwise then in the same act is expressed.

Annates First fruites Archbish. Bishop

Bulles

And that no manner of person or persons to be named, elected, presented, or postulated to any Archbishoprike or Bishoprike within this Realme, should paye the saide annates or first fruites, nor any other maner of summe or summes of money, pensions, or annuities for the same, or for any other like exaction or cause, vpon paine to forfeit to our soueraigne Lord the king, his heires and successors, al maner his goods and cattels for euer, and all the temporal landes and possessions of the saide Archbishoprike or Bishoprike, during the time that hee or they that should offend cõtrary to the said act, should haue, possesse and inioy the said Archbishoprike or Bishoprike.

Forf.

And it was further enacted, that if any person named or presented to the See of Rome, by the kings highnes, or his heires or successors to bee Bishop of any See or diocesse within this Realme, should happen to be letted, delaied, or deferred at the See of Rome, from any such Bishoprike whereunto hee shall bee so presented, by meane of restreint of Bulles of the saide Bishoppe of Rome, otherwise called the Pope, and other things requisite for the same, or should bee deemed at the see of Rome, vpon conuenient sute for any buls requisite for any such cause, that then euery person so presented, might or should be cõsecrated here in England by the Archbishop, in whose prouince the saide Bishoprike shall be: so alwayes that ỳ same person should be named and presented by the King for the time being, to the sayde Archbishop. And if any person being named and presented as is aforesaide, to any Archbishoprik of this realm, making conuenient sute as is aforesaid, should happe to be letted, delaied, deferred, or otherwise disturbed from the said Archbishoprik, for lacke of pall, bull, or other things to him requisit to be obteined at the see of Rome, that then euery such person so named and presented to bee Archbishop, might and should bee consecrated and inuested after presentation made as is aforesaid, by any other two Bishops within this Realme, whom ỳ kings highnes, or any his heires or successors, kings of Englande, would appoint & assigne for the same, according, & after like maner as diuers archbishops & bishops haue bẽn heretofore in ancient time, by sundry the kings most noble progenitors made, consecrated and inuested within this Realme.

Archbishop Cõsecrated

And it was further enacted by the saide acte, that euery Archbishop & bishop being named and presented by ỳ kings highnes his heires and successors, kings of England, and being consecrated & inuested as is aforesaid, shal be installed accordingly, and should bee accepted, taken & reputed, vsed & obeyed, as an Archbishop or bishop of the dignitie, see or place whereunto bee shall be so named, presented & consecrated as other like prelates of the prouince, see or diocesse haue bẽn vsed, accepted, taken & obeied: which haue had & obteined completely their buls & other things requisite

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in that behalfe from the ſée of Rome, and alſo ſhould fully and entirely haue and enioy all the ſpiritualties & temporalties of the ſaide Archbiſhoprike, or biſhoprike, in as large, ample, & beneficial maner, as any of his or their predeceſſors had or enioyed in the ſaid Archbiſhoprike or Biſhoprike, ſatiſfying & yelding vnto the kings highnes, and to his heires & ſucceſſors, all ſuch duties, rights and inueſts as before time hath bene accuſtomed to be paied for any ſuch Archbiſhoprike or biſhoprike, according to the ancient lawes & cuſtomes of this realme, and the kings prerogatiue royall, as in the ſaide acte amongſt other things is more at large mentioned. And albeit the ſaid biſhop of Rome, otherwiſe called the Pope, hath bin informed & certified of the effectuall contents of the ſaid act, to the intent ỹ by ſome gentle wayes the ſaid exactions might haue bẽn redreſſed and reformed: yet neuertheles the ſaid biſhop of Rome hitherto, hath made none anſwere of his minde therein to ỹ Kings highnes, nor deuiſed or required any reaſonable wayes to and with our ſaid ſouereigne Lorde for the ſame: wherefore his moſt excellent goodneſſe, for the wealth & profit of this his Realme, & ſubiects of the ſame, hath not onely put his moſt gracious and royall aſſent to the foreſaid acte, but alſo hath ratified and confirmed the ſame, and euery clauſe and article therein conteined, as by his letters patents vnder his great ſeale enrolled in the parliament roll of this preſent Parliament more at large is conteined. And foraſmuch as in the ſaid act it is not plainly and certainely expreſſed, in what maner & faſhion Archbiſhops and biſhops ſhalbe elected, preſented, inueſted and conſecrated within this realme, and in all other the kings dominions: Bee it nowe therefore enacted by the king our ſouereigne lorde, by the aſſent of the lords ſpiritual & temporall, & the commons in this preſent parliament aſſembled, & by authoritie of the ſame, that the ſaid acte, and euery thing therein conteyned, ſhalbe and ſtand in ſtrength, vertue, and effect, except onely that no perſon or perſons hereafter ſhalbe preſented, nominated, or commended to the ſaid biſhop of Rome, otherwiſe called the Pope, or to ỹ ſée of Rome, to or for the dignitie or office of any Archbiſhop or Biſhop within this Realme, or in any other the kings dominions, nor ſhal ſend nor procure therefore anie maner of Bulles, brieues, palles, or other things requiſite for an Archbiſhop or biſhop, nor ſhal pay any ſums of money for annates, firſt fruites, or otherwiſe for expeditiõ of any ſuch buls, brieues, or palles, but that by the authoritie of this acte ſuch preſenting, nominating or commending to the ſaide biſhop of Rome, or to the ſée of Rome, & ſuch bulles, brieues, palles, annates, firſt fruites, & euery other ſums of money heretofore limited, accuſtomed or vſed to be paied at the ſaid ſée of Rome, for procuration or expedition of any ſuch Bulles, brieues, or palles, or other thing concerning the ſame, ſhall vtterly ceaſe, and no longer be vſed within this realme or within any the Kings dominions, any thing conteyned in the ſaide Acte afore mentioned, or any vſe, cuſtome, or preſcription to the contrary thereof notwithſtanding. Firſt fruits

And furthermore bee it ordeined and eſtabliſhed by the authoritie aforeſaid, that at euery ordinance of Archbiſhoprike or Biſhoprike within this Realme, or in any other the kings dominions, the King our ſouereigne lord, his heires and ſucceſſors may graunt the Priors and Couent, or the Deane & chapter of the Cathedrall churches or monaſteries, where the ſée of ſuch Archbiſhoprike or Biſhoprike ſhall happen to be voide, a licence vnder the greate ſeale, as of old time hath ben accuſtomed, to proceed to election of any Archbiſhop or Biſhop of the ſée ſo being void with a letter miſſiue, conteining the name of the perſon which they ſhall elect and chuſe: by vertue of which licence, the ſaide Deane & Chapter, or Priors & Couent, to whome any ſuch licence and letters miſſiues ſhal be directed, ſhall with all ſpeed and celeritie in due forme elect and chuſe the ſaide perſon named in the ſaide letters miſſiues to the dignity and office of the Archbiſhoprike ſo being void, and none other. And if they doe, or deferre, or delay their election aboue twelue dayes next after ſuch licẽce & letters miſſiues to them deliuered, that thẽ for euery ſuch default the kings highneſſe, his heires and ſucceſſours, at their libertie and pleaſure, ſhall nominate and preſent by their Letters Patents vnder their great ſeale, ſuch perſon to the ſayde office and dignitie, ſo being voide, as they ſhall thinke able and conuenient for the ſame. And that euery ſuch nomination and preſentment to be made by the kings Highneſſe, his heires and ſucceſſors, if it bee to the office and dignitie of a Biſhop, ſhal Deane. Licence. Letters miſſiue. Delay. Twelue dayes. Default. Letters P.

shal bee made to the Archbishop & Metropolitaine of the prouince where the sée of ỳ same Bishoprike is voide, if the sée of the Archbishop said Archbishop be then full and not void, and if it bee voide, then to be made to such Archbishop or metropolitane within this Realme, or in any the Kings dominions, as shall please the Kings Highnesse, his heires or successors. And if any such nomination or presentment shall happen to be made for default of such elections to the dignitie or office of any Archbishop, then the kings highnesse, his heires and successors, by his letters patẽts vnder his great seale shall nominate and present such person as they will depose to haue the said office and dignity of the Archbishoprike being void, to one such Archbishop, and two such Bishops, or els to foure such bishops in this realm, or in any the kings dominions, as shal be assigned by our said Soueraigne lord, his heires and successors. And be it enacted by the authoritie aforesaide, that whensoeuer any such presentment or nomination shall bee made by the Kings Highnesse, his heires or successours, by vertue and authoritie of this acte, and according to the tenor of the same, that then euery Archbishop and Bishop, to whose hand anie such presentment and nomination shall bee directed, shall with all spéd and celeritie, inuest, and consecrate the person nominate and presented by the Kings Highnesse, his heires or successors, to the Office and dignitie that such person shall bee so presented vnto, and giue and vse to him palle and al other benedictions, ceremonies and things requisit for the same, without suing, procuring, or obteining hereafter anie Bulles or other things at the Sée of Rome, for anie such office or dignitie in any behalf. And if the said Deane & Chapter, or Prior & couent, after such lycence and letters missiue to them directed within the saide twelue dayes, doe elect and chuse the sayde person mentioned in the said letters missiues, according to the request of the Kings Highnesse, his heires and successours, thereof to be made by the letters missiues in that behalfe: Then their election shall stande good and effectuall to all intents, and that the person so elected after certification made of the same election vnder the common and couent seale of the electours, to the Kings Highnesse, his heires or successours, shall bee reputed and taken by the name of Lorde elected of the saide dignitie and office, that bee shall bee elected vnto. And then making such othe and fealtie onelie to the Kings Maiestie, his heires and successours, as shall be appointed for the same, the Kings Highnes by his Letters Patents vnder his great seale, shall signifie the said election, if it be to the dignitie of a Bishop, to the Archbishoppe and Metropolitane of the Prouince where the Sée of the saide Bishoprike was voyde, if the Sée of the sayde Archbishop be full and not voyde, and if it be void, then to an other Archbishop within this Realme, or in any other the kings dominions, requiring and commaunding such Archbishop, to whome any such signification shall bee made, to confirme the saide election, and to inuest and consecrate the saide person so elect to the Office and dignitie that hee is elected vnto, and to giue and vse to him all such benedictions, ceremonies and other things requisite for the same, without any suing, procuring and obteining any buls, letters or other thinges from the sée of Rome for the same in any behalfe. And if the person bee elected to the office & dignitie of an Archbishoppe, according to the tenour of this act then after such election certified to the kings Highnesse in forme aforesaide, the same person so elected to the Office & dignitie of an Archbishop, shall bee reputed and taken lorde elect to the saide Office and dignitie of Archbishop, whereunto he shall bee so elected. And then after hee hath made such othe and fealtie onelie to the Kings Maieste, his heires and successours, as shall bee limited for the same, the Kings Highnesse by his Letters Patents vnder his great seale, shall signifie the saide election to one Archbishop and two other Bishops, or else to foure Bishops within this Realme, or within any other the kings dominions to be assigned to the Kings highnesse, his heires or successours requiring and commaunding the said Archbishop & bishops with all speed & celeritie to confirme the saide election, and to inuest and consecrate the said person so elected to the office and dignitie that he is elected vnto, and to giue and vse to him such Pall, Benedictions, ceremonies, and all other things requisite for the same, without suing, procuring, or obteining any bulles, breues, or other things at the said sea of Rome, or by the authority therof in that behalfe. And bee it further enacted by authoritie aforesaide, that euery person

Archbishop
L. patents
Consecrate
Bulles
Deane Prior
Othe Fealtie
Confirme
Lorde elect
Othe Fealtie
Letters P.

person and persõs being hereafter chosen, elected, nominate, p̃sented, inuested, and consecrate, to the dignitie, o̲r office of any Archbishop o̲r Bishop within this realm, o̲r within any other the kings dominiõs, acco̲rding to the fo̲rme, tenour and effect of this p̃sent act, and suing their temporalties out of the kings hands, his heires o̲r succesſo̲rs, as hath beene accustomed, & making a co̲rpo̲ral othe to ỹ kings Highnes, and to none other, in fo̲rme, as is afo̲re rehearsed, shall and may from hencefo̲rth be thronised o̲r installed as the case shall require, and haue and take their only restitution out of the kings handes, of all the possessions and p̃fits spirituall & tempo̲rall belonging to the saide Archbisho̲prike o̲r Bisho̲prike, whereunto they shalbe so elected o̲r p̃sented, and shall be obeyed in all maner of things, acco̲rding to the name, title, degrée & dignitie, that they shal bee so chosen o̲r p̃sented vnto, & do, and execute in euery thing and things touching the same, as any Archbishop, o̲r bishop of this Realme, without offending of the p̃rogatiue royall of the crowne, and the lawes & customes of this realme, mought at any time heretofo̲re doe.

Pr̃iour Deane

And be it further enacted by the authoritie afo̲resaid, that if the p̃iour & couent of any monasterie, o̲r Deane and Chapiter of any Cathed̃rall Church where the sea of any Archbishop o̲r bishop is within any the kings dominions, after such lycence as is afo̲re rehearsed shal be deliuered to them, p̃ceed not to electiõ, & signifie the same acco̲rding to the tenour of

20. dayes Licence

this act, within the space of twenty dayes next after such licence shall come to their hands, o̲r else, if any Archbishop o̲r bishop within any the kings dominions, after any such election, nomination o̲r p̃sentation shall bee signified vnto them by the

Refuse

kings letters patents, shall refuse, and do not confirme, inuest and consecrate with al due circumstance as is afo̲resaid euery such persõ as shal be so elected, nominated o̲r p̃sented, and to them signified, as is

20. dayes L. patents

aboue mentioned, within twentie dayes next after the kings Letters patents, o̲r such signification o̲r p̃sentation shall come to their hands, o̲r else if any of them o̲r any other persõ o̲r persõs, admit, maintaine, allow, obey, doe, o̲r execute any cen-

Excommunication

sures, excommunication, interdictions, inhibitions o̲r any other p̃cesse o̲r acte, of what nature, name o̲r qualitie soeuer it be, to the contrarie o̲r let of due execution of this act, that then euery P̃iour and particular person of his Couent, and euery Deane and particuler person of the chapter, and euery Archbishop and bishop and all other persons so offending and doing contrarie to this act o̲r any part therof, and their aiders, coũsellers and abbetters, shall run in the dangers, paines and penalties of the estatute of the p̃uision and P̃emunire made in the xvj. yeere of the reigne of king Edward the third, and in the sirténe yere of king Richard the 2. An. 25. H. 8. cap. 20. This acte was repealed by Anno 1. and 2. P. and M. and renued by 1. Eliz. cap. 1.

Archbishop Bishop

Præmunire

3 ¶ That no person o̲r persons of this your Realme, o̲r of any other your dominions, shall from hencefo̲rth pay any pension, censes, po̲rtion, Peter pence, o̲r any other impositions, to the vse of the said bishop of the sée of Rome, like as heretofo̲re they haue vsed by vsurpatiõ of the said bishop of Rome and his p̃decesſo̲rs, and sufferance of your highnes and your most noble p̃progenitours to do, but that all such pensions, censes, po̲rtions, and Peter pence, which the said Bishop of Rome, otherwise called the Pope, hath heretofo̲re taken and perceiued, o̲r caused to be takẽ and perceined to his vse, and his Chambers which hee calleth Apostolique, by vsurpation and sufferance, as is aboue said, within this your Realme, o̲r anie other your dominions, shall from hencefo̲rth clearely surcease, and neuer mo̲re be leuied, taken, receiued no̲r payed, to any person o̲r persons in any manner of wise, any constitution, vse, p̃scription, o̲r custome to the contrary therof notwithstanding.

Pension

Pope

And bee it further enacted by the authoritie afo̲resaide, that neither your Highnesse, your Heires no̲r succesſo̲rs, Kings of this Realme, no̲r anie of your subiects of this Realme, no̲r of anie other dominions, shall from hencefo̲rth sue to the saide Bishop of Rome called the Pope, o̲r to the Sée of Rome, o̲r to any person o̲r persons, hauing o̲r p̃tending any authoritie by the same, fo̲r licences, dispensations, impositions, faculties, graunts, rescripts, delegacies, o̲r any other instruments o̲r writings, of what kind, name, nature o̲r qualitie soeuer they bee of, fo̲r any cause o̲r matter, fo̲r ỹ which any licẽce, dispensation composition, faculty, grant, restript, delegacie, instrument, o̲r other writing, heretofo̲re hath bene vsed and

Sue Pope

accustomed

accuſtomed to be had and obtained at the ſea of Rome, or by authoritie therof, or of any prelate of this realme, nor of any maner of other licences, diſpenſations, compoſitions, faculties, grants, reſcripts, delegacies, or any other inſtrumẽts or writings that in cauſes of neceſſity may lawfully be granted without offending of holy Scripture and lawes of God: but that from henceforth euery ſuch licence, diſpenſation, compoſition, facultie, graunt, reſcript, delegacie, inſtrument, and other writing afore named and mentioned neceſſary for your Highneſſe, your heires or ſucceſſors, and your and their people and ſubiects, vpon the due examination of the cauſes and qualities of the perſons procuring ſuch diſpenſations, licences, compoſitions, faculties, grants, reſcripts, delegacies, inſtruments, or other writings ſhal be granted, had, & obtained from time to time, within this your Realme, and other your dominions, not elſewhere, in maner and forme following, and none otherwiſe: that is to ſay, the Archbiſhop of Canterbury for the time being, and his ſucceſſours, ſhall haue power and authoritie from time to time, by their diſcretions, to giue, graunt, and diſpoſe, by an inſtrumẽt, vnder ẏ ſeale of your ſaid Archbiſhop vnto your Maieſtie, and to your heires and ſucceſſors, kings of this realm, as well all maner ſuch licences, diſpenſations, compoſitions, faculties, graunts, reſcripts, delegacies, inſtruments and all other writings, for cauſes not being contrary nor repugnant to holy Scriptures and lawes of God, as heretofore hath bin vſed and accuſtomed to be had and obteyned by your Highneſſe or any your moſt noble progenitors, or any of yours or their ſubiects at the See of Rome, or any perſon or perſons by authoritie of ẏ ſame: and all other licences, diſpenſations, faculties compoſitions, graunts, reſcripts, delegacies, inſtruments, and other writings, in, for and vpon all ſuch cauſes and matters as ſhal be conuenient and neceſſarie to bee had, for the honour and ſuretie of your Highneſſe, your heires and ſucceſſours, and the wealth and profite of this your realme: So that the ſaid Archbiſhop, or any his ſucceſſors, in no manner wiſe ſhall grant any diſpenſation, licence, reſcript, or any other writing afore reheaſſed, for any cauſe or matter repugnant to the law of almightie God. Bee it alſo enacted by authoritie aforeſaid, that the ſaid Archbiſhop and his ſucceſſours after good and due examination by them had, of the cauſes & qualities of the perſons procuring for licences, diſpenſations, compoſitions, faculties, delegacies, reſcripts, inſtruments and other writings, ſhall haue full power and authoritie by themſelues, or by their ſufficient and ſubſtantial commiſſarie or deputie by their diſcretions from time to time to graunt and diſpoſe by an inſtrument vnder the name & ſeale of the ſaide Archbiſhop, as well to anie of your ſubiects, as to the ſubiects of your heires and ſucceſſours, all manner licences, diſpenſations, faculties, compoſitions, delegacies, reſcripts, inſtruments or other writings for any ſuch cauſe or matter, whereof heretofore ſuch licences, diſpenſations, compoſitions, faculties, delegacies, reſcripts, inſtruments or writings haue bẽn accuſtomed to bee had at the ſee of Rome, or by authoritie thereof, or of any prelate of this Realme. And that the ſaide Archbiſhop and his commiſſarie ſhall not graunt any other licence, diſpenſation, compoſition, facultie, writing, or inſtrument in cauſes vnwont and not accuſtomed to bee had or obteined at the court of Rome, nor by authoritie thereof, nor by any prelate of this Realme vntill your grace, your heires or ſucceſſours, or your or their counſell ſhall firſt be aduertiſed thereof, and determine whether ſuch licences, diſpenſations, compoſitions, faculties or other writings, in ſuch caſes vnwont and not accuſtomed to be diſpenſed withall, or obteined, ſhal commonly paſſe as other diſpenſations, faculties, or other writings ſhall or no; vpon paine that the graunters of euery ſuch licence, diſpenſation, or writing in ſuch caſes vnwont, contrary to this act, ſhall make fine at the will & pleaſure of your grace, your heires and ſucceſſours. And if it be thought and determined by your Grace, your Heires and ſucceſſours, or your or their Counſell, that diſpenſations, faculties, licentes, or other writings, in anie ſuch cauſe vnwoonte ſhall paſſe, then the ſayde Archbiſhop or his Commiſſarie, hauing licence of your Highneſſe, your heires or ſucceſſours for the ſame by your or their bill aſſigned, ſhall diſpenſe with them accordingly.

Archbiſhop of Canterbury

Licences

Fine

Licence

Prouyded alwayes, that no manner of diſpenſations, licences, faculties, or other reſcripts or writings, hereafter to bee granted to any perſon or perſons, by vertue

or

or authoritie of this act by the said Archbishop or his Commissary, being of such importance, that the tare for the expedition therof at Rome extended to the summe of
liii. pounds foure pounds or above, shal in any wise be put in execution, till the same lycence dispensation, facultie, rescript, or other writing, of what name or nature soeuer it be of, bee first confirmed by your Highnesse, your heires or successors, kings of this realme, vnder the great seale, & enrolled in your Chancerie in a rolle by a clerke to be appointed for the same. And that this
Warrant act shalbe sufficient warranty to the chanceller of Englande for the time being, or to him whome your grace, your heires or successors shall depute to be the keeper of the great seale, to confirme in your name, your heires or successors, the foresaide writings passed vnder the saide Archbishops seale, by Letters Patents in due forme therof to be made vnder your great seale, remitting as well the saide writing vnder the Archbishops seale, as the saide confirmation vnder the great seale, to the parties from time to time, procuring for the same. And that all such licences, dispensations, facultie and other rescripts and writings, for the expeditiō of ỹ which, the said tares to be paid at Rome was vnder foure pounds, which be matters of no greate importance, shall passe onely by
Seale Archbishops seale, and shall not of necessitie bee confirmed by the great seale, vnlesse the procurers of such licence, facultie or dispēsation, desire to haue them so confirmed: In which case they shall paye for the said great seale, to ỹ vse of your Highnesse, your heires and successors, v.s sterling, and not above, ouer and beside such
Fiue shillings tare as shall bee hereafter limited for the making, writing, registring, confirming and inrolling of such licence, confirmations and writings, vnder the saide tare of foure pounds. And that euery such licence, dispensation, composition, facultie, rescript and writing, of what name or nature soeuer it be, for such causes as the tare was wont to be foure pound or above, so granted by the Archbishop, and confirmed vnder the great seale, and al other licences, dispensations, facultie, rescripts, & writings hereafter to be granted by the Archbishop, by vertue and authoritie of this act, whereunto the great seale is not limited of necessitie to be put to, by reaso that the tare of them is vnder foure pounds, shall be accepted, approued, allowed & admitted good and effectuall in the lawe, in all places, courts, and iurisdictions, aswel spiritual as temporal within this realme, and elsewhere within your dominions, & as beneficial to the persons obtaining the same, as they should haue bēen, if they had bēen obteined with all things requisite, of the see of Rome, or of any other person by authoritie thereof, without any reuocation or repeale hereafter to bee had of anie such licences, dispensations, facultie, rescript or writings, of what nature soeuer
Children they bee: And that all children procreated after solemnizations of any marriages to be had or done by vertue of such licences
Legitimate or dispensations, shall bee admitted, reputed and taken legitimate in all courts as well spirituall as temporall, and in all other places, and inherit the inheritance of their parents and auncestors within this your Realme, and all other your dominions, according to the lawes and customes of the same, and all acts to be done, had, or executed according to the tenor of such lycences, dispensations, facultie, writings or other instruments to be made or granted by authoritie of this act, shal be firme, permanent, and remaine in force, any forreine lawes, constitutions, decrees, cannons, decretals, inhibitions, vse, custome, prescription, or anie other thing had, or hereafter to be made, to the contrary notwithstanding. And be it further enacted, that the saide Archbishop & his successors, shall haue power & authority to ordeine, make, and cōstitute a Clerke, which shall
Register writte and register euery such licence, dispensatiō, facultie, writing, or other instrumēt to be granted by the said Archbishop, and shall find parchment, wax, & siluer lares conuenient for the same, & shal take for his paines such sums of money as shall be hereafter in this present act to him limited in that behalfe for the same. And that like wise your grace, your heires and successors, shall by their Letters patents vnder your great seale, ordeine, depute, and con-
Clerke stitute one sufficient Clerke being learned in the course of the Chancery, which alwaies shall be attendant vpon the saide Lord Chauncellor, or Lord Keeper of the great seale for the time being, and shall make, write, and inroll the confirmations of all such licences, dispensations, instruments and other writings, as shalbee thither brought vnder the Archbishops seale, there to bee confirmed and inrolled. And shall also entitle in his bookes & inroll

of record, such other writings as thither shall be brought vnder the Archbishops seale not to bee confirmed, taking for his paines such reasonable summes of money, as hereafter by this act to him shal bee limited for the same. And ẏ alwel the saide clerke appointed by the said Archbishops, as the said clerke to be appointed by your highnes, your heirs or successors, shal subscribe their name to euerie such licence, dispensation, faculties, or other writing, that shall come to their hands to be written, made, granted, sealed, confirmed, registred, & inrolled by authoritie of this act, in forme as is before rehearsed. And forasmuch as the charges of obtaining ẏ said licences, dispensations, faculties, & other rescripts, or writings aforenamed, at the court of Rome, by the losses & exchanges, and in conducting of curors, & waging solicitors to sue for any such licences, dispẽsations, faculties, instruments, and other rescripts or writings, haue bin grieuous & excessiue to your people, & many times greater summes haue bin demanded for the spẽdie expedition in the Court of Rome, then be expressed in the olde tare, limited to be paid for the said expeditions, whereby your people haue bin brought to an incertaintie vpon the paiment for expeditions of such things, & by reason therof haue bin constrained to pay more then they were wont to do, to the great impouerishing of this realme, as is aforesaid: And some time the spẽding of such dispẽsatiõs, faculties, licẽces, & other writings at Rome, haue bin so long deferred, ẏ the parties laboring for ẏ same, haue suffered great incommodities & losse for lacke of quicke spẽde, which hereafter may be had within this your realme, to the great cõmoditie of your people, wherby the charges of making exchanges, conducting of curors and solicitors for the said dispensations shalbe abated, & your people so much relieued & eased, to the intẽt that al ambiguitie & incertaintie of paiments for dispensatiõs, faculties, licences, & other rescripts & writings, may be taken away, that no fraud nor exaction shalbe exercised vpõ your people by such officers as shalbe appointed by this acte, to take paines in spẽding such dispensations, faculties, & licences, but that your people may be sure & certaine what they be appointed to paie for ẏ same: Bee it enacted by this present parliament, & by authoritie of the same, that there shalbe two bookes drawen, and made of one tenor, in which shalbe contained the tares of al customable dispensations, faculties, licences, & other writings, wont to be sped at Rome, which bookes & euerie leafe of those bookes, & both sides of euery leafe shalbe subscribed by the Archbishop of Canterbury, the L. Chancelor of England, the L. treasorer of England, and the two chiefe Justices of both Benches for the time being, to ẏ which bookes all suters for dispensations, faculties, licences, & other writings afore rehearsed, shal haue recourse, if they require it. And one of the said bookes shal remaine in the hands of him, which shall be appointed to be register & scribe of the said dispensatiõ, faculties, & licences vnder the said Archbishop of Canterburie, in forme as is beforesaid: And that other booke shall remaine with the Clerke of the Chancerie which by your grace, your heires or successors, shall be appointed as is before rehearsed. Which Clerke of the Chancerie shall also intitle & note particularly and daylie in his booke ordained for that purpose, the number & quality of the dispensations, faculties, licences, & other rescripts & writings, which shalbe sealed only with the seale of ẏ said Archbishop, & also which shalbe sealed with the said seale, & confirmed with the great seale, in forme as is beforesaid. & that al fraud and concealmẽt in this behalfe may be auoided. And be it enacted by this present Parliament, &c. that no man sung for dispensations, faculties, licences, and other rescriptes or writings, which were wont to bee sped at Rome, shall pay anie more for their dispẽsations, licences or rescripts, then shall be contained, tared, and limitted in the saide duplicate bookes of tares, only compositions excepted, of which being arbitrarie, no tare can be made. Wherefore the tare thereof shalbe set, and limites by the discretion of the said Archbishop of Canterburie, and the Lord Chancellor of England, or the Lord keeper of the great seale for the time being. And that such as shall exact or receiue of any suiter more for any dispensation, faculties, or licence, then shal be contained in the said bookes of tares, shall forfaite tenne times so much, as hee shal so extortiously exact & receiue: The one halfe of the which forfaiture to bee to the vse of your grace, your heires and successours, and the other halfe thereof to bee to such of your subiects, as will sue for the same by action, bill, or plaunte in anie of

Tares

Subscribed

Clerke

Faculties

Archbishop
Chancellor
Lord keeper
Exact

Fort.

Moitie

Bookes

your grāces courtes, wherein the defendant shall haue none essoine nor protectiō allowed, neither shalbe admitted to wage his lawe. We it also enacted by this Parliament and authoritie of the same, that the tare or summe appointed to bee payed for euerie such dispensation, licence, facultie, instrument, rescript, or other writing, to be graunted by authoritie of this act, shalbe imploied and ordered, as hereafter ensueth, that is to say: If the tare extend to iiij.li. or aboue, by reason whereof the dispensation, licence, facultie, rescript or writing, which shall passe by the said Archbishops seale, must be confirmed by thappension of the great seale, then the said tare so extending to foure pound or aboue, shalbe deuided into 3. parts, whereof two shall be receiued by the said clerke of the chancerie, to bee appointed as is aforesaid, to the vse of your highnes, your heires and successors, and to the vse of the L. Chancelor or the keeper of the great seale for the time being, & to the vse of the said clerke, in such wise as hereafter shall be declared, & that the third part shall be taken by the said clerke of ỹ archbishop, to the vse of the said archbishop & his commissary, & his said clerke & register, in such wise as hereafter shall be ordered & limitted by this act, that is to say: The said 2. parts shalbe deuided in 4. parts, of which 3. parts shall be taken to the onely vse of your highnes, your heirs & successors, and the fourth part shalbe deuided in 3. parts, whereof the Chancelor of England, or L. keeper of the great seale for the time being, shal haue two parts, & the said clerke of the chancerie ỹ third part of his pains, trauaile & labours, that hee is limitted to write & do by vertue of this acte. And the said third part of ỹ whole tare appointed to the said archbishop & his officers (as is aforesaid) shalbe deuided into three parts, whereof the archbishop shal haue to his vse 2. parts, & his officers shall haue the third part therof, of which third part to bee deuided into 2. partes, the said clerke or register which shal find parchment, waxe, & silke, & shal deuise & write the said dispensations, licences, faculties, rescripts, or other writings, & register the same, shall haue for his said labour, & for receiuing & repaying of the sums of money, that shal come to his hands for dispēsations, faculties, licences, & other rescripts aforesaid, the one moitie therof, & the commissary of the said archbishop appointed to seale the said dispensations, faculties, licences, & other rescripts shal haue ỹ other part. And if the tare be vnder iiij.li. and not vnder xl.s. then the said tare shalbe deuided into three parts, as is aforesaid, wherof the K. highnes, his heires & successors shal haue two partes thereof, abating iij.s. iiij.d. which shal be to the said clerke of the chācerie for subscribing, intituling, and enrolling the said dispensations, licences, faculties, rescripts and other writings aforesaid, and receiuing of the kings money so tared: And the Archbishop & his officers shal haue the third part, which third part shall be deuided into two parts, whereof the archbishop shal haue the one entirelie to himself, his scribe and commissarie shal haue the other part therof, egally to be deuided amongst them, for their costes and paines in that behalfe. And if the tare be vnder fortie shillings, and not vnder fiue and twēty shillings viij.d. the same tare shall be deuided into two parts, whereof the one part shall be to your grace, your heires and successors, deducting thereof ỹ.s. for the Clerke of the Chancerie for his paines, as is aforesaid: And the other part shalbe to the said Archbishop and his officers, which other part shalbe deuided into 2. parts, wherof the archbishop shal haue the one, & his commissarie and scribe shal haue the other part egally deuided amongst them. And if the tare be vnder xxvj.s.viij. & not vnder xx.s the same shal be deuided into two parts, whereof your grace, your heires & successors shall haue the one part entirely, abating ỹ s. thereof to the said clerke of the chancerie, and the Archbishop and his officers shal haue the other part, and the same other part shalbe deuided into 3. parts, whereof the Archbishop shall haue one, his commissarie the second, and his scribe or register the third. And in case the tare be vnder twenty shillings, the same shal be receiued to the vse of the said commissarie, clerke of the said Archbishop, and Clerke of the chancerie, to bee egally deuided amongst them, for their pains and labours by them to be sustained by authoritie of this acte, as is aforesaid. Prouided alwaies, that this acte shall not be prejudiciall to the Archbishop of Yorke, or to any Bishop or Prelate of this Realme, but that they may lawfully (notwithstanding this act) dispence in all cases, in which they were wont to dispēse by ỹ cōmon law, or custome of this realm afore the making of this acte. Prouided

also

Mr. pounde

Deuided

Chancelor

xl.s. Deuided

xxvj.s.viij.

xx.s.

Archbishop of Yorke

also, and be it enacted &c. that if it happen the sea of the Archbishoprike of Canterburie to be voide, that then all such manner licences, dispensations, faculties, instruments, rescripts, and other writings which may be granted by vertue and authoritie of this act, shall (during the vacation of the same sea) be had, done, & granted vnder the name and seale of the gardian of the spiritualties of the said Archbishoprike for the time being, according to the tenor & forme of this act, and shall be of like force, value, & effect, as if they had bin granted vnder the name and seale of the Archbishop for the time being.

Sea voide

Gardian

And be it further enacted, ẏ if the aforesaid archbishop of Canterbury for ẏ time being, or the said gardian of the spiritualties for the time being, hereafter refuse or denie to grant any licences, dispensatiõs, faculties, instruments, or other writings, which they be authorised to doe by vertue and authoritie of this act, in such maner & forme as is afore remembred, to anie person or persons, that ought of a good, iust, & reasonable cause to haue the same, by reason whereof this present act by their wilfulnes, negligence, or default, should take none effect, thẽ the Chancelor of England or the L. Keeper of the great seale for the time being, vpon anie complaint thereof made, shall direct the kings writte to the said archbishop or gardian, denying, or refusing to grant such licences, dispensations, faculties, or other writings, enioyning him by the said writ, vpon a certain pain therin to be limited by the discretion of the said Chancelor, or keeper of ẏ great seale, that he shal in due forme grant such licẽce, dispensation, facultie, or other writing, according to the request of the procurors of the same, or else signifie vnto your highnes, your heires or successours, in the Court of Chancerie, at a certaine day, for what occasion or cause he refused and denied to graunt such licences, faculties, or dispensations. And if it shall appeare to the said Chancelor, or L. Keeper of the great seale, vpon such certificate, that the cause of refusal or denial of granting such licences, facultie, or dispensation, was reasonable, iust, & good, that then so being proued by such search and examination of the said chancelor, or L. Keeper of the great seale, to be admitted and allowed. And if it shal appeare vpon the said certificate, ẏ the said archbishop or gardiã of the spiritualties for the time being, of wilfulnes in contemning the due execution of this act, without a iust & reasonable cause, refused or denied to grant such licẽce, facultie, or dispensation, ẏ then your highnes, your heirs and successors, being thereof informed, after due examination had, that such licences, faculties, or dispẽsations, may be granted wout offending the holy scriptures, and laws of God, shal haue power & authority in euery such case for the default, negligence & wilfulnes of the saide Archbishop or gardian, to sende your writ of Iniunctiõ, vnder your great seale, out of your said court of Chancerie, commanding the Archbishop or gardian, that so shal deny or refuse to grant such licence, facultie, or dispensation, to make sufficient graunt therof, according to the tenor & effect of this act, by a certain daie, & vnder a certaine paine in the said writ to be cõtained, & to be limited by your highnes, your heires & successors the kings of this realme. And if the said Arthbishop or gardian, after the receipt of the said writ, refuse or denie to grant such licences, faculties, or dispensations, as shalbe enioyned him by vertue of the said writ, & shew & proue before your maiestie, your heires, or successors, no iust or reasonable cause why they should so do, then the said archbishop or gardian, ẏ so shall refuse to put this act in execution, according to the said writ of Iniunction, shall suffer, lose & forfait to your highnes, your heires & successors, such paine and penalty as shalbe limited and expressed in the said writte of Iniunction. And ouer that it shalbe lawful to your highnes, your heires and successors, for euerie such default and wilfulnes of the said Archbishop or gardian, for the time being, to giue power and authoritie by Commission vnder your great seale, to such two spiritual prelats or persons, to be named by your highnes, your heires or successors, as will doe and grant such licences, faculties, and dispensations, refused or denied to bee granted by the saide Archbishop or gardian, in contempt of this act. And be it &c. that the said two spirituall prelats or persons, to whõ in such cases, any such commission shalbe directed, shall haue power and authoritie to grant euerie such licence, faculty, dispensation, instrument, & other writings so refused to be granted by the said Archbishop or gardian for the time being, by an instrument vnder their seales, taking like fees and charges for the same, as is a-

Refuse

Chancelor

Refuse

Foꝛf.

Iniunction

Commissiõ

fore rehearsed and not above vnder the paines afore remembred. And that every such licence, facultie, and dispensation so granted for any causes or matters, whereunto any confirmation vnder the kings great seale is appointed by this act, to be had in maner & forme above declared, shal bee had and obtained accordingly. And such licences and confirmatiõs shalbe had for like fées and charges, as they are above specified, and not above, vnder the pains above mentioned, & that euery such licence, faculty, dispensation, & other writing to be granted by the said prelats, or persons to be assigned by the kings highnes, his heirs, and successors, as is aforesaid, shalbe of as good value, strength, and effect, and as beneficial & profitable to the persons procuring the same, as if they had bin made, granted and obtained vnder the name & seale of the said archbishop. Prouided alwaies, that this act, nor any thing or things therein contained, shalbe hereafter interpreted or expounded, that your grace, your nobles, and subiects, intend by the same to decline or varie from the congregation of Christs church, in any thing concerning the verie articles of the Catholike faith of Christendome, or in any other things declared by holy Scripture, and the word of God, necessary for your and their saluations, but onely to make an ordinance by policies necessarie and conuenient to represse vice, & for good conseruation of this realme in peace, vnity, & tranquility, from ruine & spoile, ensuing much the olde auncient customes of this realme in that behalfe: Not minding to seeke for any reliefs, succors, or remedies for any worldly things & humain lawes in any cause of necessity, within this realm, at the hands of your highnes, & your heirs & successors, kings of this realme, which haue & ought to haue an imperiall power & authoritie in the same, & not obliged in any worldly causes to any other superior.

Prouided alway, that the said Archbishop of Canterburie, or any other person or persons, shal haue no power or authority by reason of this act, to visit or vere any monasteries, abbies, priories, colledges, hospitals, houses, or other places religious, which be or were exempt before the making of this act, any thing in this act to the cõtrary therof notwithstãding, but that redresse, visitation, & confirmation shalbe had by the kings highnesse, his heires and successors, by commission vnder the great seale, to bee directed to such persons, as shalbe appointed requisite for the same, in such monasteries, colledges, hospitals, priories, houses and places religious, exempt: So ỳ no visitation nor confirmation shal from henceforth be had or made, in or at any such monasteries, colledges, hospitals, priories, houses & places religious, exempt, by the said Bishop of Rome, or by any of his authority, nor by any out of the kings dominions. Nor ỳ anie person religious, or other resiant in any the kings dominions, shal from hence forth depart out of the kings dominions, to or for any visitation, congregation, or assemblie for religion, but that al such visitations, congregations, and assemblies shalbe within the kings dominions. Visitation Pope

Prouided also, that this present act or anie thing therein contained, or any licẽce or dispensation hereafter to bee made by vertue & authority therof, shal not extend to the repeale or derogation of ỳ late acte, made sith the beginning of this present parliament, for reformation of pluralities of benefices, & for non residẽce of spiritual persons vpon their dignities or benefices, nor to any things contained or mẽtioned in the said act. Nor that this act, nor anie thing to bee done by authority therof shall not be taken, expounded, nor interpreted, to give licence to any person or persons, to haue any more nũber of benefices thẽ is limited in the said act. And ỳ the same act for pluralities & nonresidents of benefices, and euery thing therein contained, shal stand good & effectual to all intents, according to ỳ true meaning therof, any thing in this present act, or any licence or dispensation to be had by authority therof in any wise notwithstanding. Pluralities

And be it &c. ỳ if any person or persons, subiect or resiant vpõ this realm or within any the kings dominions, at any time hereafter sue to the court of Rome, or the sea of Rome, or to any person claiming to haue his authoritie by the same, for any licence, facultie, or dispensation, or other thing or things contrary to this act, or put in executiõ any licẽce, facultie, or dispẽsatiõ or any other thing or things hereafter to bee obtained from Rome, or the sea of Rome, or frõ any claiming authority by the same, for any of the causes above mẽtioned in this act, or for any other causes, ỳ may be granted by authority of this act, or attempt or do any thing or things contrary to this act, or maintaine, allow, admit

mit of censures, excõmunications, interdictions, or any other proces from Rome, of what name or nature soeuer it be, to the derogatiõ or let of the executiõ of this act or of any thing or things to be done by reason of the said acte, ẏ then euerie such person or persons so doing, offending, and being therof conuict, their aiders, counsellers, & abbettors, shal incur & run into the paine, losse & penaltie comprised & specified in the acte of prouision and premunire, made in ẏ 16. yere of your most noble progenitor king R. the 2. against such as sue to the court of Rome against your crown & dignity royal. Prouided alway, ẏ this act, or any thing therin contained, shal not hereafter be taken or expounded to ẏ derogation or taking away of any grants, or confirmation of any liberties, priuiledges, or iurisdictiõ of any monasteries, abbies, priories, or other houses or places exempt, which heretofore before the making of this act hath bin obtained at ẏ sea of Rome, or by autoritie therof, but that euery such grant & confirmation shalbe of ẏ same value, force, & effect, as they were afore the making of this act, and as if this acte had neuer been made. Prouided alwaies, ẏ the abbots, priors, & other chiefe rulers & gouernours of such monasteries, abbies, and other houses & places exempt, shal not hereafter pay any pension, portion, or other rense to the sea of Rome, nor admit or accept any visitation, nor any confirmation frõ or by ẏ said sea of Rome, or by authority therof, of or for any person to be elect, named or preferred, to be heads of any such monasteries, abbies, priories, places or houses exempt, nor shall make any corporal oth to the Bishop of Rome, other wise called the Pope, vpõ the pains limitted in this acte: But that euery such visitation & confirmation of such heads elect in any such monasteries, abbies, priories, houses or places exẽpt, where after their election they were boundẽ to haue & obtaine any confirmation of their electiõ, or of ẏ person named, presented or elect, shalbe from hencefoorth had, made & done win this realme, at & within euery such abbies, monasteries, priories, & other houses & places exempt by such person & persons, as shalbe appointed by authority of the R. commission from time to time, as the case shal require, and not by the sea of Rome, nor by authoritie therof, any thing in this prouiso next aboue specified to the contrary thereof notwithstanding.

Premunire

Pension

Othe

Prouided alwaies, that in such monasteries, abbies, priories, and houses exempt, where after election, presentation, or nomination of their heads, no such cõfirmation is requisite to be had, nor hath bin vsed to be taken, by reason of such priuiledges as they haue cõcerning the same, ẏ in euery such monasteries, abbies, priories, and places exempt, they shal not be bounden to obtain, haue or take any confirmation for the same within this realme, by authoritie of this act, but vse their priuiledges therein, as they haue done before ẏ making of this act, anie thing in this acte or any the prouisoes next aboue rehearsed to the contrarie therof notwithstanding. Prouided also, & be it &c. that this acte, or anie thing or things, word or words therin, or in the preamble thereof mentioned or contained, is not intended or meant, or shalbe expounded nor interpreted, ẏ anie dispensations, licences, or confirmations for mariages granted to anie the R. subiects borne vnder his obeisance, at anie time before the twelft day of March, in the yere of our Lord God, 1533. shall be appaired, or of any lesse value, strẽgth, force or effect, then they were at the said twelft daie of March. Nor that this act, or anie thing therein contained, shall not extend to the derogation, appairing, or annullation of anie licences, dispensations, confirmations, faculties or indulgences, at anie time before the saide xxi. day of March, in ẏ yere of our Lord God 1533. had or obtained at the sea of Rome, or by authoritie thereof, to or for any subiects borne in this realme, or in any the R. dominiõs, or to or for the hospital of the prior of S. Johns Jerusalem in England or anie cõmandries, or members thereof, or to or for any other Cathedrall Churches, hospitals, monasteries, abbies, priories, colledges, cõuentual churches, parochial churches, chappels, fraternities, brotherheads, or bodies politike win this realm, or in any other the R. dominiõs, but that euerie such licence, dispẽsation, confirmation, facultie, and indulgence, granted before the said twelft day of March, to anie such subiect, or to the said hospitall of the prior of S. Johns Jerusalem in England, & commandries or members thereof, or to anie other cathedral church, hospital, monasterie, abbie, priorie, colledge, church conuentual, parochial churches, chappel, fraternitie, brotherhead, or body politike, or to their predecessors or ancestors win

Mariages

S. Johns

this realm, or in ante other the kings dominiõs, shalbe of the same force, stregth, value and effect, and may be from time to time put in execution at al times hereafter, by & to them that will vse, & haue the same as they mought haue bin before the making of this acte, and as if this act had neuer bin had ne made, anie thing in the said act to the cõtrarie hereof not withstãding. Prouided alwaies, ỳ such licences, dispensations, confirmations of faculties, heretofore obtained at the sea of Rome, or by authoritie thereof, contrarie to the expresse prouisions of the lawes & statutes of this realme heretofore made, shal not at any time hereafter be vsed, or put in execution in any case to the derogatiõ, or contrarie to the said lawes & statutes of this realme & the prouisions of the same, any thing in this prouiso to the contrary thereof not withstanding. And be it enacted &c. that the king our Soueraign lord, by the aduise of his honourable Counsel, shall haue power and authoritie frõ time to time for the ordering, redresse, and reformation of al maner of indulgences and priuiledges therof within this realme, or within any the kings dominions heretofore obtained at the sea of Rome, or by authoritie thereof, & of the abuses of such indulgences & priuiledges therof as shall seme good, wholsome, & reasonable for the honour of God, and weale of this people. And that such order and redresse as shall be taken by his highnes in that behalfe, shalbe obserued & firmelie kept vpon the pains limited in this act for the offending of the contents of the same. Ann. 25. H. 8. cap. 21. This act was repealed by 1. and 2. P. & M. and reuiued by 1. Eliz. cap. 1.

King

Indulgences

4 ¶ An. 28. H. 8. cap. 10. & 35. H. 8. cap. 1. acts were made against the authoritie of the sea of Rome, wherin some offences were made offences of premunire, & some made treason, & othes appointed to be giuen against the sea of Rome to Iudges & officers & diuers other degrées: but they be repealed by 1. & 2. P. & M. cap. 8.

Premunire
Treason
Othes

5 ¶ Where in the Parliament begun & holden at Westm. in the 21. yere of the raign of our late K. of most famous memorie king H. 8. (c. 13. which is in residẽce 2.) one acte was then and there made against pluralities of benefices, for taking of fermes by spiritual men, & for non residẽce, in ỳ which act amongst other things it was ordained & enacted, ỳ if any person or persons at any time after the first day of Aprill, in the yeere of our Lord 1530. contrarie to the same acte, should procure and obtaine at the court of Rome or elsewhere, any licence or licences, vnion, tolleration, dispensation, to receiue & take anie more benefices with cure, then was limited & appointed by the same act, or els at anie time after the said day, should put in execution ante such licence, tolleratiõ, or dispensation before that time obtained contrarie to the said acte, that then euerie such person or persõs so after the said day, suing for himselfe, or receiuing & taking such benefice by force of such licence, or licences, vnion, tolleration, or dispensatiõ, that is to say, the same person or persons only, and no other, should for euerie such default incur the danger, paine & penaltie of xx li. sterling, & should also lose ỳ whole profites of euery such benefice or benefices, as hee receiueth or taketh by force of any such licence or licẽces, vnion, tolleration or dispensatiõ. And where also in the said acte it was ordained & enacted, that if any person or persons did procure or obtaine at the court of Rome, or elsewhere, any maner of licence or dispensation to be non resident at their dignities, prebend or benefices contrarie to the said act, ỳ then euery such person or persons putting in execution any such dispensation or licence for himself from the said first day of Aprill, in the said yeere of our Lord God, 1530. should run & incur in the penalty, damage & paine of xx li. sterling for euery time so doing to be forfaited & recouered, as by the said act is declared. And yet such licence or dispensatiõ so procured, or to be put in execution, to be void and of none effect, as by the same act more plainely it doth & maie appeare. Be it &c. that as much onely of the said act as concerneth the articles and clauses aforesaid, and all and euerie the wordes and sentences, contained in the said acte concerning the saide articles and clauses, and euerie of them shall from henceforth bee repealed, adnulled, reuoked, annihilated, and vtterlie made voide for euer: Ante thing in the said acte to the contrarie in ante wise notwithstanding: And where also at the session of the same Parliament, holden vpon prorogation in the 23. yere of the raigne of the said late K. Henrie the eight (cap. 9. which is in citation 2.) one acte intituled, the acte that no person shalbe cited out of the Diocesse where hee or shee dwelleth, except in certaine cases: And where also at the saide

Rome

Fol.

Rome

Repealed

Citation

Pluralities
Non resi-
dence

Parlia-

parliament in the seſſion holde at Weſtminſter vpon prorogation in the 24. yere of the raigne of the ſaid late K. Henry the 8. one act was made, that appeals in ſuch caſes as haue bin vſed to be purſued to the ſea of Rome, ſhould not from thenceforth be had nor vſed, but within this realme: & where alſo at the ſaid parliament holden at Weſtm. in the xxj. yeere of the raigne of the ſaid late K. Henrie the 8. and there continued by diuers prorogations vntill the 14 date of Aprill, in the 27. yere of his raigne, an acte was made concerning reſtraints of paiments of annates and firſt fruits of Archbiſhoprikes and biſhoprikes to the ſea of Rome: And where at a Seſſion of the ſaide parliament holden in the 25. yeere of the raigne of the ſaid late K. there was alſo made one act intituled, the ſubmiſſiõ of the clergie to the kings Maieſtie: And one other act intituled, an acte reſtraining the ſaid paiments of annates or firſt fruites to the B. of Rome, and of the electing & conſecrating of the archbiſhops & biſhops within this realme: And one other act was then & there made, entituled, an act concerning the exoneration of the kings ſubiects, from exactions, and impoſitions before time paid to the ſea of Rome, & for hauing licence, and diſpenſations, within this realme, without ſuing further for the ſame: Be it &c. that the ſaid ſeuerall acts made for the reſtraints of the paiment of the ſaid annates & firſt fruits, and al other the ſaid acts made in the ſaid 24. and 25. yeeres of the raigne of the ſaid late king, and euery of them, and all and euery branch, article, matter, and ſentence in them and euery of thẽ conteined, ſhalbe by ẏ authority of this preſent parliament from henceforth vtterly voide & fruſtrate, and repealed, to al intents, conſtructions, & purpoſes. And be it &c. that al and euerie theſe acts following, that is to ſay, one act made at the Seſſion of the ſaid parliament holden vpon prorogation at Weſtm. in the 26. yere of the raigne of the ſaid late K. Henrie the 8. (cap. 1.) entituled, an act concerning the kings highnes to be ſupreme head of the Church of England, & to haue authoritie to reforme and redreſſe all errors, hereſies and abuſes in the ſame: and one other acte made in the ſame ſeſſion of the ſame parliamẽt (S. An. 26. H. 8. ca. 14.) intituled an act for nomination and conſecrations of ſuffragans within this realme: And one other act made in the xxvj. yere of the raign of the ſaid late K. Hen. the 8. (cap. 15.) entituled, an act wherby the king ſhould haue power to nominate thirty two perſons of his Clergie and lay fee for making of eccleſiaſticall lawes, and alſo one other acte made at the parliament holden at Weſt. in the 28. yeere of the raigne of the ſaide late King Henrie the eight (cap. 10.) entituled, an act extinguiſhing the authoritie of the Biſhop of Rome: And one other act made in the ſame parliament (S. An. 28. H. 8. cap. 16.) entituled, an acte for the releaſe of ſuch as then had obtained pretended licences, and diſpenſations from the ſea of Rome: And alſo al that part of the Acte made in the ſaide 28. yeere of the ſaid king (ca. 7.) intituled, an act for the eſtabliſhment of the ſucceſſion of the imperial Crowne of the realme, that concerneth a prohibition to marrie within the degrees expreſſed in the ſaid act: And alſo one other act made at the parliament holden at Weſt. in the 31. yere of the raign of the ſaid late king H. the 8. (cap. 9.) entituled, an act authoriſing the kings highnes to make Biſhops by his letters Patents: And one other act made in the ſeſſion of the ſame parliament, begun in the ſaid 31. yeere, holden vpon prorogation the ſaid 32. yeere of the raigne of the ſaid king H. the 8. (cap. 38.) entituled, an acte concerning precontractes of mariages, & touching degrees of conſanguinitie: & one other act made in the parliament holden at Weſtm. in the 35. yere of the raigne of the ſaid late king H. the 8. (cap. 3.) entituled, an act for the ratification of the kings Maieſties ſtile, ſhall frõ henceforth be repealed, made fruſtrate, void & of none effect: And where alſo at the ſaide Parliament holden at Weſtm. in the 35. yere of the raigne of the ſaid late King H. the 8. (cap. 1.) one other acte was made, entituled, An act concerning the eſtabliſhment of the ſucceſſion of the ſaid King, in the imperial Crowne of this realme: In the which act there is a forme of a corporall othe deuiſed and ſet forth, that euery ſubiect of this realm ſhould be bound to take againſt the power, authority and iuriſdiction of the ſea of Rome: Be it &c. that ſo much of the ſaid acte as toucheth the ſaid oth againſt the Supremacie, and al othes thereupon had, made, and giuen, ſhall be from henceforth vtterlie voide, repealed, and of none effect. And where alſo one other acte was made in the ſeuen & thirty yeers of the raigne of the ſaide late King

Appeales

Annates Firſt fruits

Clergie

Conſecrating of archbiſhops

Impoſitiõs

Repealed

Supreme head

Suffragans

Eccleſiaſticall lawes

Pope

Diſpenſations

Succeſſion

Biſhops

Precontracts

Stile repealed

Succeſſion

Henrie the 8. (cap. 17.) entituled, An acte that doctors of ciuill law being married, might exercise ecclesiasticall iurisdiction: Be it &c. that the said act last before mentioned, and al & euerie branch, article, sentence and matter contained in the same, shall from henceforth be repealed and vtterly made voide and of none effect. And where one other act was made at the first session of ỹ Parliament holden at Westminster, in the first yere of the raign of K. Edw. the 6rt cap. 12. entituled, an act for the repeale of certain statutes concerning treasons, felonies &c. In the which act amongst other things there is contained certaine prouisions, paines, penalties, & forfaitures, for & against such as should by open preachings, expresse wordes, sayings, writing, printing, ouert deed or act, affirme, or set forth that the king of this realme for the time being, is not or ought not to bee supreme head in earth of the churches of England & Ireland, ne of any of them, or that the B. of Rome, or any other person or persons, other thē the king of England for the time being, is or ought to be supreme head of the same churches, or any of them, as in the same act last before rehearsed, more at large is contained & may appeare: Be it &c. that these clauses before rehearsed & other of the said acte concerning the supremacie, and all & euerie branch, article, wordes, & sentences in the same, sounding or tending to the derogation of the Supremacie of the Popes holines, or of the sea of Rome, & al paines, penalties & forfaitures made against thē, that should by any meanes set forth or extol the said supremacie, shal be frō henceforth vtterly void & of none effect. And be it &c. that al clauses, sentences, & articles of euerie other statute or act of parliamēt made sithence ỹ said 21. yere of the raigne of king H. the 8. against the supreme authoritie of the Popes holines, or sea Apostolike of Rome, or containing any other matter of the same effect only, that is repealed in any of the statutes aforsaid, shal be also by authoritie hereof from henceforth vtterly void, frustrate and of none effect. And where we your most humble subiects, the Lords spirituall & temporal, and commons in this present parliament assembled, haue exhibited to your Maiesties one other supplication in fourm following: And conformably hereunto the Bishops & clergy of the prouince of Canterbury haue presented to your maiesties a supplication in this tenor ỹ followeth:

Civilians

Repealed

Treasons Felonies

Supreme head

Void

Void

For asmuch as the said most reuerēd father the Lord legate, at the intercession of your maiesties hath by authoritie of ỹ sea Apostolike, sufficiētly dispensed in the matters specified in the said seuerall supplications, as in his said letters of dispensation is contained more at large. The tenor whereof insueth.

Lord legate

We the said Lords spirituall and temporal, and commons in this present parliament assembled, rendring most humble thāks to your Maiesties, by whose intercession and meanes we haue obtained the saide dispensations of the Popes holines by the saide most reuerend father in God, his legate, most humbly beseech the same ỹ it may be ordained as followeth.

Dispensations

And it &c. that al and singuler articles and clauses contained in the said dispensation, aswel touching the establishment of bishoprikes, & cathedral churches, as also the confirmation of mariages in degrees prohibited by the Canons of the Church, the legitimation of children and ratification of proces, and of sentēces in matters Ecclesiastical, touching the inualiditie of them for want of iurisdiction, & the institutions and restitutions of & in benefices and promotions Ecclesiastical, dispensations, and graces giuen by such order, as the publike lawes of the realme thē approued, & al other things before contained in the said letters of dispensation, shal remaine and be reputed and taken to all intents and constructions in the lawes of this realme lawfull, good & effectuall to be alleadged and pleaded in all courts ecclesiastical & temporall, for good & sufficient matter, either for the plaintife or defendant, without any allegation, or obiection to bee made against the validitie of them by pretence of any generall counsell, Canon, or decrée to the contrarie made or to be made in that behalfe. And whereas diuers & sundrie late monasteries, priories, cōmandries, nunries, deanries, prebēds, colledges, hospitals, and houses of friers, chātries, & other religious & ecclesiastical houses & places, & the manors, granges, messuages, landes, tenements, rectories, tithes, pēsions, portiōs, vicarages, churches, chapels, aduowsōs, nominatiōs, patronages, annuities, rents, reuersiōs, services, & their possessiōs, & hereditamēts to ỹ said late monasteries, priories, nūries, cōmandries, deanries, chātries, prebēds, houses of friers, colledges, hospitals, and other

Bishoprickes Cathedrall churches Mariages Legitimation

Dispensations

Lawfull

Monasteries

Archbi-
shoppicks
Bishop-
rickes

Lands

Title of
lands

ōther religious & Ecclesiasticall houses & places, & to sundry archbishoprickes & bishoprickes within this realme, late appertaining & belonging, came aswell to the hāds & possessiō of the said king of famous memorie H. the 8. father vnto your Maiestie our said soueraigne Lady by dissolution, gift, graunt, surrender, attainder or otherwise, as also to the hands & possession of diuers & sundrie other persons & bodies politike and corporate, by sundry means, conueiāces, and assurances, according to the order of the lawes & statutes of this realme. And where also diuers manors, lands, tenemēts, and hereditaments, parcell of the possessions of archbishoprickes, & bishoprickes, & many and sundry late deanries, colledges, chauntries, rectories, prebends, frée chappels, guildes, & fraternities, manors, granges, lands, tenements, rents, seruices, & other ecclesiasticall possessions, and hereditamēts, goods and cattel to ỹ said archbishoprickes, bishoprickes, deanries, colledges, chaūtries, frée chappels, rectories, guildes & fraternities, late appertaining and belōging, or appointed to and for the finding of Priestes, obites, lights, or other like purpose, came as wel to the hands & possession of the late noble king Edward the first, brother vnto your maiesty, soueraigne Lady, by vertue of an act of Parliament thereof made, or otherwise, as also to the hands and possession of diuers and sundry other persons, & bodies politike and corporate, by sundry means, conueiances, and assurances, according to the order of the law of this realme, a great number of which said late Monasteries, priories, nunries, commaundries, deanries, colledges, hospitals, prebends, chaūtries, frée chappels, guildes, and fraternities, and the manors, grāges, messuages, landes, tenements, rents, reuersions, seruices, tithes, pencions, portions, vicarages, Churches, chappels, aduowsons, nominations, patronages, annuities & hereditaments, goods and cattels to the said monasteries, priories, nunries, commaūdries, deanries, colledges, hospitals, chantries, frée chappels, guildes, fraternities, and other Ecclesiasticall houses, archbishoprickes and bishoprickes belonging, as well for great summes of money, as for other good and reasonable causes and considerātiōs, haue bin conueyed and assured to diuers the subiects and bodies politike of this realme, aswel by the said king Hēry the eight, the said king Edward ỹ first, and by your highnesse our soueraigne Lady, and ioyntly by both your Maiesties, as also by diuers the owners of the said ecclesiastical possessions, which said conueiances and assurances by their sundry letters patentes, and other writinges more plainely do and may appeare.

Forasmuch as the said most reuerēd father hath also by the said dispensation, remoued and taken away all maner of empeachmēt, trouble & danger, which by occasion of any general coūcel, canon or decrée ecclesiasticall, might touch & disquiet the possessions of such goods, moueables, lands, tenements, possessions, and hereditaments, as were of late belonging to any of the said archbishoprickes, bishoprickes, monasteries, priories, nunries, cōmaundries, deanries, colledges, chaūtries, prebēds, rectories, hospitals, houses of friers, or other religious & ecclesiastical houses & places, of what nature, name, kinde, or qualitie soeuer they be of: Yet for ỹ the title of al lands, possessions & hereditamēts in this your Maiesties realmes & dominions is grounded in the Lawes, statutes & customes of the same, & by your high iurisdiction, authoritie royall, & crowne imperiall, & in your courts onely to be impleaded, ordered, tried and iudged, and none otherwise, & vnderstāding that the whole, full and most gracious intent, minde and determinatiō of your most excellent Maiesties be, that all & euery person and persons, bodies politike and corporate, their heires, successors, and assignes, and euery of them shall haue, kéepe retaine & enioy all and euery their estates, rights, possessions & interests, that they and euery of them now hath or hereafter shall haue, of & in all and euery the manors, graunges, messuages, lands, tenements, tithes, pencions, portions, aduowsons, nominatiōs, patronages, annuities, rents, reuersions, seruices, hundreds, wapētakes, liberties, franchises, & other the possessions and hereditaments of the said monasteries, abbies, priories, nūries, cōmaundries, deanries, colledges, prebends, hospitals, houses of friers, chauntries, rectories, vicarages, churches, chappels, archbishoprickes and bishoprickes, and other religious and ecclesiasticall houses and places, or ante of them, within this realme or the dominiōs of the same, by such lawes and statutes as were in force before the first day of this present Parliament, and by other lawfull conueyances to them thereof made:

That

That it may be therfore enacted by the authority of this &c. ẏ alwel your Maiestie our soueraigne Lady, your heirs and successours, as also all & euerie other person and persons, bodies politike & corporate, their heires, successors and assignes now hauing, or that hereafter shal haue, hold & enioy anie of the sites of the said late monasteries, & other the religious or ecclesiasticall houses or places, & all the said manors, graunges, messuages, landes, tenements, tithes, pencions, portions, glebe lands, aduowsons, nominatiõs, patronages, annuities, rẽts, reuersions, seruices, hundreds, wapentakes, liberties, franchises, profits, commodities, & other the possessions, & hereditaments of the said late Monasteries, Abbies, Priories, Nũries, commaundries, deanries, colledges, prebends, hospitals, & houses of Friers, Rectories, Vicarages, Chaũtries, Churches, chappels, Archbishoprikes, Bishoprikes, and other religious & Ecclesiasticall houses & places, or any of thẽ, of what name, nature or kind soeuer they be, shall haue, hold, possẽde, retaine, kẽpe and enioy all and euery the said sites, manours, graunges, messuages, lands, tenements, possessions, profites, commodities and other hereditamẽts, according to such interest and estates, as they and euerie of them now haue or hold, or hereafter shal haue or hold of or in the same by the due order & course of the lawes and statutes of this realme, which now bee or were standing in force before the first day of this present Parliament, in maner and forme as they should haue done, if this act had neuer bin had ne made: this acte or any thing therein conteined to the contrarie in anie wise notwithstanding. Sauing to you our said soueraigne Lady, your heires & successors, and euery of them, and to all and euery other person and persons subiectes of this Realme, and bodies politike & corporate, and to their heires and successours, and to the heires and successours of all and euery of them, other then such whose right, title or interest is bound or taken away, vndone, or extinct by any act of parliamẽt heretofore made, or otherwise, all such right, title, clame, possession, interest, rents, annuities, commodities, commons, offices, fées, leases, liueries, liuings, pencions, portions, debts, duetie, & other profites, which they or any of them lawfully haue or of right ought to haue or might haue had, in, of or to any of the premisses, or in, of or to any part or parcel thereof, in such like maner, fourme & condition, to all intents, respects, cõstructions & purposes, as if this act had neuer bene had ne made. And that it may be further enacted by authoritie aforesaid, that all and euery article, clause, sentence & proniso contained or specified in any act or actes of parliament concerning or touching the assurance or conueyance of any the said Monasteries, priories, nunries, cõmaundries, deanries, prebends, colledges, chaũtries, hospitals, houses of Friers, Rectories, Vicarages, churches, chappels, archbishoprickes and bishoprickes, & other religious and Ecclesiasticall houses & places or anie of them, or in any wise concerning anie manors, lands, tenements, profites, commodities, hereditaments or other the things before specified to the said king Henry the eight, or king Edward the first, or either of thẽ, or any other person or persons, or bodies politike or corporate, and euery of them, and all and euery writing, dẽde, & instrument concerning the assurance of any of the same, shal stand, remaine, and be in as good force, effect & strength, & shalbe pleaded and taken aduantage of, to al intents, constructions and purposes, as the same should, might or could haue bene by the lawes and statutes of this realme, in case this present acte had neuer bene had ne made. And that all feoffements, fines, surrenders, forfaitures, assurances, conueyances, estates & interests, in any wise conueied, had or made to our said late Soueraigne lord king Hẽry the eight, or to our said late soueraigne lord king Edward ẏ first, or either of them, or to any other person or persõs, bodies politike or corporate, or to any of them by dẽde or dẽdes, act or actes of Parliament or otherwise, of any the sites, manors, landes, tenements, possessions, profits, cõmodities, or hereditaments of anie the said archbishoprickes, bishoprickes, late monasteries, priories, nũries, cõmaundries, deanries, houses of friers, colledges, chaũtries, hospitals, prebends, frée chappels, or of any manors, lãds, tenemẽts, reuersiõs, seruices, tithes, pencions, portions, annuities, or of any other hereditamẽts, of, by or frõ any ecclesiastical or spiritual person or persõs, or by or from any spiritual or ecclesiastical corporation, or body politike, shall be as good and anapleable in the Law, to al intents, constructions, and purposes, as they were by the lawes and statutes of this Realme standing

Landes

Enioy

Assurance

Good

ſtãding in force before the firſt day of this preſent parliament. And that ỹ ſame may & ſhal be pleaded, alledged & taken aduantage of, in ſuch ſort & to ſuch effect, as they ſhould, could or might haue bene by the lawes & ſtatutes of this realme, ſtanding in force before the ſaid firſt day of this preſent parliamẽt. And that al & euery clauſe & article of ſauing, contained in all & euerie the ſaid actes and ſtatutes, ſhall ſtand, remaine and be in ſuch force, ſtrength and effect, as they were before the ſaid firſt day of this preſent parliamẽt: Any thing contained in this preſent act to the cõtrarie in any wiſe notwithſtãding. And that it may be &c. that whoſoeuer ſhal by anie Proces proces obtained out of any Eccleſiaſticall court within this Realme or without, or by pretence of any ſpirituall iuriſdictiõ, or otherwiſe contrarie to the lawes of this Realme, inquiet or moleſt any perſon or perſons, or body politike for any of ỹ ſaide manors, lands, tenements, hereditamẽts, or things aboue ſpecified contrarie to the words, ſentences and meaning of this act, ſhall incurre the danger of the acte of pre- Premunire munire, made in the 16. yere of king Richard the 2. (cap. 5. which is in prouiſion 14.) & ſhall ſuffer and incurre the forfaitures and paines contained in the ſame.

Prouided alway, that it ſhall & may be lawful for any perſon or perſons, body po- Sue litike & corporate, to ſue in any competent Eccleſiaſtical or ſpirituall Court within this Realme, for tithes, rights, & duetie Tithes that they or any of them ſhall pretende to haue, of, or out of anie the ſaid manors, lands, tenements, & other the premiſſes, & to haue full & perfite remedy for the ſame, in ſuch maner and forme as they or any of them might or ought to haue done or had by the lawes and ſtatutes of this realme, before the making of this act, & as though this act had neuer bene had or made. And that it may be &c. that albeit the title or Supremacie ſtile of ſupremacie or ſupreme head of the Church of England & of Irelãd, or eyther of them, neuer was ne could be iuſtly or lawfully attributed or knowledged to any king, or ſoueraigne gouernour of this Realme, nor in any wiſe could or might rightfully, iuſtly or lawfully by any king or Soueraigne gouernour of the ſame realme bee claymed, challenged or vſed: Yet foraſmuch as the ſaid title and ſtile, ſithence the third day of November, in the xxvj. yere of the reigne of the ſaid King Henry the eight, hath bene vſed, & is mentioned and contained in diuers and ſundry writs, letters patents, records, exemplifications, court rolles, charters, deeds, inſtruments, euidences, bookes & writings, it ſhall be lawfull as well to and for your Maieſties, and your ſoueraigne Ladies heires and ſucceſſors, as to and for euerie other perſon and perſons, and bodies politike and corporate, at all time and times hereafter to haue, retayne and kepe the ſaid writs, letters patents, records, exemplifications, court rolles, charters, deeds, inſtruments, euidences, bookes and writings, and them to ſhew, exhibite, vſe, alledge and plead in al times and places requiſite or needfull, without any dãger, penaltie, loſſe, forfaiture, trouble, veration, or impeachment for the ſame: Any thing in this act, or in any other acte or actes to the contrary thereof in any wiſe notwithſtanding. And where your Highneſſe our ſoueraigne Lady, ſince your comming to the crowne of the Realme, of a good and Chriſtian conſcience, omitted to write the ſaid ſtile of ſupremacie, ſpecified in one act made in the parliament holdẽ at Weſtm. by prorogation, in the 35. yere of ỹ reigne of your late father King Henry the eight cap. 3. aſwell in gifts, grants, letters patents, as in cõmiſſions, & other writings, & alſo other haue in their writinges done the ſame, aſwell in your time as before: And foraſmuch as notwithſtanding anie lawe made concerning the ſaid ſtile of ſupremacie, it was in the frée choiſe, liberty, & pleaſure of the king of this realme, and of your highneſſe, whether yee would expreſſe the ſame in the ſaid ſtile or not: Be Graunts Letters P. it therfore &c. that all grants, letters patents, cõmiſſions, indaments, records & writings made in your Soueraigne Ladies name or in the names of your our ſoueraigne lord & lady, or any other, wherein the ſaid ſtile of ſupremacie is omitted, is & ſhal be, to al intents and purpoſes, as good and effectuall, as if the ſame had bin therein expreſſed, and may be detained, kept, pleaded and alledged without anie dãger, paine, penaltie, or forfaiture to enſue to any perſon or perſons, or body politike, for, or concerning the omiſſion of the ſame ſtile or any part thereof, in any ſuch writings, & that no perſon ne perſons ſhal be impeached, moleſted, or damnified, for or by reaſon of any ſuch omiſſion.

And where in an act of parliamẽt made ſince the ſaid xxv. yeere of king Henrie the eight (8. An. 23. H. 8. cap. 16.) all Bulles, Bulles diſpenſa-

dispensations, and writings which were before that time obtayned from the See of Rome, should be void, abolished and extinguished with a clause, nevertheless, that the matter of the by vertue of letters patents from the king then being, should & might be alledged, pleaded and allowed, as if the same had not bin so abolished, or extinguished: For asmuch as the said acte is here before amongst other repealed and made void: Be it therfore enacted &c. that all bulles, dispensations, & priuiledges obtained before the said xx. yere, or at any time sithens, or which shall hereafter be obtained of the See of Rome, not containing matter contrary or preiudiciall to the authoritie, dignitie, or preeminence royal or emperiall of the realme, or to ỳ lawes of this realme now being in force, and not in this Parliament repealed, may be put in execution, vsed & alledged in any court within this realme or elswhere, whether the same remayne yet whole, or can appeare to haue bin cancelled, in as vaileable and effectuall maner to al intents and purposes, as if the said acte had neuer bene had or made: Any obiection by pretence of extinguishment, or cancelling of the said bulles, dispensations, or priuiledges, or of any other matter or cause, by the pretẽce of the lawes of this Realme whatsoeuer in any wise notwithstãding: And whereas by dissolution of Monasteries, & other religious houses, certaine Parish Churches and chappels, which were before exempt from the iurisdiction of the Archbishop & Bishop of the Diocesse, and by special exemption and priuiledge frõ Rome, were vnder the gouernment and order of the Abbots and Priors of those religious houses, which said Churches by colour of the saide exemptions be now of spetiall graunt from King Henry and King Edward, vnder the rule & gouernment, and iurisdiction of temporall & lay men, who can no more enioy the supremacie ouer those particular Churches, then the king might ouer the whole realm: Be it therefore &c. that al Archbishops and Bishops, in their Diocesse, and all other spirituall person & persons hauing iurisdiction, and their ministers and officers, & no lay person or persons in euery Church and place, within the precinct of the same being exempt, or not exempt, may freely & without impedimẽt execute their spirituall iurisdiction in all points and articles, as though no such exemption or graunt had neuer bene made. Prouided alway ãnd be it &c. that this act extend not to take away or diminish the priuiledge of the Vniuersities of Oxford and Cãbridge, the priuiledges or prerogatiues graunted heretofore to the Churches of Westminster and Windsor, ne the Tower of London, ne preiudiciall to such temporall Lordes and possessions in this realme, as by auncient custome haue enioyed probate of Testaments, of their tenants or other. And forasmuch as after this reconciliation, & vnitie of this noble Realme, to the bodie of Christs church, it is to be trusted that by the aboundance of Gods mercie & grace, deuotion shall increase and growe in the hearts of many subiectes of this realme, with desire to giue & bestow the worldly possessions for the resuscitating of almes, prayer, and example of good life in this Realme, to the intent such godly motions and purposes should be aduaunced: Be it therefore &c. that it shal be lawfull to such as shal be seised of any manors, lands, tenemẽts, parsonages, tithes, penciõs, portions, or other hereditamẽts whatsoeuer, in fee simple, in possession, reuersion or remainder, in their owne rights, not beyng copyhold, may thereof make feoffements, graunts, or any other assurãces, or by his last will and testament in writing, may bequeath and giue in fee simple all and euery the said manors, landes, tenements, parsonages, tithes, pencions, portions, or other hereditaments to any spirituall bodie, politike or corporate, in this Realme or dominions of the same, now erected or founded, or hereafter to be erected or founded without anie licence of mortmaine therein to be obtained, or any writ of Ad quod dampnũ to be sued out of the same, the actes de terris ad manum mortuam non ponendis, or any other act or statute heretofore had or made in anie wise notwithstanding.

Bulles Dispensations

Monasteries Parish churches

Archbishops Bishops

Orford Cambridge

Westmint. Windsor Tower of London

Probate of testaments

Feoffements Graunts Will Fee simple

Licence of mortmain Ad quod dampnum

Sauing to the lords of the fee, all rents seruices, due or going out of any of ỳ saide lands, tenements, or hereditaments so to be amortised as is aforesaid.

Prouided alway, that this clause of this act for giuing ỳ liberty of, or for the amortising of lãds or tenements, shal continue for and during the space of xx. yeres next and immediatly following, & no longer.

20. yeres

And forasmuch as wee your Maiesties humble & obedient subiects, the lords spirituall and temporall, & commons in this present parliament assembled, neither by the

the making or deliuering of either ỹ ſupplications aforeſaid, nor by any clauſe, article or ſentence thereof, or of any other clauſe, article or ſentence of this or any other ſtatute of any of the preãbles of the ſame, made or agréed vpon in this Seſſiõ of this preſent Parliament by any maner of interpretation, conſtruction, implicatiõ or otherwiſe, intẽd to derogate, empaire, or diminiſh any of the prerogatiues, liberties, franchiſes, preeminences, or iuriſdictions of your Crowne imperiall of this Realme and other the dominions of the ſame belonging, we do moſt hũbly beſéech your Maieſtie, that it may be declared & ordayned. And be it &c. that neither ỹ making, exhibiting or inſerting in this preſent ſtatute, or in the preãbles of the ſame, of the ſupplications or promiſe aforeſaid, or either of them, nor any other thing or things, words, ſentences, clauſes, or articles in the preambles or body of the act aforeſaid, ſhalbe conſtrued, vnderſtãded or expounded to derogate, diminiſh or take away any the liberties, priuiledges, prerogatiues, preeminences, authorities or iuriſdictions, or any part or parcel therof, which were in your imperiall crowne of this Realme, or did belong to your ſaide imperial crowne the xx. yere of the reigne of your the Quéens Maieſties moſt noble father, or any other your moſt noble progenitors, before the ſaid xx. yere: And the Popes holineſſe, and ſée Apoſtolique to be reſtored, and to haue & enioy ſuch authoritie, preeminence, and iuriſdiction, as his holineſſe vſed and exerciſed, or might lawfully haue vſed & exerciſed by the authoritie of his ſupremacie, the ſaid xx. yére of the reigne of the king your father within this your realme of England, and other your dominions, without diminution, or enlargement of the ſame and none other: And the Eccleſiaſticall iuriſdiction of the Archbiſhops, Biſhops, and Ordinaries to be in the ſame ſtate for proceſſe of ſuites, puniſhment of crimes, & execution of cenſures of the Church, with knowledge of cauſes belõging to the ſame, and as large in theſe points as the ſaid iuriſdiction was in the ſaid xx. yére.

Pope Reſtore

Iuriſdictiõ

Prouided alwaies and be it &c. that in & vpõ euery ſuch gifts & deuiſes to be made to ſuch ſpirituall corporations or perſons as is aforeſaid, the donour, feoffour or deuiſour thereof may reſerue to him and to his heires for euer a tenure in Franke almoigne, or a tenure by diuine ſeruice,

Franke almoigne

And to haue all remedies and actions for and vpon the ſaid gifts or deuiſes and tenures, in like maner and forme as was vſed before the eſtatute of Weſtminſter 3. commonly called, Quia emptores terrarũ, The ſaid eſtatute or any other law or cuſtome now being to the contrarie in anie wiſe notwithſtanding.

Prouided alwaies & be it &c. that al and euery perſon and perſons, & bodies politike & corporate, which now haue or hereafter ſhal haue any eſtate of inheritance, freehold, terme or intereſt, of, in or to any portiõ, pẽcion, tithes, glebe lãds, or other eccleſiaſtical or ſpirituall profit, which by this act, and the letters of diſpenſation rehearſed in the ſame, be permitted and ſuffered to remaine and cõtinue in lay mens poſſeſſions, ſhall & may haue like remedie, for the recoueries of the ſame & euery part thereof, as they and euery of them might haue had before the firſt day of this preſẽt parliamẽt: Any thing in this act cõtained to the contrary in any wiſe not withſtanding. An. 1. & 2. P. & M. cap. 8. This act is for the moſt part repealed by 1. Queene Elizabeth cap. 1. which is in Crowne 4.

¶ Safeconduites.

WIl and hath commaunded by the authoritie aforeſaid, to the kéepers of his great & priuie Seale, that they ſhall not ſuffer ſuch clauſe Vidimus to bée put in anie ſafeconduit from henceforth to be graunted, vnleſſe it ſo be, that ſome great or notable cauſe or matter moue the ſame our ſouereigne Lord the king to graunt the ſame in ſuch wiſe. And will alſo that in all ſafeconduites, to be granted from henceforth to any perſon or perſons, the names of them, of the ſhips, and of the maſters, and the nũber of the Mariners, with the portage of the ſhips ſhall be expreſſed. Anno 15. H. 6. cap. 3.

L. Keepet

Vidimus

Ships Maſter Mariners

2 ¶ The ſaid merchãts aliens at their pleaſure may charge ſuch ſhips & veſſels of Spaine, & of other parties aduerſaries & enemies of the king, if the maſters, owners or marchants of ſuch veſſels & ſhips, hauing letters patẽts of the king & of his ſafe conduite, ſuretie or ſafegard for ſuch ſhips, or veſſels & marchandiſes, making mention of the names of the ſhips or veſſels, and of the name of the ſame maſter of the ſhips & veſſels, as the maner is, & if any ſuch ſhips or veſſels charged with any marchandiſes

Marchants

Letters P.

Ships Maſter

marchãdises of such marchants afore said, be take vpon the sea by ẏ kings liege people, not hauing the kings letters patẽts, as afore is said, within the bowde of such ships or vessels, at the day of the taking, nor that such letters patents at the day of the taking be in the kings Chancerie enrolled of record, that then the takers possessing of the goods & marchandises so taken, may enioy & hold the same, any statute or ordinance made to the contrarie notwithstanding. An. 18. H. 6. cap. 8.

Enrolled Chancerie

3 ¶ All letters of safeconduite to bee graunted to the kings enemies & aduersaries, or any other people, shall be enrolled in the Chãcerie of our said soueraigne Lord the king of record, before that any such letters shal be in any wise deliuered to them, to whom the same letters shall be graunted. And that all such letters of safeconduite hereafter to be graũted, not inrolled of record in the said Chauncerie, before the deliuerie to them, to be made in the maner as is said, shall be void, and of no force nor effect. And moreouer, if hereafter any goods or marchãdises be taken by the said subiectes of our Soueraigne Lord the king vpon the sea, or the coastes of the same, charged in anie ship, or other vessel, which is belonging to the enemies or aduersaries of our soueraigne Lord the king for the time being, not hauing sufficient letters of safeconduites enrolled in the forme aforesaid, that they that so shal take the same goods and marchandises, shall them enioy without any restitution thereof to be made in any wise, to whatsoeuer person the same goods & marchandises so taken at the time of the taking of the same, or before, were belonging. Prouided alwaies, that if the subiects of our Soueraigne Lord the king, taking such ships charged with marchandises, not hauing nor shewing such letters of safeconduite within the same ships at the time of the said taking, & bringing them by force to a certaine Port or place within the said Realme, shall not bee endammaged in their person nor goods for such taking, if they bee readie to make full restitution of the same ships and marchandises within reasonable time after that ẏ ful knowledge is made to them of the letters of safeconduite, sufficing for the same ships and marchandises, enrolled in the said Chauncerie of record before the taking of them. Prouided also that this ordinance shall begin to hold his force at the feast of S. Michael the Archãgel next comming. Anno 28. H. 8. cap. 1.

Enemies
Enrolled Chancerie
Void
Enioy

¶ Sacramentum Iusticiariorum.

ANno 8. R. 2. cap. 3. an othe is for the iustices, but it is repealed.

¶ S. Iohns.

ANno 32. H. 8. c. 24. an act was made, whereby the corporatiõ of S. Iohns of Ierusalem in England & Ireland was dissolued, and that none of the Priors and Confreres should weare the marke, &c. And that the king should haue their houses, Churches, landes, goods, cattels and debts, and all other things of theirs. And there be diuers seuerall pencions appointed seuerally to the Priors, Chapleins & Confreres of the religion. And that all of the order to be discharged of their obedience for their religiõ, and to be enabled to sue & take and haue libertie as other religious persons were enabled by the acte made An. 31. H. 8. cap. 6. in Abilitie 5. And their places of Sanctuaries to be void, sauing the common priuiledge of Churches and Churchyards, and the landes to be in the suruey of the augmentations, and the Confreres out of England to returne before Pentecost, 1541. or else to lose their pencions appoynted to them. Anno 32. Henrici octaui capit. 24. See Templers 1. concerning the beginning of the order of Saint Iohns.

Enabled Due
Sãctuaries
Churches Churchyards

¶ Sanctuaries.

NOne offendor in any kindes of high treason whatsoeuer they be, their aiders, consenters, counsellours, nor abbettours shal be admitted to haue the benefit or priuiledge of any maner of Sãctuarie, considering that matter of treason toucheth so nigh both the surette of the king our soueraigne Lords person, and his heires and successors. Anno 26. H. 8. cap. 13.

Traitors

2 ¶ Al and singuler person or persons which now be, or at anie time hereafter shall be priuiledged in anie Sanctuarie within any of the kings dominions, for murder or felonie frõ the first day of May next comming, shall daily, whensoeuer he or they be without the house or mansion wherein they haue their lodging, weare a badge or cognisance, by the Gouernour of euery Sanctuarie, to bee assigned & appointed,

Murder Felonie
Badge

pointed, opẽly vpon their vpper garment of the compasse in length & breadth of ten inches, vpon paine that they and euery of them, whensoeuer and as often as anie of them being out of the said house or mansion, wherein he hath his said lodging, shall be founden and taken without the same badge or cognisance, clearely to lose & forfaite his or their priuiledge and aduãtage of Sanctuarie. And that it shal be lawfull to all & singuler the Kings subiects to apprehend and take euery such offendour or offẽdors, being without his badge or cognisance, as afore said, & him to bring out of the Sanctuarie into the nert gaole, there to remaine vnto the nert gaole deliuerie, and thẽ to be tried according to the true course & order of the law, as though he had neuer bene priuiledged in any such Sanctuarie. And also be it &c. that no maner of the said priuiledged persons, in any time hereafter beare, occupie, or weare vpõ them any maner of sword, knife or other weapõ, other thẽ their meat knines, & the same meat knines, but at iij. meales onely, vpon paine as is aboue rehearsed.

Forfeit. Apprehend Gaole Weapon

Furthermore be it &c. that if any of the said priuiledged persons at any time after the said first May day fortune to be foũd, apprehended or taken out of his or their lodging, before the Sunne rising in the morning, after the Sunne going downe in the euening, the same priuiledged person so found, apprehended or taken, shall at the first time, for his so offending, suffer imprisonment within the same Sanctuarie, by the space of two dayes, and at the second time to haue imprisonment by the space of six daies, and at the third time that he shal be so founden, apprehended or taken out of his said lodging, contrarie to the order aboue mentioned, and the same being substantially proued by indifferent proofes thereof to be made before the Lord Chancellour of England for the time being, to forfaite and lose his or their priuiledge of Sanctuarie. Also be it &c. that if any maner of Sanctuarie person or persons of prepẽsed malice, at any time hereafter doe rescue or resist any of the gouernours afore said, or their deputies, in executing of their office, in taking and imprisoning of any of the persons priuiledged, offending cõtrarie to the tenor of this act: that then he or they that shall fortune to make rescues, shall be hereafter take out of the Sanctuarie, & to suffer and to be tried as felõs in euery thing. And ouer that,

Sunne rising Sunne setting Imprison Forfeit. Resist Forfeit.

be it &c. that all maner of contracts of debt vnder xl. shillings, tresp alles & couenants that any time hereafter shal happen to be made or growe within anie of the saide Sanctuaries betweene any of the said priuiledged person or persons, and other inhabitants within anie such Sanctuarie, that the gouernors or their deputie of any of the same Sanctuaries, where any such contract, tresp alle, or couenãt shal fortune to be made, growe or bee, as is afore said, shall haue full power & authoritie by this present act, to order, iudge and determine the same, according as it shall bee duely there proued afore the said gouernour or gouernours. An. 27, H. 8. cap. 19.

Debts. Trespalles Gouernors

3 ¶ No person or persons offending in any ẏ treasons conteined & limited by this act, or in any other treasons, shall in any wise haue & enioy the priuiledge, immunitie of any maner Sanctuarie within this realm, or elswhere, within any the kings dominiõs, but shal vtterly lose & be excluded of the same, any vse, graunt, custome, prescriptiõ, cõfirmatiõ, or any other thing or things to ẏ contrary hereof in any wise notwithstanding. An. 28. H. 8. cap. 7.

Treason

4 ¶ All maner of Sanctuaries & places priuiledged, which heretofore haue bene vsed, reputed or takẽ for any maner of Sanctuary, except parish churches, and their Churchyards, Cathedral churches, Hospitals, and Churches collegiate, and all Chappels dedicated, vsed as parish Churches, and the Sanctuaries to them and euery of them belonging, and except such places and territories, as hereafter shalbe declared, appointed and named to be places of tuition and priuiledge by this present act, shall be vtterly extinguished, annulled, voyd and of none effect, for any such libertie or priuiledge of Sanctuaries to all purposes and intents: Any Lawes, Licences, Estatutes, Customes, Priuiledges, Prescriptions, Allowances, or any other thing or thinges heretofore vsed or admitted to the contrarie notwithstãding. And furthermore the Kings royall Maiestie, of his accustomed goodnes, mercie and benignitie, is pleased and contented, that it be &c. that frõ henceforth these places and territories hereafter expressed and declared, that is to say, Welles in the Countie of Somerset, Westminster, Manchester, Northampton, Norwich, Yorke, Darby & Lancaster, shall be from henceforth admitted, allowed and taken to be places of priuiledge and tuition for terme

Churches Churchyardes Voyd Places of Sãctuary

terme of life, of and for al and singuler offendors & malefactors, of whatsoeuer qualitie, kinde or natures, all & euery their offences be, for the which their said offences and crimes, the paines and punishment of death should ensue by the statute lawes or customes of this realme, other thē such as hereafter by this present acte be excepted & foreprised, that is to say, that it be &c. that frō henceforth the said Parish churches or Churchyardes, Cathedrall Churches, Hospitals, Churches collegiate, & al other Chappels dedicated, vsed as Parish Churches, nor any of them, nor the cemitories to them or any of them belonging, nor the said places & territories before in this present act rehearsed and declared for places of refuge & tuition, shall not in any wise extend to giue any maner tuitiō, defence, immunitie, libertie or priuiledge to any maner of person or persons, which at any time hereafter shal perpetrate, cōmit or doe anie maner of wilfull murder, or which shall commit or doe any rauishmēt to any woman, or which shall commit anie maner of burglarie, or which shal cōmit or doe anie maner of robberie in the high way, or nere vnto the same, or to any person which shall commit or doe anie robbery in any house, putting the owner, his wife, children, seruants, or any other person within ỳ same, in feare of life. And also excepted and foreprised all felonious burning of houses or barnes with corne, and also all robberies of Churches, chappels or other hallowed places. And also foreprised and excepted all & singuler abbettours, procurers & counsellors to any of the foresaid offices before specified and excepted, before the said offences committed and done. And also excepted and foreprised all other offendors, committing or perpetrating any offentes where Sanctuarie or Cleargy is not allowable by the lawes of this Realme, or where Sanctuarie or Cleargie is taken away by anie former statute or lawe.

wilfull murder
Rape
Burglary
Robberie
Felonie
Abbettors
Sanctuary
Cleargie

And be it further enacted, that if at any time hereafter, any person or persons doe take any refuge or Sanctuarie in any parish Church or Churchyarde, Cathedrall Church, Hospitall, Church collegiate, or other Chappell dedicate, cōmonly vsed as parish Churches or in the Coūtrey to any of them belonging, for any offence, other then such as be excepted and foreprised by this acte: that then the said person or persons, so taking Sanctuarie & refuge, shall and may abide and remaine there by the space of fortie daies, as hath bene heretofore vsed, vsing himselfe in all points, according to the lawes and statutes of this realme, vnlesse the Crowner, in the meane time repaire vnto him for ỳ taking of his abiuratiō, in which case vpō repaire of the said Crowner, he shall and may abiure after the lawes & estatutes of this realme, to any of the said territories and priuiledged places before named, not being full of the number, as hereafter to euerie of the said places by this act shall be appointed, there to abide and remaine during his life, vsing himselfe in such like order, condition and fashion in al things and points as heretofore hath bene ordered and appointed by the statutes and lawes of this Realme, for and cōcerning the good order of Sanctuarie persons, to be obserued, vsed and kept within priuiledged Sanctuaries, (viz. 27. H. 8. cap. 19. before 2.) or else to lose ỳ benefite of their said priuiledge, and vpon the penalties comprised in the sayd estatute. And it is further enacted, that if the Crowner of the shire or place where any person or persons shall take anie refuge or Sanctuarie in ane of the said Churches or Churchyardes, Cathedrall Churches, Hospitals, Churches collegiate, Chappels dedicate, commonly vsed as parish churches, or any cemitories to them or any of them belonging, vpon reasonable request made, doe refuse to come in cōuenient time vnto such person being in Sāctuarie, as afore is said, there to take his confession and abiurations, according to the lawes of this realme, that then the said Crowner for euery such default shall lose & forfeit to our soueraigne Lord the king one C. shillings.

40. dayes
Crowner
Abiure
Crowner
Refuse
Forf.

And be it &c. that the Chācellor of England for the time being, within the space of one yere nexte following, shall haue power and authoritie by this acte to awarde seuerall Commissions vnder the Kings great seale of England, vnto such discrete persons as he shall thinke mete by his discretion, to make perambulatiōs, & to appoint, set forth and limit certainely how farre, & where the bounds and limits of euery of the said priuiledged places and territories before rehearsed shal extend, & that the same bounds and limits so by the said Cōmissioners to be set forth, limitted and appointed shal be returned vnder the seales of the sayde Commissioners into the Kings Court of Chauncerie, there to remaine

Chancelor
Cōmissions
Perambulations

Bounds remaine of record for the certaine knowledge of the bounds and limits of the said priuiledged places & territories. And that after the same limitations so to be made & returned, the said priuiledged places appointed by this act, shal ferner be allowed onely within the same limits & bounds so returned, & not elsewhere within the residue of the Citie or Towne where such limits shalbe appointed.

Gouernour And further be it &c. that in euery of the said priuiledged places & territories, the officer or Gouernour of the said priuiledged place & territorie by the Kings highnesse to be appointed, and euery of them for the gouernance & ordering of the same places and territories, shal daily call and cause to be called by himselfe or his deputie, all & euery of the said priuiledged persons in euery of the saide places & territories by their names: and if any of the said priuiledged persons doe make default at three seueral dayes together, & do not personally appeare at any of the saide three dayes, hauing no lawful excuse to the contrary, that then euery such priuiledged person, making default of his apparance, as is aforesaid, shall lose & forfait the priuiledge of all and euery the said priuiledged places & territories: Any thing in this act to the contrary notwithstanding.

Default

Forf.

Priuileged persons And further it is &c. that if any of ỳ said abiured or priuiledged persons within the time he shalbe in any of the saide priuiledged places or territories, as a priuiledged man, fortune to commit, perpetrate or do any maner of felony or other offences, for the which the penaltie of death should ensue by the Lawes and Statutes of this Realme, that then euery such offender shall for euer lose the benefite & priuiledge aswell of the said place, as of all other priuiledged places & Sanctuaries before named: any thing in this act to the contrary notwithstanding. And it is &c. that there shall not be at any one time aboue the number of xx. of the saide priuiledged persons hereafter to be admitted and receiued into any one of the saide priuiledged places and territories aforesaid. And that if any person hereafter doe abiure to any of the said priuiledged places & territories, according to the purney of this Act, the person so abiuring shalbe led, conducted, conueyed & brought from Constable to Constable directly according to the order of ỳ lawes heretofore vsed, for the conducting of abiured persons to their portes, after their abiurations, vntill such time as the said person so abiuring, be brought to the gouernour of the saide Priuiledged place, whereunto he shal so be abiured or to his deputie. And if at the bringing thither of the said abiured person, it shall appeare & be truely declared by the Register there to be kept of the names of the saide priuiledged persons, then being in the said priuiledged place, that the saide priuiledged place is then full of his said number of the said priuiledged persons, being then there lawfully priuiledged according to ỳ purview of this Acte: then the said gouernour of the said priuiledged place, or his deputie, shal declare & shewe vnto the said abiured person so being brought thither, and to the said officer that bringeth & conducteth him there, that the said abiured person may not be there receiued, for that ỳ said priuiledged place is then already full of his said number, & thereupon shal commaund the saide Constables or other officer, to conduct, lead and deliuer the saide abiured person to the Constable or other officer or officers of the next towne adioyning to the said priuiledged place, leading directly towards the next of the said other Priuiledged places or territories. And ỳ same abiured person so to be deliuered frō Constable to Constable, officer or officers of euery Towneship, tending towarde the same next priuiledged place, vnto such time as the same person be thither cōducted, & there deliuered to remaine, as is aforesaid. And that the Gouernour of the said priuiledged place, where such refusall was had, or his deputie, shall make an entrie in the said Register of ỳ whole matter, that is to say, what day & yere the said abiured person was brought thither vnto him, and by what Officer, and for what cause hee did refuse the receiuing of him, & to which of the other said priuiledged places ỳ saide abiured person was frō thence appointed to bee brought & conueyed, and shal before the departure of the said abiured person, deliuer to him a true copie of the said entrie, to the intent hee may deliuer the same to the Gouernour of ỳ said other priuiledged place, to ỳ which he shal be conducted and brought, or to his deputie: And that the saide Gouernour of the same Priuiledged place, if that same place be not then full of his number, as is afore rehearsed, shall receiue the saide abiured person vpon the sight of his said bill, there to remain during his life, as a priuiledged

Felonie

Gouernour

Copie

2o. priuileged persons

Abiure

Constable

perſon, accoꝛding to the puruiewe of this eſtatute. And that like oꝛder and faſhion be alwaies obſerued and kept foꝛ the conducting and conueying of all abiured perſons from euery of the ſaide Pꝛiuiledged places, being full of their ſaid number, at the time of the bꝛinging thither of any ſuch abiured perſon to the next other of the ſaid places, vntil ſuch time as the ſaid abiured perſon be receiued into one of the ſaid Pꝛiuiledged places, not hauing his full number, accoꝛding to the puruiew of this Act: And that euery gouernour of the ſaid Pꝛiuiledged places, being negligent & not doing his duetie, accoꝛding to ẏ puruiew of this act And euery Conſtable and other of the Kings Officers, refuſing to receiue oꝛ to conduct ſuch abiured perſon as is afoꝛeſaid, ſhal foꝛfait and loſe to our Soueraigne Loꝛde the King foꝛ euery of their defaults in that behalfe fourtie ſhillings. Pꝛouided alwayes that this act noꝛ any thing therein contained, ſhall extend oꝛ be taken to minish oꝛ appaire, oꝛ augment oꝛ enfoꝛce the Pꝛiuiledge oꝛ libertie, which any perſon oꝛ perſons haue already taken, claimed, oꝛ obtained in any place oꝛ places, within this Realme heretofoꝛe vſed, allowed oꝛ admitted foꝛ places of Sanctuary, pꝛiuiledge oꝛ tuition, but ẏ ſame to ſtand foꝛ them in like foꝛce & effect, neither better noꝛ woꝛſe, then it was beſoꝛe the making of this acte: any thing heerein contained to the contrary notwithſtanding. An. 32. H. 8. ca. 12. See next following howe the Sanctuarie of Manchester is determined, and foꝛ that Weſtchester appointed.

Gouernoꝛ

Conſtable Refuſe

Foꝛf.

5 ¶ The ſaid foꝛmer act of Parliamẽt (5. An. 32. H. 8. cap. 12. before 4.) concerning the pꝛiuiledge, Sanctuarie and tuition foꝛ the ſaid offendoꝛs onely within the ſaid towne of Manchester, ſhall and may be from the feaſt of the Natiuitie of ſaint John Baptiſt now next comming, repealed, annihilated, and made fruſtrat. And the ſaide Towne of Manchester from the ſaid feaſt of S. John Baptiſt, ſhall bee of like condition, eſtate, and qualitie, diſcharged of the ſaid Sanctuarie and pꝛiuiledged, as the ſaid Town was beſoꝛe the making of the ſaid foꝛmer acte, any thing, ſentence, clauſe oꝛ article in the ſaide foꝛmer act, to the contrary notwithſtanding. And that ꝛc. that the Citie of Weſtchester, in the Counꝛtie of Chester, which is well inhabited, hauing no ſuch trade of merchandiſe, and hath a ſtrong gaole within the ſame Citie, foꝛ punishment of malefactoꝛs, and alſo there is in the ſame Citie a Maioꝛ, Bailife, and other head officers, amongſt other townes and places from henceforth may bee admitted, allowed, and taken to be a Sanctuary, and a place of pꝛiuiledge and tuition foꝛ terme of life, of all and ſinguler offendoꝛs & malefactoꝛs, of whatſoeuer qualitie, kind and nature all & euery the ſaid offences be, foꝛ the which ſaide offences and crimes, the paines and punishmẽt of death ſhould enſue by the eſtatutes, lawes and cuſtomes of this Realme, other then ſuch, as by, & in the ſaide act of Parliament bee expꝛeſſed and foꝛexpꝛiſed. Pꝛouided alwayes, that this act oꝛ any thing therein contained ſhall not extend to repeale, annihilate oꝛ make voide the ſaid foꝛmer act of Parliament, made in the two and thirty yere of our ſaid Soueraigne Loꝛde the King, cap. 12. before 4. concerning any Sanctuarie oꝛ pꝛiuiledged places, limitted in the ſaid foꝛmer act, other then onely the ſaide Towne of Manchester. And be it further enacted, that the Conſtables of the ſaide Town of Manchester, foꝛ the time being, taking and aſſociating with them twentie of the inhabitants of the ſame Town, by their diſcretions ſhall haue the ſafe cõduction, leading and bꝛinging of all Sanctuary men, nowe and hereafter beſoꝛe the feaſt of the Natiuitie of S. John Baptiſt next comming, being in the ſaide Towne, to conduct, leade and ſafe bꝛing from the ſaid Town of Manchester, to the foꝛeſaid Citie of Weſtchester, there to remaine as Sanctuary men, and to be deliuered to the Maioꝛ and Shirifes of the ſaide Citie of Weſtchester, by indenture to bee made betweene the foꝛeſaide Conſtables and the ſaid Maioꝛ, and Shirifes there foꝛ the time being, in which Indentures ſhal bee compꝛiſed and ſpecified the names of all ſuch Sanctuary perſons, as ſhalbe ſo deliuered: and that the ſaide Sanctuary perſons and euery of them ſhalbe in al places meane betweene Manchester and Weſtchester, in the time of their ſaid conductiõ, leading and bꝛinging from Manchester to Weſtchester, as they & euery of them had beene & remained Sanctuarie perſõs in Manchester afoꝛeſaid.

Manchester Repealed

Weſtchester

Conſtables

Maioꝛ Shirifes Indentures

Pꝛouided alwayes and be it ꝛc. that if hereafter vpon any reaſonable matter oꝛ cauſe, it ſhal appeare to ẏ kings Maieſty by infoꝛmation as otherwiſe, that the ſaid Citie of Chester is not meete to be Sanctuary,

Chester

tuary, nor for a place of priuiledge & tuition for the saide offendors and malefactors, as beene aboue remembred, as for such like of their conditions, that then it shalbe lawfull to the Kings highnesse by his graces proclamation, to extinct and determine the saide Sanctuarie within the saide Citie of Chester, and clearly to discharge the same Citie thereof: and thereupon to appoint, ordeine, and make one other Towne or place to be sanctuary, and a place of priuiledge and tuition for the saide offendors and malefactors, any thing in this acte contained to the contrary notwithstanding. Anno 33. Henr.8.capitulo.15.

Proclamation

¶ Scarborough.

ANno 37.H.8.ca.14. an acte is made for the repayring of the Hay and Piere of Scarborough, with diuers clauses cõcerning ỳ matter.

¶ Schooles and Schollers.

AN. 14. Elizabeth. an acte was made for the better assurance of certaine lands and tenements to the maintenance of ỳ frée Grammer schole of Tunbridge in the Countie of Kent, which is not published in print.

Tunbridge

¶ Scotland and Scots.

FRom henceforth no person, Alien nor Denizen, of whatsoeuer estate or conditiõ that he be, shall carry nor send, nor do to be carried nor sent by land nor by sea out of the Realm of England, to any parties of Scotland, priuily nor apertly, any maner of Armour, corne, Malt, or other vitailes, or any other refreshing, vpon paine of forfeiture of the same vitailes, armours, & other things aforesaid, together with the shippes, vessels, cartes & horses, which shall bring or carry the same, or of the very valour of ỳ same, except so it be that the King doe giue his speciall licence to the contrary.

Alien Denizen

Armoure Corne Vitaile Forf.

Licence

And to the intent that these ordinances be duely kept & put in due execution, it is also assented, that he which after Proclamation therof made, espie & proue, that any hath offended or forfeit in any point against the forme of this ordinance, shall haue the third part of the saide forfeitures wholy to his own vse. An.7.R.2.ca.16.

Third part

2 ¶ It was not his intent at the making of the said Statute (before) ne yet is, that they that haue carried or taken, or from henceforth shall take or carrie vitailes or merchandises to the Towne of Berwike vpon Twede, which is the Kings Towne, and of his liegeance, shall incurre that paine of the said Statute, ne shall not bee bound to paye customes and Subsidies graunted to our Soueraigne Lord the king of merchandises, that bee or shall bee carried out of the Realme. Prouided alway that they that take any cloth, vitailes, or other merchandises out of the saide Towne of Berwike, to any parties of the kings friends, shall pay the Subsidies, Customes, and other dueties thereof to our soueraigne Lord the king, and if they do carrie to any parties of the Kings enemies, they shall incurre the paine of the saide Statute. Anno 15. R.2.cap.7.

Berwicke

Customes

Cloth Vitaile

Customes

Enemies

3 ¶ Anno 7.Hen.7.ca.6. it was enacted that all Scots dwelling within England and Wales, should auoid the realme within fourtie dayes after Proclamation made, and after the fourtie dayes, search to be made for Scots, and they to be arrested, and their goods seised, and they to be conueyed from Constable to Constable to Scotland, and other articles concerning this matter.

Auoide

40. dayes Search Arrest

Goods Constable

4 ¶ Forasmuch as great care hath bin heretofore taken for maintenance of good strength and force vpon the borders and frontiers against Scotland, & to the ende that inhabitants & tenaunts there might be better able, & more encouraged for the defence of the same borders, when any occasion should be offered in that behalfe, all charges of Subsidies and tares haue bin borne, to be laid or charged vpon the saide inhabitants, & for like respect it hath beene heretofore also vsed in diuers places within the Counties of Northumberland, Cumberland, Westmerland, and the Bishoprike of Durham, that diuers, and a great parte of the inhabitants there, haue enioyed their tenements & Fermeholdes in diuers fauourable sortes & formes of tenure. And for that the Quenes Maiestie hath of late yeres beene oftentimes informed by report & certificat of her principal Officers hauing charge of her borders, that the force of her saide borders both of horsemen and footemen are greatly decayed, & likely daily to growe weaker by many occasions, & among other by decay

and ruine of sundry ẏ habitations of those borders, whereby the number of the auncient Inhabitants able for seruice, haue bin diminished. & that part of the same habitations, Tenancies & fermes, haue been reduced rather to pasturing of cattel, then to the maintenance of men of seruice: And that also in some partes the Tenants and Inhabitäts themselues haue diminished their own strength, by diuiding their houses & Fermes, whith were meete only for one able houlholder and familie, into the occupation of sundrie persons commonly being their children or other kinsfolkes. So as by the smalnesse & meannesse of ẏ holding, no one of them is able to furnish a man for seruice: And that also diuers owners & tenants vpon the borders, haue for more gaine then they could haue of natural subiects, letten their lands or feedings, or some parte thereof to Scottishmen, thereby not onely weakening the strength of her Maiesties naturall subiects, but strengthening forreiners.

For remedie whereof, be it enacted by the authoritie of this present Parliamẽt, that the Quẽnes Maiestie shal and may from time to time, as neede shall require, by Commission vnder the great Seale of England, make and appoint such and so many Commissioners as to her Maiestie shal be thought conuenient, giuing vnto them or fiue of them (whereof two to be of the Quorum) full power and authoritie in all and euery of the saide Counties of Northumberland, Cumberland, Westmerland, and the Countie Palantine of Durham, or in any one of them, or in any parte of any of them, to inquire by the othes of twelue men or moe, or by other good meanes, according to their discretions, what tenancies and houses of habitations be since the seuen and twentieth yeere of King Henry the eight ruined and decayed, and not held or occupied by men able to serue as horsemen and footemen, according to the auncient dutie of those tenancies, and in like maner to examine and search out the iust or probable causes of those ruines & decayes, & of the wants & euil furnitures of the saide horsemen and footemen, and to giue order and direction for reformation thereof with all speede reasonable. And to that ende, if it shal appeare to the saide Commissioners or such fiue of them, as is aforesaid, that the fault of the saide ruines or decayes haue beene onely in the Lordes and owners, or their principall officers, or in the officers and Farmers of her Maiesties Mãcurs, Landes or Tenements, or any their assignes, then the saide Commissioners, or such fiue as is aforesaide, shall order, commaund and enioyne as well her Maiesties Officers, Farmers or their assignes, as others the Lordes and owners, and their Officers or farmers, to reedifie or repaire the same tenements and houses of habitation, and specially the capitall houses and Barnekins within a cõuenient time at their owne charges, with restoring like quantities of lands therunto, as with the same hath beene occupied in the saide twentie seuenth yeere of King Henry the eight, And shall set paines for euery default of such reedifying or restoring in reasonable time, not exceeding one hundreth Markes for euery such default: And if they shall finde default of furniture of the Tenants with horse, weapon or armour, according to their dueties, then they shall by perswasion in respect of the Quẽnes Maiesties seruice, & the defence of their native countrey, treat with such Lords and other whom it may concerne, & the Freeholders, Lessées or Tenants, for order to be taken by their mutuall assents for the renewing and continuance of the said seruice, and for want of reasonable conformitie on either part, may enioyne the said Lords and all others vnder them, and also all the Quẽnes Maiesties Officers, Farmers, and their assignes, to giue such help as the said Commissioners or such fiue as aforesaide shall thinke fit, toward the inabling of the saide Tenant or Tenants, to be furnished according to the auncient duetie of the said Tenemẽt, and to take order how the saide Tenant shall therby be furnished & be able for seruice, and so to see that the same bee duely executed, and the said Commissioner shall take bonds in good summes to her Maiesties vse, of euery such person of whome it shall bee requisite that the saide auncient duetie of such Tenementes respectiuely shall be furnished, kept and executed, on paine of reasonable forfaiture, not exceeding fortie pounds for euery default, and shall assesse fines, & set downe paines for such defaultes or wants of furniture, as shall in that behalfe be requisite. And if the vnablenes of the saide Tenants shall be founde to haue growen, or to growe hereafter by their own default or wilfulnesse, without iust occasiõ: The said Commissioners

Quẽne

Commissiõ

6. Commissioners Two of the Quorum Northumberland

Enquire

Tenancies decayed

27. Hen. 8.

Search causes

Reforme

Lords default

Inioyne

Reedifie

Barnekins

Paines

Tenants default

Armour

Perswade

Lordes

Helpe

Paine

Commissioners

missioners or such fyre of them, as is afore saide, shall order, enioyne and direct the said tenants within some reasonable spedy time, to furnish themselues with horse, armour, and weapon, or with armour & weapon according to their ancient vsage, and their vttermost reasonable ability, at their own charges without any contribution of the Lords, but at their owne good wils, vpō paine to be expelled by the lord, owner or superiour Farmers or their assignes, which so expelling, shall place in such holding or Farme another tenaunt, that shall bee furnished and ready for such seruice as is afore said, or else shall within one moneth giue notice to the Commissioners, or to the Wardē of ỳ same Marches, of his not placing of such Tenaunt, vpon such paine as the Commissioners, or such fyre of them, as is aforesaide, shall assesse, not exceeding one hundred Marks, and the saide Commissioners or Warden after such notice giuen, shall place one other Tenant sufficient for the seruices aforesaide, and in her Maiesties landes by the officers of her reuenue, within some time to be limited. And the said landlords, owners, superiour Farmers, or other assignes, and also her Maiesties officers to bee also enioyned and bounde vpon some paine, to cause the same to bee executed, & that a new Tenant shal bee placed, sufficiently furnished to holde the same. And further where it shall appeare, that within the space of thirtie yeres any Tenemēt or habitation of houlholde, which haue maintained ane horsemen or fotemen, by ancient vsage for seruice towarde the frontires, haue bene by the Tenants and owners themselues, or by anie other meanes deuided into sundrie habitations, or the Landes thereunto belonging, distributed to other Tenants, whereby any one principal Tenement so diuided, or the same Tenement with the land therewith nowe occupied, shall not bee able to maintaine the Inhabitant thereof to bee furnished according to the ancient duety of seruice: That in such case the said Commissioners, or such fyre of them, as is afore saide, shall take order, that for the present time, the persons which shall haue the vse and profite of any parte of the same Tenements, or of the saide lands so withdrawen from the saide principall Tenement, during the time of their present termes, shall yeerely contribute to the principal tenant there residing, to be redie and furnished for the said seruice, some reasonable yeerely aide by money or otherwise, towardes his furniture mēte for seruice.

Enioyne Tenants

Armour

Paine

New tenant

Notice

Commissioners

Queenes lands

Tenement deuided

Commissioners

Occupiers

Contribute

Prouided alwaies, that where the saide Commissioners, or such fyre as aforesaid shall finde, that meane or vndertenants, hauing particular estates ouer the terre-tenant (other then the Lordes and owners) haue bēne cause of any such decay: In those cases they shall order and compell all such persons meane (which from vnder the Lorde, vnto the base or terre-tenant, shalbe found to haue bēne cause of such decay) to contribute towards the reedifying or repairing of any tenement ruyned or decayed since the time of their interest in the premisses, and also to the helpe of the furniture of the partie so decayed: And shall also cause them to bee bound, during their particular estates, to obserue the order of the saide Commissioners, to be taken as is aforesaid, towards the saide Tenants, inhabitants, and seruice. And because diuers persons being Lordes and owners, and others also, that haue particular estates vnder ỳ said lords and owners, which are by the saide Commissioners in diuers cases aboue mentioned, to be charged with the contributions aboue mentioned, may be absent out of ỳ parties, where the saide Commissioners shall haue authoritie to execute the saide Commission, and shall not appeare vpon summons and precepts, and shall haue no lands or tenements within the iurisdiction of the said Commission, to satisfie such paines or amercements as shalbe set vpon them, to perfourm their order, In such cases the Commissioners or such fyre of them as is aforesaid, shal estreate ỳ same paines and amercements into the Exchequer, in like manner, as Iustices of peace ought to do for fines and amercementes tared or set before them. And thereupon ỳ Barons and Courte of Exchequer, shall vse al good diligence to procure ỳ leuying thereof vpon the parties amerced, or that shal forfeit pains in any part of the realm whersoeuer the said partie shal remaine, And vpon the same answere by any shirif or other officer, the same shal be payed by order of the principall officers of the saide Exchequer, to the Commissioners or some of them, to be by thē answered to such to whom ỳ same shalbe due, without further warrant from her Maiesty for the same.

Persons absent

Commissioners Estreats

Prouided also, that where the Commis-

sioners, or any such fire of them as aforesaid, shall finde that any thing is & ought to be done for the furtherance of this service, in any of the premisses in ỳ Quænes Maiesties charge, in respect of any her landes, Lordships, or tenements, or of any thing taken by any officers of her reuenue, or by any other person attending vpon the said officers or ministers, or by any other meanes to their owne vse: In such cases the said Cõmissioners, or such fire, as aforesaid, shall certifie to the Lord Treasourer, Chauncellour and Barons of the Exchequer, their directions and orders concerning ỳ contributions by them reasonably thought méete to be made in her Maiesties behalfe, or by any her officers or ministers, to the intent the saide Lord Treasourer, Chauncellour & Barons, or any two of them, whereof the Lorde Treasourer or Chauncellour for the time being to be one, shal on her Maiesties behalf direct warrants to her Maiesties receiuers of the saide Countie, to make payment and allowance, according to the order and direction of the said Commissioners, without any other speciall warrant from her Maiestie for the same, and they shall also compell all other her Maiesties said officers and Ministers, or their deputies, that shalbee ordered by the Commissioners, as aforesaide, to make contribution, as is abouesaide, to make payment, and to satisfie the said orders in like sort and maner, as if the said orders & directions were decreed by the saide court of Exchequer.

Queenes charge

Commissioners Certifie

Prouided, that the saide Cõmissioners, before they shal exercise the saide Cõmission, shal be sworne before ỳ Lorde Chancellor of England, or before such to whom the Lord Chauncellor shall direct a writ of Dedimus potestatem, or before the Iustices of Assise in the Countie where they shal sit, or before the Iustices of peace in the Quarter Sessions in the said County, according to the tenour of an othe, conteined in a Statute of the seconde and thirde yeares of the raignes of King Philip and Quæne Mary (which see in Castels f.) made for the reedifying of the Castels, & strengthening of the borders within the foresaid Countie (leauing out the wordes (and all Saincles) expressed in the ende of the said othe.) And that they shal haue like wages for themselues and their Clerks, as is in the saide Statute also expressed, & ỳ same to be leuied out of such summes of money, as shalbe assessed by the said commissioners, according to the prouision contained in the foresaide Statute of the second & third yeeres of the raignes of King Philip and Quæne Mary, for the allowance of the like Commissioners appointed to execute the said Statute.

Commissioners sworne

Just. of P.

Wages

Prouided also, that they shall haue the like authoritie to make & direct writtes, precepts, warrants, & other commaundements to al Shirifs, Bailifs, Stewards, and all other ministers, officers, and persons, to appeare before them, and to execute their commaundements, and shall in all causes haue like authoritie to execute this commission warranted by this Statute, as by the saide statute of the seconde & third yeres of King Philip and Quæne Mary, was giuen for the execution of the said Statute. And that the like Commissions shall bee made in cases requisite by the Chauncellour & officers of the Duchy of Lancaster, and by the Bishop of Durham in the Countie Palantine of Durham, respectiuely, according as is mentioned in the foresaid Statute of the second and third yeeres of the raignes of King Philip and Quæne Mary, for commissions to be made by them for the execution of the saide Statute.

Procés

Duchie of Lancaster Durham

Prouided that the foresaid Commissioners shall not by any their order or direction, intermeddle with any landes of her Maiestie, or any other person, that are presently in lease or demise, or graunted by dæde indented in writing, or by Copie of Court roll within any manno, where of auncient time the custome hath bene, to grant the same lands by copie of court roll, but that the same lesses by indenture, and copie holders shall continue at the pleasure of the lessors, or the graunters of the saide copie, or their heires, as before the making of this statute they might haue done. & yet, if heretofore ỳ said landes so leased by demise, or graunted by copy of Court roll, shall appeare to haue bene chargeable to seruice, and that the ancient tenants therof haue vsually done seruice for the borders, and in the said Indentures or copies, or in the Courte roll whereof the same are copies, there bee no couenantes or clauses, nor other wise any bonds taken for the saide seruices to bee done and performed: In these cases, for reuiuing or furtherance of the saide seruices, the saide Commissioners or such fire of them as is aforesaide, shall vpon due

Prouiso

Leases Copyholds

Reuiue

eraminatiõ firſt had, and trial made, take
order either with the Lords and leſſours,
or with their officers, or with their te-
nãts, or with both of them, to cauſe anie
Tenement tenemẽts ruined or decaied, to be reedifi-
ed or repaired, as is before limitted: And
alſo to cauſe the ſaide ſeruice or ſeruices
to be reuiued & maintained for the defẽce
of the ſaid borders, either by ſpeciall coue-
nants to be conteined in writing betwixt
the ſaid Lord and tenant, or otherwiſe.

Prouided alſo, and bee it enacted by the
authoritie of this Parliament, that al or-
Orders ders to be ſet downe by the ſaid cõmiſſio-
ners by vertue of this ſtatute, and by au-
thoritie of the ſaid Commiſſion or Cõmiſ-
Stand ſions, or any of them, ſhal ſtand and be in
force to continue, except the ſame ſhall be,
by themſelues, or ſuch number of them,
as is aboue limitted, or by other Commiſ-
ſioners authorized by her Maieſtie, accor-
ding to the forme of this act, vpon exami-
nation and good conſideration, and vpon
calling all perſons intereſſed before them
to be heard, otherwiſe altered or changed
in the whole, or in part.

Prouiſo Prouided alſo, that hereafter all far-
Leſſees mours or leſſées, that ſhall haue intereſt
hereafter in any lands, tenements or he-
reditaments, within the ſaid Counties of
Northumberland, Cumberland, Weſt-
merland, and the Biſhoprycke of Dur-
ham, or in any one of them, by vertue of
any newe Leaſe to be made after the ende
of this Seſſion of this Parliament, ſhall
perſonally dwell vpon the ſaide landes
and tenements, being houſes of habitati-
Dwell on, or els ſhall perſonally be reſident and
dwelling in and vpon ſome other houſe &
habitation within one of the ſaide Coun-
ties, and ſhall appoint and aſſigne a mete
perſon to inhabite vpon the ſaide Farme
or tenement ſo demiſed, in ſuch ſort as the
inhabitant may reaſonably liue there-
upon, according to the qualitie of the
farme, and ſhall perfourme the ſaide ſer-
uice. And if the ſaid farmour ſhall depart
Depart out of the Counties, to dwell or reſide in
any other place, hee ſhall within one rii.
Surrender Moneths after his departure, ſurrender
his ſaide farme, to him or them that then
ſhall haue the immediate reuerſion or re-
mainder, ſo as hee may demiſe the ſame
to the aforeſaid inhabitãt afore aſſigned,
or to ſome other to bee reſident and dwell
thereupon, & kepe hoſpitalitie mete for
the qualitie of the ſaid farme, for the bet-
er repleniſhing of ỹ ſaide countries with
people: Or elſe it ſhalbe lawfull for him Lord
or them, that ſhall haue the immediate
reuerſion or remainder, after ſuch rii. mo-
nethes, & his abſence continuing ſo long,
to reenter as though the ſaide leaſe were Reenter
determined.

And be it enacted that vpon cauſe noto-
riouſly giuen by any Lordes or owners,
or their officers, or by any her Maieſties
officers, farmours, or their aſſignes, to
the hinderance of the ſaid ſeruice, as is a-
foreſaid, and vpon complaint made there-
of to her Maieſtie, or to her Commiſſio-
ners, or to any of them, or to the Wardẽs
of the borders: the ſaide Commiſſioners,
or ſuch fyre of them as is aforeſaide, that
then ſhal haue their Commiſſion in force,
or in default of ſuch Commiſſion then be-
ing in force, ſuch other commiſſioners, to
whome the Quenes Maieſtie ſhall and
may vpon the ſaide complaint or certifi-
cate from the Warden, direct a newe
Commiſſion to the like ſorte and number
of Commiſſioners, as in this ſtatute is
expreſſed, ſhall examine the cauſe or com-
plaint of the certificate, and ſhall take
order betwixt the Lord and the Tenant,
that by repairing of the ſame habitation,
and other helpes aboueſaide, the tenant
may bee able, bounden and charged to in-
habite the ſame tenement, and do the ſer-
uice vpon the borders, according to his
tenure.

Prouided alſo, that this preſent Sta- Statute
tute ſhall continue during her Maieſties Continue
life only (which God long preſerue)

Be it alſo further enacted by the autho-
ritie aforeſaid, that one Acte and Statute
Statute made at the Parliament holde at Weſt-
minſter, in the ſecond and thirde yeares of
the raignes of the late king Philip and
Quene Mary, intituled, an Acte for ỹ re-
edifying of Caſtels and Forts, and for the
incloſing of grounds vpon the borders to-
wardes Scotlande, and euery Article,
branch, clauſe, and ſentence therein con-
tained, except the ſaide wordes (and all
Saincts) ſhall be from henceforth fully re-
Reuiued uiued, & ſhal haue continuance for and du-
ring the terme of twentie yeares next en-
ſuing the laſt day of this preſent Seſſion
of Parliament, and from thenceforth to
the end of the Parliament then nert fol-
lowing: And that the ſame Act & Statute
in euery behalfe, ſhall from thencefoorth
be interpreted and expounded, to extende
as fully and largely to the Quenes Ma-
ieſtie that now is, her heirs & ſucceſſours,

during the saide time, for the good execution of the same, as euer it did, or was meant to extend to ỳ said late King Philip and Quéne Mary, any thing to the contrary notwithstanding.

Prouiso Prouided neuertheless, and considering that the speciall purpose of the premisses in this act conteined, is to haue the people and inhabitants of the said Counties of Northumberland, Cumberlande, and Westmerland, and of the said Countie Palantine of the Bishoprick of Durham, which of auncient time were accustomed, and by the customes of the saide countries are, or ought to serue on horseback, or on foote, for defence of the Frontiers, to be able for seruice, and to be readie furnished for the said seruice: Therefore bee it enacted, that if the Lorde and owner of any tenement, or place of habitation, or Farme, whereupon any such tenant bound by such custome to serue, doeth now dwell, or where at any time since the xxvii. yeere of king Henry the eight, any such tenant bound by custome to such seruice, did dwell, shall place and cause to inhabite thereupon a tenant able to serue on horsebacke, or on foote, according to the auncient custome of the same tenement or Farme, and so for that purpose to be alwayes, when nede shall require, furnished for the said seruice requisite: In such case the said Commissioners shal not by vertue of this act, intermeddle betwirt the Lorde or owner and the Tenant, but that it may be lawfull for the said Lord or owner therein, to graunt to his Tenant such state, and in such sort, as lawfully he might haue done before the making of this statute, so as the said Tenant be as aboue is saide, able and readie with furniture to doe his accustomed seruice when time shall require for defence of the frontiers. Anno 23. Eliz. cap. 4.

¶ Sea.

THe Sea shalbe open to all maner of merchants to passe with their merchandise at their pleasure where it shall please them. Anno 18. Edwardi 3. capitul. 3.

¶ Seales.

Writtes THere shall no writte from henceforth that toucheth the common Lawe, goe forth vnder any of the petie seales. Articuli super chartas. Anno 28. Edw. 1. cap. 6.

Signet Letters 2 ¶ Letters of the Signet, nor of the kings secrete Seale, shal bee from henceforth sent in dãmage or prejudice of the Realme, nor in disturbance of the Lawe. Anno 11. R. 2 cap. 10.

March 3 ¶ Anno 4. H. 7. cap. 14. it is enacted, that all graunts and writings of landes or things pertaining to the Earledome of March, shalbe vnder the broad Seale, & not vnder a speciall Seale.

¶ Search and Searchers.

THe Searchers in ech port throughout Englande shall be charged and sworne, ỳ they shall not let to ferme their offices of Searcherie, neither occupie them by deputie. They shall not take from henceforth of any Masters of ships to do their office of Searcherie, neither siluer nor money for their welcome, or for their farewell, nor any thing for the same as they haue vsed to take before this time, otherwise then is ordeined for them by their offices for our lord the king. And that no searcher be Hoste to any merchãt or mariner, & in case that any searcher do contrarie to this estatute & duely prooued, the same searcher shalbee put out of his office for euer, and make fine & ransome at the Kings will.

Sworne
Deputie
Shipmasters
Hoste
Fort.

¶ Sergeants at Armes.

AT the grieuous complaint made by the Comons of the king in this Parliament, of excessiue and outragious number of Sergeants of Armes, & of many great extortions & oppressions done by them to the people: Our Soueraigne Lord the king therfore will that they shalbe discharged, & that of them & other there shalbe taken of good & sufficient persons to the number of thirty and no more from henceforth. And moreouer the king forbiddeth that they meddle of any thing that toucheth not their office: And that they doe none extortion nor oppression to the people, vpon paine to lose the office, & to make a fine and ransome at the kings pleasure, & ful grce to the party. Anno 13. R. 2. cap. 6.

Of
Extortion
30. Sergeants

¶ Seruice and Sacraments.

THe king perceiuing ỳ many arrogant & ignorãt men do peruert many things well & godly instituted, & namely

namely in the moſt comfortable Sacrament of the body and blood of our Sauiour Jeſus Chriſt, commonly called the ſacrament of the altar, and in Scripture, The Supper and Table of the Lorde, the Communion and partaking of the bodie and blood of Chriſt, which Sacrament was inſtituted of no leſſe authoꝛ then of our Sauiour both God and man, when at his laſt Supper among his Apoſtles, hee did take the bꝛeade into his holy hands, & did ſay, Take you and eate: This is my bodie which is giuen and broken for you. And taking vp the Chalice oꝛ cuppe did giue thanks and ſay, This is my blood of the Newe Teſtament which is ſhead for you and for many, for the remiſsion of ſinnes, that whenſoeuer wee ſhould doe the ſame, wee ſhoulde doe it in the remembrance of him, and to declare and ſet foorth his death and moſt glorious paſsion vntill his comming. Of which bread whoſoeuer eateth, or of the which cuppe whoſoeuer drinketh vnworthily, eateth and drinketh condemnation and iudgement to himſelfe, making no difference of the Lordes bodie. The inſtitution of which Sacrament being oꝛdeyned by Chriſt as is afoꝛeſaide, and the ſaid woꝛds ſpoken of it here beſoꝛe rehearſed being of eternall, infallible and vndoubted trueth, yet the ſaide Sacrament hath bene of late marueilouſly abuſed by the ſaide perſons, contemning the whole thing foꝛ certaine abuſes heretofoꝛe committed therein, reuiling it, and diſputing vngodly of that moſt holy Myſtery, and calling it by vile and vnſéemely woꝛdes: Foꝛ reformation whereof, be it &c. That whatſoeuer perſon oꝛ perſons from and after the firſt day of May nert comming, ſhal depꝛaue, deſpiſe, oꝛ contemne the ſaid moſt bleſſed ſacrament in contempt therof by any contemptuous woꝛdes, oꝛ by any woꝛdes of depꝛaning, deſpiſing oꝛ reuiling, oꝛ what perſon oꝛ perſons ſhall aduiſedly in any other wiſe contemne, deſpiſe oꝛ reuile the ſaide moſt bleſſed Sacrament contrary to the effects and declaration afoꝛeſaide, that then hee oꝛ they ſhall ſuffer impꝛiſonment of his oꝛ their bodies, and make fine and ranſome at the kings will and pleaſure. And foꝛ full and effectuall execution of the pꝛemiſſes beſoꝛe deuiſed, oꝛdeyned, and enacted by this Act: Be it further enacted by the authoꝛitie of this pꝛeſent parliament, that immediatly after the firſt day of May nert comming, the Juſtices of peace oꝛ thꝛée of them at the leaſt, whereof one of them to bee of the Quoꝛum in euery ſhire of this Realme, and Wales, and all other places within the Kinges dominions, ſhall haue full power and authoꝛitie by vertue of this Act, aſwell to take infoꝛmation as accuſation by the othes and depoſitions of two hable, honeſt, and lawfull perſons at the leaſt, and after ſuch accuſatiõ oꝛ infoꝛmation ſo had, to enquire by the othes of twelue men in euery their foure quarter Seſſions yerely to be holden of al and ſinguler ſuch accuſations oꝛ infoꝛmatiõs to be had oꝛ made of any of the offences aboueſaid to bee committed oꝛ done after the ſaide firſt day of May, within the limittes of their Commiſſion, and that vpon euery ſuch accuſation oꝛ infoꝛmation, the offendour and offendours ſhall bee inquired of, and indicted beſoꝛe the ſaide Juſtices of Peace oꝛ thꝛée of them at ẏ leaſt, as is afoꝛeſaid, of the ſaid contemptes and offences, by the verdict of twelue honeſt and indifferent men, if the matter of the ſaide accuſation & infoꝛmation ſhall ſéeme to the ſaid Jurie good and true.

And it is further enacted by the authoꝛitie afoꝛeſaide, that the ſaid Juſtices of Peace, oꝛ thꝛée of them at the leaſt, as is afoꝛeſaid, beſoꝛe whom any ſuch pꝛeſentment, infoꝛmation, and accuſation ſhalbe made oꝛ taken, as is afoꝛe ſaide, ſhall examine the accuſers what other witneſſe were by and pꝛeſent at the time of doing and committing of the offence, whereof the infoꝛmation, accuſation & pꝛeſentmẽt ſhall bee made, and how many other then the accuſers haue knowledge thereof, and ſhall haue power and authoꝛitie by their diſcretions to binde by recogniſance to be takẽ beſoꝛe them, aſwel the ſaid accuſoꝛs, as all ſuch other perſons, whom the ſame accuſoꝛs ſhall declare to haue knowledge of the offences by them pꝛeſented & infoꝛmed, euery of them in v. li. to the king to appeare beſoꝛe the ſaid Juſtices of peace, beſoꝛe whome the offendoꝛ oꝛ offendoꝛs ſhalbe tried at the day of tryal and deliuerance of ſuch offendoꝛs.

And it is further enacted by the authoꝛity afoꝛeſaid, that the ſaid Juſtices of peace oꝛ thꝛée of them at ẏ leaſt, as is afoꝛe ſaid, by vertue of this act, ſhall haue full power & authoꝛitie, to make Pꝛoces againſt euery perſon & perſons ſo indicted by two Capias and one erigent, & by Capias vtlagatum aſwel within ẏ limits of their Commiſſion, as into all other Shires & places of

Deſpiſe Sacrament

Impꝛiſon Fine

Juſt of P.

Quoꝛum Wales

Enquire

Quarter ſeſſions

Juſt. of P.

Juſt. of P.

Examine

Diſcretion Recog.

Juſt. of P.

Pꝛoces

Capias Erigent

Capias Vtlagatum

Wales of this Realme, Wales & other the kings dominions, as well within the liberties as without, and the same Proceſſe to bee good and effectuall in the Lawe, to all intents, conſtructions and purpoſes, And vpon the apparance of any of the offendours ſhall haue full power and authoritie by vertue of this act, and the Commiſſion of peace, to determine the contempts and offences aforeſaide, according to the Lawes of this Realme, and effects of this Iuſt of P. act, And that the ſaide Iuſtices of Peace, or three of them at the leaſt, as is aboue ſaide, ſhall haue full power and authoritie, to let any ſuch perſon or perſons ſo indicted vpon ſufficient ſureties by their diſcretions to bayle for their apparance, to be tried according to the tenor, forme and effect of this act. Sureties

Prouided alwayes, & be it enacted that the ſaide Iuſtices of peace, or three of them at the leaſt, at their quarter ſeſſiõs where any offender or offenders ſhal be or ſtand indicted of any of the contempts or offences aboueſaide, ſhall direct and award one writ in the kings name, to the Biſhop of the Dioceſſe wherein the ſaide offence or offences are ſuppoſed to bee committed or done, willing and requiring the ſaide Biſhop, to bee in his owne perſon, or by his Chancelor, or other his ſufficient deputie learned, at the quarter ſeſſions in the ſaid counties to be holden, when and where the ſaid offendor ſhalbe arraigned & tryed, appointing to them in the ſaide Writte, the day and place of the ſaide arraignement, which writ ſhall be of this forme: 3 Iuſt. of. p. Quarter ſeſſions Writ Biſhop

Rex &c. Epiſcopo L. ſalutem. Præcipimus tibi, quod tu, Cancellarius tuus, vel alius deputatus tuus ſufficienter eruditus, ſitis cum Iuſticiarijs noſtris ad pacem in comitatu noſtro B. conſeruandam aſſignatis apud D. tali die ad Seſsionem noſtram & tunc & ibidem tenendam, ad dandum conſilium & aduiſamentum eiſdem Iuſticiarijs noſtris ad pacem, ſuper arraignamentum & deliberationem offendent. contra formam ſtatuti cõcern̄ ſacroſanctum ſacramentum altaris.

Prouided alway, and bee it enacted by the authoritie aforeſaid, that no perſon or perſõs ſhal be indicted of any the contẽpts or offences aboue ſaide, but onely of ſuch contempts or offences as ſhall be done or perpetrated, within three moneths next after the ſaide offences or offence ſo committed or done. Indict 3. Moneths

And be it further enacted by the authoritie aforeſaid, that in al trials of any ſuch offendors before the ſaid Iuſtices as is aforeſaid, the perſon or perſons, being complained on and arraigned, ſhalbe admitted to purge or trie his or their innocencie, by as many or more witneſſes in number, & of as good honeſtie & credence as the witneſſes bee, which depoſed againſt him or them, or any of them. Triall Witneſſes

And for almuch as it is more agreeable, both to the firſt inſtitution of the ſaid Sacrament of the moſt precious body & blood of our Sauiour Ieſus Chriſt, & alſo more conformable to the common vſe and practiſe, both of the Apoſtles, and of the primitiue Church by the ſpace of fiue hundred yeres and more after Chriſtes Aſcenſion, that the ſaide bleſſed Sacrament ſhoulde be miniſtred to al Chriſtian people, vnder both the kindes of bread & wine, then vnder the fourme of bread onely: and alſo it is more agreable to the firſt inſtitution of Chriſt, & to ẏ vſage of the Apoſtles, and the primitiue Church, that the people being preſent, ſhould receiue the ſame with the Prieſt, then that the Prieſt ſhould receiue it alone: Sacrament Both kinds

Therefore bee it enacted by our Soueraigne Lorde the king, with the conſent of the Lords Spirituall and Temporall, and the Commons in this preſent Parliament, aſſembled, and by the authoritie of the ſame, that the ſaid moſt bleſſed Sacrament be hereafter cõmonly deliuered and miniſtred vnto the people, within this Church of Englande and Irelande, and other the Kings dominions, vnder bothe the kinds, that is to ſaie, of bread & wine, except neceſſitie otherwiſe require, and alſo that the Prieſt, which ſhal miniſter the ſame, ſhall at the leaſt one day before, exhort all perſons which ſhal be preſent, likewiſe to reſort and prepare themſelues to receiue the ſame. And when the day prefixed cõmeth, after a godly exhortation by the miniſter made (wherin ſhal be further expreſſed the benefite and comfort promiſed to them which worthylie receiue the ſaide holy Sacrament, and danger and indignation of God threatned to them which ſhal preſume to receiue the ſame vnworthily, to ẏ end that euery man may try and examine his owne conſcience, before he ſhall receiue the ſame) the ſayde Miniſter ſhal not without a lawful cauſe deny the ſame to any perſon, that will deuoutely & humbly deſire it: Any law, ſtatute, ordinãce or cuſtome cõtrary hereun- Both kinds Miniſter Denie

to

to in any wise notwithstanding: Not condemning hereby the vsage of any Church out of the kings Maiesties dominions. Anno 1. Ed. 6. capitulo primo. This act was repealed by 1. and 2. Philip & Marie, and is reuiued by 1. Eliz. capitulo secundo, Before in Crowne 6. But note the time of the first making of this Statute, which was before that the Masse was taken away, when the opinion of the reall presence was not remoued from vs.

English

2 ¶ An. 2. E. 6. capitulo primo, was an act made that the seruice and sacraments should be in English according to a booke thereof made. And diuers things bee in that acte concerning those matters. And after An. 5. Ed. 6. cap. 1. it appeareth that the saide English booke was altered and changed in diuers things, and that thereunto was added a forme of making and cõsecrating of Bishops and Priests. And in the same act of Anno 5. Ed. 6. cap. 1. It was enacted to compell people to come to the Church to the English seruice, and punishment appoynted for them that should bee present at any other seruice, as followeth here 3.

Church

3 ¶ Be it enacted by the king our soueraigne Lord, with the assent of the Lords & Commons in this present Parliament assembled, & by the authority of the same, that from & after the feast of all Saintes next comming, all and euery person & persons, inhabiting within this realm, or any other ỳ kings Maiesties dominions, shall diligently and faithfully, hauing no lawfull or reasonable excuse to bee absent, endeuour themselues to resort to their Parish church or chappell accustomed, or vpon reasonable let therof, to some vsuall place where common praier and such seruice of God shalbe vsed in such time of let, vpon euery Sunday, & other dayes ordayned & vsed to be kept as holy dayes, & then there to abide orderly and soberly during the time of the Common prayer, preachings, or other seruice of God, there to bee vsed and ministred, vpon paine of punishment by the censures of the Church.

Archbishops Bishops

And for the due executiõ hereof, ỳ kings most excellent maiesty, the Lords temporal, & all the Cõmons in this present parliament assẽbled, doth in Gods name earnestly require and charge all the Archbishops, bishops & other ordinaries, ỳ they shal endeuour themselues to ỳ vttermost of their knowledge, that the due and true execution hereof may bee had throughout their Dioceses and charges, as they will aunswere before God, for such euils and plagues wherewith almighty God maie iustely punish his people for neglecting this good & wholesome lawe. And for their authority in this behalf, be it further likewise enacted by the authority aforesayde, that all & singuler the same Archbishops, bishops, & all other their Officers, exercising Ecclesiasticall iurisdiction, aswell in places exempt as not exempt within their Dioceses shal haue ful power & authoritie by this act, to reforme, correct & punish by the censures of the Church, all & singuler persons, which shal offend within any their iurisdictions or Dioceses, after the saide feast of all Saintes next comming against this act & statute, any other Law, Statute, Priuiledge, Libertie or Prouision heretofore made, had, or suffered, to the contrary notwithstanding. And because there hath arisen in the vse & exercise of the foresaide common seruice in the church heretofore set forth, diuers doubts for the fashion and maner of the ministration of the same, rather by the curiosity of the Minister, and mistakers, then of anie other worthie cause: Therefore aswel for the more plaine and manifest explanation hereof, as for the more perfection of the saide order of Common Seruice in some places where it is necessarie to make the same prayer and fashion of Seruice more earnest & fitte to stirre Christian people to the true honoring of Almighty God: The kings most excellent Maiestie, with the assent of the Lords and Commons in this present Parliament assembled, & by the authoritie of the same, hath caused the foresaide order of Common Seruice, entituled The booke of Common prayer, to be faithfully & godly perused, explaned and made fully perfect, and by the aforesaid authoritie, hath annexed and ioyned it so explaned and perfected to this present Statute, adding also a forme and manner of making & consecrating of Archbishops, Bishops, Priests, and Deacons to bee of like force, authority and value as the same like aforesaide booke, intituled the booke of common prayer was before, and to bee accepted, receiued, vsed, and esteemed, in like sort and manner, and with the same clauses of prouisions, and exceptions to all intents, constructions and purposes, as by the Acte of Parlyament made in the seconde yeere of the kings Maiesties raigne, was ordayned, limited, expressed, and

Correct

Consecrating

and appointed for the vniformitie of Seruice & administration of the Sacraments throughout the realme, vpon such seuerall paines as in the said act of Parliament is expressed: And the saide former Acte to stande in full force and strength, to all intents and constructions, and to bee applied, practised and put in vre, to, and for the establishing of the booke of common prayer, nowe explaned. and hereunto annexed and also the saide forme of making of Archbishops, Bishops, Priests, and deacons, hereunto annexed, as it was for the former booke.

And by the authority aforesaid it is now further enacted, that if any manner of person or persons, inhabiting & being within this Realme, or any other the kings maiesties dominions, shal after the said feast of all Saints, willingly and wittinglie, heare and be present at any other manner or forme of Common prayer, of administration of the Sacraments, of making of Ministers in the Church, or of any other rites contained in the booke annexed to this Act, then is mentiond and set forth in the said booke, or that is contrary to the forme of sundry prouisions and exceptions contained in the foresaide former statute, and shall be thereof conuicted, according to the lawes of this Realme before the Iustices of Assise, Iustices of oyer and determiner, Iustices of Peace in their Sessions, or any of them by the verdict of twelue men, or by his or their owne confession or otherwise, shall for the first offence suffer imprisonment for sixe moneths, wout bail or mainprise, & for the second offence, being likewise conuicted, as is abouesaid, imprisonment for one halfe yere, and for the third offence in like maner, imprisonment during his or their liues. And for the more knowledge to be giuen hereof. and better obseruation of this lawe: Bee it enacted by authoritie aforesaid, that all & singuler Curates shall vpon one Sunday euery quarter of the yere, during one whole yere next following the foresaide feast of all Saints next comming, reade this present Acte in the Church, at the time of the most assembly, and likewise once in euery yeere following at the same time, declaring vnto the people, by the authority of the Scripture how the mercy and goodnesse of God hath in all ages bene shewed to his people, in their necessities & extremities, by meanes of harty and faithfull prayers made to almighty God, especially where people bee gathered together with one faith & mind, to offer vp their hearts by prayers, as the best Sacrifices that Christian men can yeeld. Ann. 5. & 6. E. 6. cap. 1. This act was repealed Anno 1. M. and some part of it is reuiued by 1. Eliz. cap. 2. as followeth in this title here 5.

Yeare Common prayer

Connict Iust. of ass. Iustices of Oier & ter. Iust. of P.

Imprif.

Mainprise

Imprif.

Imprif.

Curates

Read

4 ¶ Forasmuch as it is most necessary to provid that peace be preserued, specially in holy Church in time of Diuine seruice, and administration of the Sacraments: Be it &c. that if any person or persons, of their owne power and authoritie, at any time or times, after the twentie daye of December next comming, doe or shall willingly and of purpose, by open & ouert word, fact, acte, or deed, maliciously, or contemptuously, molest, let, disturbe, vere, or trouble, or by any other vnlawful waies or meanes disquiet, or misuse any preacher or preachers that nowe is, or that at any time or times hereafter shalbe licensed, allowed, or authorised to preach, by the Quenes highnes, or by any Archbishop or Bishop of this realme, or by any other lawful ordinary, or by any of the Vniuersities of Oxford & Cambridge, or otherwise lawfully authorised or charged by reason of his or their cure, benefice, or other spiritual promotion or charge, in any of his or their open Sermon, preaching, or collatiō, that he or they shal make, declare, preach, or pronounce, in anie Church, Chappel, churchyard, or in any other place or places, vsed, frequented, or appointed, or that hereafter shal be vsed or appointed to be preached in: or if any person or persons, after the said 1st day of Decēber next cōming, shal maliciously, willingly, or of purpose, molest, let, disturbe, vere, disquiet, or otherwise trouble any Parson, Vicar, parish Priest, or curat, or any lawfull Priest, repairing, saying, doing, singing, ministring, or celebrating ỹ Masse, or other such diuine Seruice, Sacraments, or sacramentals, as was most commonly frequented and vsed in the last yeere of the raigne of the late soueraigne lord king Henry the viij. or at any time hereafter shalbe allowed, set forth, or authorised by the Quenes Maiestie: Or if any person or persons, at any time or times after the saide twenty day of December, shall contemptuously, vnlawfully, maliciously, of their owne power and authoritie pul down, deface, spoyle, abuse, break, or otherwise vnreuerentlie handle, or order

willingly Lord Act Molest

Preacher

Molest

Parson Vicar

Masse

Deface

ōder the moſt bleſſed, comfortable, & holy Sacrament of the body & blod of our Sauiour Jeſus Chriſt, commonly called the ſacrament of the altar, being, or ẏ ſhall be in any church or chappel, or any other decent place, or pire, or canapie, wherein the ſame Sacrament is or ſhall be, or vnlawfully, contemptuouſly or maliciouſly, of their owne power & authority, pul down, deface, ſpoyle, or otherwiſe breake any altar or altars, or any Crucifixe, or Croſſe, ẏ now or hereafter ſhal be in any church, Chappel, or Churchyard: That then euery ſuch offendor & offendors in any ẏ premiſſes, his or their aydor, procuror, or abbettor, aydours, procurors, or abbettors, immediatly & forthwith after any of the ſaid act or acts, or other the ſaid miſdemeanors ſo cōmitted, done or made, or at any time or times after ſhall be apprehended, arreſted, and taken by any Conſtable or Conſtables. Churchwarden, or Churchwardens of the ſaid pariſh, town or place, where the ſaid offence or offences ſhall be ſo committed, made, or done or by any other officer or officers, or by any other perſon or perſōs then being preſent, at the time of the ſaide offence or offences ſo vnlawfully cōmitted, made, or done. Which perſon or perſons ſo apprehended, taken or arreſted, with conuenient ſpeed ſhall be brought & carryed to any Juſtice of peace, within the ſaid ſhire, or within any City, Borough, libertie, or towne corporate, wherein Juſtices of Peace be, where the ſaid offence or offēces ſhal be committed, done, and made, and that the ſaide Juſtice of peace, vpon due accuſations thereupon had and made, by the apprehendour or apprehēdours, or other perſon or perſons, of any of the ſaide perſon or perſons ſo offending, forthwith ſhall commit the ſayde perſon or perſons ſo apprehended, arreſted, and taken, to ſafe keeping & cuſtody, as by the diſcretion of the ſaid Juſtice ſhalbee thought moſt meete & conuenient, & that within fiue dayes next and immediately after the ſaid accuſation ſo had and made to the ſaid Juſtice, with one other Juſtice of Peace in the ſaid ſhire, City, borough, libertie, or town corporate, ſhall diligently examine the ſaid acts, offence or offences aforeſaid. And if they the ſaid two Juſtices of peace, ſhall vpon their ſaid examination finde or perceiue the ſaid perſon or perſōs ſo accuſed guiltie of any of the ſaid offence or offences, whereof hee or they ſhall be ſo accuſed, and that by two ſufficient witneſſes, or by his or their owne confeſſion or confeſſiōs, that then and immediatly with conuenient ſpeed, the ſaid two Juſtices ſhall commit and award the ſaid perſon or perſons ſo accuſed, as is aforeſaid, to the Gaole, of, or for the ſaide ſhire, citie, borough, libertie, or town corporat, where the ſaid offence or offentes was ſo cōmitted, made or done, there to remaine without bayle or mainprize, by the ſpace of three moneths then next enſuing, and further to the next quarter ſeſſions, to bee holdē within the ſaid ſhire, citie, borough, libertie, or towne corporat next after the ende of the ſaide three moneths, at which quarter ſeſſions, the ſaide perſon or perſons ſo cōmitted to gaole, as is aforeſaid, vpon his or their reconciliation, and repentance in that behalfe, before the ſayde Juſtices of peace at the ſaid ſeſſions, ſhall be deliuered and diſcharged out of priſon and gaole; vpon ſufficient ſuretie of his good abearing and behauiour, to be then & there taken by the ſaide Juſtices, for one whole yeare then next enſuing, as by the diſcretion or diſcretions of the ſaide Juſtices then and there being, or for the more part of them ſhall bee thought meete and conuenient. And if the ſaide perſon or perſons ſo in gaole as is aforeſaide, will not be reconciled and repent at the ſaid quarter ſeſſions, that then the ſaide perſon or perſons immediatlie in time conuenient, ſhall be further awarded, and committed to the ſaide gaole by the ſaide Juſtices, or by the more part of them there to remain without baile or mainprize, vntill hee or they ſo committed and awarded to gaole, as is aforeſaid, ſhall be reconciled & be penitent for his or their ſaid offente or offences. And be it &c. that if any perſon or perſons at any time or times, after the ſayde twenty daye of December, of their owne authority & power, willingly & lawfully do reſcue any offender or offenders ſo apprehended, taken or arreſted, as is aforeſaid, or wil diſturbe, binder, or let the ſaid offēder or offēders ſo offēding, as is aforeſaid, to be apprehended, taken, or arreſted, that then euery one of the ſaid reſcuers or diſturbers ſhall ſuffer like impriſonment as is aforeſaid, & further ſhall pay, forfeit, and loſe for a fine, for euery of his or their ſaid offēces x.li. to the Quēnes maieſty, her heires & ſucceſſors. And bee it &c. that if any of the offenders aforeſaid, be not taken, apprehended or arreſted immediatly in time conuenient, as is aforeſaid, but do eſcapes

Sacrament of the altar
Breake Altar Croſſe
Aydour
Arreſt Conſtable Churchwarden
Officer
One Juſt. of peace
6. dayes
2. Juſt. of p.
Examine
Witneſſes
Confeſſion
Impriſ.
Mainprize
Quarter ſeſſions
Reconcile
Delluer
Good abearing
Refuſe
Impriſ.
Reſcue
Impriſ. Fort.

Escape

escape or goe away, that then the sayde escape shall be lawfully presented before the Justices of peace in the said shire, city, borough, libertie, or towne corporate, at the next quarter Sessions, to bee holden where the said escape was made and suffered, and that inhabitants of the parish where the said escape was so suffered, shal forfeit and lose to the Quéenes Maiestie, her heires & successors, for euery such escape, fiue pound to be leuied and taken, as other like amerciaments and fines before this time hath and bén leuied and taken vpon any village, hundred, or towne, for the escape of any murtherer, or other felon for not making pursuit vpon Hue and cry, according to the estatute of Winchester, (before in robberies 2) and the statute made and prouided in the third yére of the worthy king Henry the seuenth. (before in Murder 2.)

Just. of P.
Quarter sessions
Paroch
Fort.
Estape

And be it &c. that all and singuler Justices of peace, Justices of assise, Justices, of Oyer and determiner, and all & singuler Maiors, Baylifes, and Justices of peace, within any citie, borough, or town corporate in any partes within this Realme, within the limittes of their Cómission or Commissions, shal haue full power & authoritie by vertue of this Acte, after the said twenty day of December, to inquire of al and singuler the offences and misdemeanours aforesaid, and to heare and determine the same, and set the fines and amerciaments of the said offender or offenders as is aforesaid.

Just. of P.
Just. of ass.
Justices of Dier & ter.
Maiors
Bailifes
Enquire
Dier & ter.

Prouided alwaies, and be it &c. that this act, or any thing therin contained, shal not in any wise extēd to abrogate and take away the authoritie, iurisdiction, power, & punishments of the Ecclesiastical lawes, now standing & remaining in their force, of or for the punishment of any the offéces and misdemeanors aforesaide: but the authority, power, iurisdictiōs & punishmēts of the said ecclesiastical lawes of, & for any of the offences & misdemeanors aforesaid, shall stand in ful power and strength, & to be vsed & exercised in all and euery thing, as though this act had neuer bén had and made: This presét act, or any thing therein contained to the contrary hereof in any wise notwithstanding.

Eccleſiaſt. lawes

Prouided alwayes, and bee it &c. that whatsoeuer person offending the premisses, shall for anie of the offences afore recited, receiue punishment of the ordinary, hauing testimoniall thereof, vnder the said ordinaries seale, shal not for the same offence eftsoones bee conuicted before the Justice, and in like wise receiuing for the said offences punishment by the Justice, he shall not for the same offence eftsoones receiue punishment of the Ordinary: Any thing in this act to the contrary notwithstanding. Anno 1. M. 1. Parli. cap. 3. Consider well vpon the last clause of the Statute 1. Eliz. cap. 2. here following 5. howe much of this statute is now repealed.

Once punished

5 ¶ Where at the death of king Edward the 6. there remained one vniforme order of common seruice and administration of Sacraments, set forth in a booke intituled, The booke of common prayer &c. authorised by act of parliament: Anno 5. E. 6. (before 3.) the which was repealed in Anno 1. M. Parli. 1. cap. 2. to the greate decay of the due honor of God, and discomfort to the professors of the trueth of Christian religion: Be it enacted by the authority of this preséent Parliament, that the saide estatute of repeale, and euery thing therein contayned, onely concerning the said booke, and the seruice, administration of sacraments, rites, and ceremonies, contained or appointed, in or by the said booke, shalbe void and of none effect, from & after the feast of the Natiuity of Saint John Baptist next comming.

Bookes Sacraméts

And that the said booke, with the order of seruice, and of the administration of Sacraments, rites, & ceremonies, with the alteration and additions therein added & appointed by this estatute, shall stand and be from and after the said feast of the Natiuitie of saint John Baptist, in full force and effect, according to the tenour and effect of this estatute: any thing in ỹ foresaid statute of repeale to the contrary notwithstanding.

Ministers

And further be it enacted &c. that al and singuler ministers in any cathedral or parish church, or other place win this realm of England, Wales, & the marches of the same, or other the Quéenes Dominions, shall from & after the feast of the Natiuitie of S. John Baptist next comming bee bounden to vse & say the Mattens, Euensong, celebration of the Lordes Supper, & administration of eche of the Sacraments, and all their common and open prayer, in such order and fourme, as is mentioned in the said booke so authorised by parliament, in the said 5. and 6. yeere of the raigne of K. Edwarde the first, with one alteration or additiō of certaine lessons to be vsed on euery

Mattens Euenlong
Lords Supper
Lessons

Letanie

euery Sunday in the yéere, and the forme of the Letanie altered and corrected, and two sentences only added in the deliuery of the Sacrament to the communicants, and none other, or otherwise.

Minister

And that if any maner of parson, vicar, or other whatsoeuer minister, that ought or should sing or say cõmon prayer, mentioned in the said booke, or minister the sacramẽts, from & after the feast of the Natiuity of Saint Iohn B. next cõming, refuse to vse the said common prayers, or to minister the sacramẽts in such cathedrall or parish Church, or other places, as hee should vse to minister the same, in such order & forme as they be mentioned and set forth in the said booke or shall wilfully or obstinately standing in the same, vse any other rite, ceremony, order, forme, or maner of celebrating the Lords Supper, openly or priuily, or Mattens, Euensong, administration of the sacramẽts, or other open prayers then is mẽtioned & set forth in the said booke, (Open prayer in and throw out this act, is meant that praier which is for other to come vnto, or heare, either in common Churches or priuie Chappels, or oratories, commonly called the Seruice of the Church) or shall preach, declare or speake any thing in the derogation or depraning of the saide booke, or any thing therein contayned, or of any part thereof, and shalbe thereof lawfully conuicted, according to the lawes of this Realme, by verdict of twelue men, or by his owne confession, or by the notorious euidẽce of the fact, shall lose and forfait to the Quéenes highnes, her heires and successors, for his first offence, the profit of all his spirituall benefices or promotion, comming or arising in one whole yere next after his conuiction. And also that the person so conuicted, shal for the same offence suffer imprisonment by ỳ space of sixe moneths, without baile or mainprise. And if any such person once conuict of any offence concerning ỳ premisses, shall after his first conuiction eftsones offend, and be thereof in fourme aforesaide lawfully conuict: that then the same person shall for his seconde offence suffer imprisonment by the space of one whole yére, and also shal therefore be depriued, ipso facto, of all his spirituall promotions: And that it shall bee lawfull to all Patrons or Donours of al and singuler the same spirituall promotions, or any of them, to present or collate to the same, as though the person or persons, so offending were dead. And that if any such person or persons, after he shall bee twice conuicted in forme aforesaid, shal offend against any of the premisses the third time and shalbe thereof in forme aforesaid lawfully conuicted: that then the person so offending & conuicted the third time, shal be depriued ipso facto, of al his spirituall promotions, and also shal suffer imprisonmẽt during his life. And if the person that shal offend, and be conuict in forme aforesayd, concerning any of the premisses, shal not be beneficed, nor haue any spirituall promotion: that then the same perso so offending and conuict, shall for the first offence suffer imprisonment during one whole yére next after his said conuiction, without baile or mainprise. And if any such person not hauing any spiritual promotion, after his first cõuiction, shal eftsones offend in any thing cõcerning the premisses, & shall in forme aforesaide bee thereof lawfully cõuicted: that then the same person shall for his seconde offence suffer imprisonment during his life. And it is ordayned & enacted by the authority aforesaid, that if any person or persons whatsoeuer, after the saide feast of the Natiuitie of S. Iohn Baptist next comming, shal in any Enterlud, playes, songs, rimes, or by other open wordes declare or speake anie thing in the derogation, depraning, or despising of the same booke, or of any thing therein contained, or any part thereof, or shall by open fact, deed, or by open threatnings compell, or cause or otherwise procure or maintaine any person, vicar, or other minister in any Cathedral or Parish church, or in chappel, or in any other place to sing or say any common & open prayer, or to minister any sacrament otherwise, or in any other maner and forme then is mentioned in the said booke, or that by any of the said meanes shal vnlawfully interrupt or let any parson, vicar, or other minister, in any Cathedral or parish Church, Chappel, or in any other place, to sing or say common & open praier, or to minister ỳ sacramẽts, or any of them, in such maner & forme, as is mentioned in ỳ saide booke, that then euery such person, being thereof lawfullie conuicted in forme abouesaide, shal forfait to the Quéene our soueraigne Lady, her heires & successors for the first offence one hundred markes. And if anie person or persons being once conuict of any such offence, eftsones offend against any of the last recited offences, and shal in forme

Deprime Imprif.

One yere

During life

Enterlude Songes Speake

Threaten.

Maintains

Other maner

Interrupt Minister

Conuict

Forf.

1. hundred markes

forme aforesaide be thereof lawfully conuicted: that then the same person so offending & conuict, shall for the second offence forfait to the Quéne our soueraigne Lady, her heires & successors, foure hundred markes. And if any person, after hee in forme aforesaid, shal haue bẽ twice conuict of any offence concerning any of the last recited offences, shall offend the third time, & be therof in forme above said lawfully conuict: that then euery person so offending and conuict, shall for his third offence forfait to our Soueraigne Lady the Quéne all his goodes and tattels, & shall suffer imprisonment during his life. And if any person or persons, that for his first offence concerning the premisses, shal bee conuict in forme aforesaid, do not paye the sum to be paid by vertue of his conuiction, in such maner & forme as the same ought to be payed, within sixe weekes next after his conuiction, that then euery person so conuict, and so not paying the same, shall for the same first offence, in stead of the said sum, suffer imprisonment by the space of sixe moneths, without baile or mayneprise. And if any person or persons, that for his second offence concerning the premisses, shal be conuict in forme aforesaide, dot not pay the said sum to be paid by vertue of his conuiction and this estatute, in such maner & fourme as the same ought to bee payed, within sixe weekes next after the saide second conuiction: That then euery person so conuicted, and not so paying the same, shall for the same second offence in the stead of the saide summe, suffer imprisonment during twelue monethes, without baile or mainprise. And that from and after the said feast of the Natiuity of saint John B. next comming, all & euery person or persons, inhabiting within this realm, or any other ỹ Quéenes Maiesties dominions, shall diligently and faithfully hauing no lawful or reasonable excuse to be absent, endeuour themselues to resort to their parish church or chappel accustomed or vpon reasonable let thereof, to some vsuall place where common prayer & such seruice of God shal be vsed in such time of let vpon euery Sunday, & other dayes ordained & vsed to be kept as holy daies: And then and there to abide orderly and soberly, during the time of the common prayer, preachings, or other seruice of God there to bee vsed and ministred, vpon payne of punishment by the censures of the church: And also vpon paine that euery person so offending, shall forfeit for euery such offence twelue pence to bee leuied by the Churchwardens of the parish, where such offence shal be done, to the vse of the poore of the same parish, of the goods, lands, and tenementes of such offenders, by way of distresse. And for due execution hereof, the Quéenes most excellent Maiesty, the lords temporall, and all the Commons in this present Parliament assembled, doth in Gods name earnestly require & charge all the Archbishops, Bishops, and other ordinaries, that they will endeuor themselues to the vttermost of their knowledges, that the due and true execution hereof may be had throughout their dioceses and charges, as they will answere before God, for such euils and plagues wherewith almighty God may iustlie punish his people for neglecting this good and wholesome law.

And for their authority in this behalf, be it &c. that all and singuler the same Archbishops, bishops, and all other their officers exercising ecclesiastical iurisdictiõ, as wel in place exempt as not exempt, within their dioceese, shall haue full power and authoritie by this act, to reforme, correct, and punish by censures of the Church, all and singuler persons which shall offende within any their iurisdictions, or dioceese, after the said feast of the Natiuity of saint John Baptist next cõming, against this acte and statute: Any other lawe, statute, priuiledge, libertie, or prouision heretofore made, had, or suffered to the contrary notwithstanding.

And it is ordayned and enacted by the authority aforesaide, that all & euery Iustice of oyer & determiner, or Iustices of assise, shall haue full power & authority in euery of their open & generall sessions, to enquire, heare, & determine all and al maner of offences that shal bee committed or done contrary to any article contayned in this present acte, within the limits of the commission to them directed, and to make proces for the execution of the same, as they may do against any person being indicted before them, of trespas, or lawfully conuicted thereof.

Prouided alway, & be it enacted by the authority aforesaid, that all & euery Archbishop and bishop, shall or may at al time and times at his liberty & pleasure, ioyne, & associate himselfe by vertue of this acte, to the saide Iustices of oyer & determiner, or to the said Iustices of Assise, at euery of the

Second offence Fork. Foure hundred marke

Fork.

Impris.

Do not pay

Impriſon

Mainprise.

Impris.

Church

Punish

Fork. Fii.d.

Churchwardens Poore

Ecclesiasticall lawes

Iustice of oier and ter. Iust of all.

Enquire Oier & ter.

Proces

Archdi. Bishop

the said open and generall Sessions, to be holden in any place within his Diocesse, for and to the inquirie, hearing and determining of the offences aforesaid.

Bookes
Parish

Prouided also, and be it enacted by the authoritie aforesaid; that the bookes concerning the said seruices, shall at the costs and charges of the Parishioners of euerie Parish and Cathedral church be attained and gotten before the said feast of the Natiuitie of S. Iohn Baptist next following, and that al such Parishes and Cathedral churches, or other places where the said bookes shall be attained and gotten before the said feast of the Natiuitie of S. Iohn Baptist, shal within iij. weeks next after the said bookes so attained and gotten, vse the said seruice, and put the same in vre according to this act.

And be it further enacted by the authoritie aforesaid, that no person or persons shall be at any time hereafter impeached, or otherwise molested, of, or for any the offences aboue mentioned, hereafter to be committed or done contrarie to this acte, vnlesse he or they so offending be thereof indicted, at the next generall Sessions to be holden before any such Justice of Oier and determiner, or Justice of Assise, next after any offence committed or done, contrary to the tenour of this act.

Indict
Generall sessions

Prouided alwaies, and be it ordeyned & enacted by the authoritie aforesaid, that al and singular Lordes of the Parliament, for the third offence aboue mẽtioned, shal be tried by their Peeres.

Lordes of the parliament Peeres

Prouided also, & be it ordained and enacted by the authoritie aforesaid, that the Maior of London, & al other Maiors, bailifes, & other head officers of all and singular cities, boroughs, and townes corporat within this Realme, Wales, & the Marches of the same, to the which Justices of Assise do not commonly repaire, shal haue full power & authoritie, by vertue of this act, to enquire, heare, and determine the offences aboue said, & euery of them yerely within fiftene daies after the feast of Easter, and S. Michael the Archangel, in like maner and forme as Justices of Assise, and oyer and determiner may do.

Maior London Bailifes

Enquire Oier & ter.

Prouided alwaies, and be it ordeyned & enacted by the authoritie aforesaid, that al and singular Archbishops and Bishops, and euery of their Chancellors, Cõmissaries, Archdeacons, & other Ordinaries, hauing any peculiar ecclesiastical iurisdiction, shal haue ful power and authoritie by

Archbishops Bishops Ordinaries

vertue of this act aswel to enquire in their visitation, Synods, and elsewhere within their iurisdictiõ at any other time & place, to take occasions & informations of al and euery the things aboue mentioned, done, committed, or perpetrated within the limits of their iurisdictions and authoritie, & punish the same by admunition, excommunication, sequestration, or deprivatiõ, & other censures & proceede in like formis as heretofore hath bene vsed in like cases by the Quenes ecclesiasticall lawes.

Enquire

Punish

Prouided alwaies, & be it enacted, that whatsoeuer person offending in the premisses, shall for the offence, first receiue punishment of the Ordinary, having a testimoniall thereof vnder the said Ordinaries seale, shal not for the same offence ecclesiastical bee conuicted before the Iusticies. And likewise receiuing of the said first offence punishment by the Iustices, he shal not for the same offence ecclesiastical receiue punishment of the Ordinarie: Any thing conteyned in this act to the contrarie notwithstanding.

Once punished

Prouided alwaies, & be it enacted, that such ornaments of the church, & the ministers therof, shalbe reteined, & be in vse, as was in this church of England, by authoritie of Parliament in the iij. yere of the reigne of king Ed. the 6. vntil other order shal be therein taken by the authority of the Quenes Maiestie, with the aduise of her Cõmissioners appointed & authorised vnder the great Seale of Englãd for causes Ecclesiastical, or of the Metropolitane of this realme. And also, that if there shall happen any contempt or irreuerence to be vsed in the ceremonies or rites of the Church, by the misusing of the orders appointed in this booke: The Quenes Maiestie may by the like aduise of the said Cõmissioners or Metropolitane, ordeine and publish such further ceremonies or rites, as may be most for the aduauncement of Gods glory, the edifying of his Church, and the due reuerence of Christes holy mysteries and Sacraments.

Ornaments

And be it further enacted by the authority aforesaid, that all lawes, statutes and ordinãces wherein or whereby any other seruice, administration of Sacramentes, or Cõmon prayer is limitted, established, or set forth to be vsed within this realme, or any the Quenes dominions or Countries, shall frõ henceforth be vtterly void and of none effect. Anno 1. Eliz. capit. 2.

See some addition vnto this Statute in

crowne 10. 13. and 14. and that Iustices of Peace may enquire hereof.

¶ Seuerne.

Shipmaſters

NO maſter or maſters, owner or owners of ship or ships, or of any other boate or veſſel, or any other perſon or perſons, doe caſt or vnload their balaſt or robul, at or in the ſaid rode, called kingrode, & Hungrode, ne in any of the, ne in any other place, frō the rode of Kingrode, vnto the towne of Briſtol, nor in no part of the hauē thereof, but on the land onely aboue the full ſea marke, vpon paine that euerie ſuch owner, maſter of the ſhip, or of other boate or veſſell, and euery other perſon or perſons, caſting and laying their balaſt or robul in the ſtreame, at the place or in the riuer aforeſaid, to forfait at euery time ſo offending iiij. li. the one halfe thereof to be to the king, and the other halfe thereof to the party that will ſue &c. by bil, plaint, actiō of debt, informatiō, or other wiſe, in the which action the defendāt ſhall not wage his law. And further &c. that no perſon or perſons from henceforth, ſhall enbote or lade, or cauſe to be enboted or laden, anie wheate, malt, beans, or any other kind of graine or corne, whatſoeuer it ſhalbe, in anie picard, boate, or other veſſell, at anie creke, pill, bāke, or elſwhere vpō the Seuerne ſtreame, betweene the key of ỳ citie of Gloceſter, & the ſaid citie or towne of Briſtol by water of Seuerne, to the intēt to be tranſported into vtter parts beyond the ſea out of the kings dominion, before ỳ the ſaid owner or lader of the ſaid picard, boat or other veſſell hath beene with the kings cuſtomers of the ſaid towne of Briſtol, and there by himſelfe & one ſufficient ſuretie with him bounden vnto the kings cuſtomers of the ſaid port & towne of Briſtol aforeſaid in ſuch reaſonable ſummes of money, to the vſe of our ſaid ſoueraigne lord the king, as ſhall amount to the double value of the ſaid graine or corne, there to be laden or to be enboted, vpon cōdition that the ſaid owner or maſter of the ſaide picard or boat, or other veſſel, ſhal not repaire or trāſport the ſaid corne or graine, nor no part thereof into any vtter partes beyond the ſea, out of the kings dominiō, before the ſaide maſter or owner thereof, ſhall come & bring the ſaid graine & corne vnto the key of the ſaid towne of Briſtol, & there to be viewed or ſeene the contents thereof, & the contents thereof to be declared vnto ỳ kings cuſtomers, & to the Maior of the ſaid towne for the time beyng, if there be any ſuch licence or lawfull cauſe for to conuey or tranſport graine or corne into the parties beyond the ſea out of the ſaid kings dominiō; there to be meaſured & meate by the cōmon meaſure of the ſaid towne. And after the ſaid obligation with condition ſo made, ſealed, & delibered vnto the ſaid cuſtomer: Then the ſaid cuſtomer ſhall deliuer a ſufficient cocket vnto the partie, owner or owners, or maſter ſo bounden to conuey the ſaid graine or corne vnto the key of Briſtol, vpon paine that euery picard, boat or other veſſell ſo laden with graine, or other kind of corne, to be carried or trāſported into the vtter parts beyond the ſea, out of the kings dominiō, to be forfaited, aſwell the ſaid corne and graine ſo laden, as the ſaid boate ſo laden contrary to this preſent acte, whereof the king &c. to haue thre partes thereof, & the partie that will ſue &c. the fourth part before the kings moſt honorable counſel, according to the kings proclamation in that behalfe made and prouided.

Streame

Forf. Bottle

Wheat Malt Beanes Corne

Cuſtomer

Surrtie

Tranſport

Briſtol

Cuſtomer Maior

Meaſure

Cocket

Forf.

And further &c. that if it ſhall appeare vpon the meaſuring therof vnto the Maior of the ſaid towne of Briſtol, and to the kings cuſtomers then for the time being, that there is more corne or graine laden to be trāſported into the parts beyond the ſea, within any of the ſaid veſſels, boates, picards, or trowes, ouer and aboue foure quarters, that then it ſhalbe lawful vnto the ſaid Maior & cuſtomers there for the time being, to cauſe the owner or cōueyer thereof vnto the ſaid towne of Briſtol, to make ſale of ſuch corne & graine as ſhalbe brought ouer and aboue the contents of the ſaid cockets or licence, and ouer and aboue foure quarters beſide the cocket or licence, according as the prices of ſuch graine and corne are commonly worth, & ſold in the open market of the ſaid towne of Briſtol. The ſaid common meater to haue for the meaſuring of euery wey of corne two pence, on paine of euery perſon beyng owner of the ſaid graine or corne, or hauing the charge of the ſame, denying the meaſuring of the ſaid grayne at the ſaid key of Briſtol, to loſe and forfaite for euery time ſo denying, fiue pound, the one halfe thereof to be to the king, and the other halfe thereof to the partie that will ſue for the ſame &c. In the which action the defendant ſhall not wage his law &c. An. 24. H. 8. cap. 9.

Maior

Cuſtomer

Fourequarters

Wake ſale

Meater

Forf.

Bottle

¶ Sewers.

¶ Sewers.

Ten yeres Cõmissions Chancellor

BY ten yéres next ensuing, seuerall cõmissiõs of sewers shall be made to diuers persons by the Chancellor of Englãd for the time being, to come in al parts of the realm, where shal be needful, according to the forme as hereafter followeth.

Hery by the grace of God king of England &c. to his welbeloued & faithfull A, B, C, and D, greeting. Know ye, that whereas the wals, ditches, gutters, sewers, bridges, calsies, and weares, by the coasts of the Sea and marshe, within the coasts & limits of Lindsey, in the Coũtie of Lincolne, by rage of the sea, flowing & reflowing, and trenches of fresh waters &c. An. 6. H. 6. cap. 5.

2 ¶ All such cõmissioners (S. mentioned in An. 6. H. 6. cap. 5. as before 1.) shall haue power to do, ordeine and execute the statutes, ordinances, & other things to be made according to the effect & purport of the said commissions. An. 8. H. 6. cap. 3.

Ten yeres Cõmissions

3 ¶ By ten yéres next ensuing after this present parliament, seuerall cõmissions of sewers shalbe made to diuers persons by the Chãcellor of England for the time being, to be named in all the parts of the said Realme where nèd shall be, after the forme and effect of a commission conteined in the said statute, the same 6. yere. And moreouer he hath ordeined and stablished by the same authority, that al such Commissioners haue power to make, ordeine, and execute statutes and ordinances and other affaires after the effect and purport of the said commissions. An. 18. H. 6. cap. 10. Statute 10.

Statutes

Fiftene yeres Chancellor

4 ¶ During the terme of fiftẽ yeres next ensuing, the Chancellour of England for the time being, shall haue power to make commissions of sewers out of the kings Chancerie, vnder the kings great seale, in such forme as it was granted to be made by ẏ statute made in the said fifth yere. (S. 6. H. 6. ca. 5.) An. 23. H. 6. cap. 9.

5 ¶ For fiftene yeres next ensuing, seuerall Commissions of sewers shalbe made to diuers persons by the Chancellor of England for the time being, to be named in all parts of this realme of England, and of the aforesaid marches (S. of Callis, Guisnes & Hammes) where nèd is or shalbe, after the forme and effect of the said commission conteined in the said act made the said first yere: And moreouer he hath ordeined & stablished by the same authoritie, ẏ all such Commissioners shall haue full power to make, ordeine, & execute statutes & ordinances, & other things to be done after the effect & purport of the same commissions. An. 12. E. 4. cap. 6.

Statutes

Fiue and twẽty yeres Chancellor

6 ¶ For twentie fiue yeres next coming, seuerall commissions of sewers be made to diuers persons by the Chancellor of England for the time being, to be named in all partes of this his Realme, and of the said marches, where nèd is or shalbe, after the forme and effect of the said commission conteined in the said acte made in the said first yere ca. 5. (before 1.) and ouer that hath ordeined and established by the saide authoritie, that all such Commissioners haue ful power to make, ordeine and execute statutes and ordinances and other things to do after the effect and purport of the same commission. An. 4. H. 7. cap. 1.

Statutes

7 ¶ That the said act (S. An. 6. Hen. 6. cap. 5. before 1. & An. 4. H. 7. cap. 1. before 6.) and all other acts and authorities heretofore made concerning commissioners of sewers and their commissions & authoritie (not being before this time repealed) abide and stand from henceforth good and effectuall to endure for euer. And also that the Chancellor of Englãd for the time being, shal haue from henceforth full power and authority for euer to graunt commissions of sewers into euerie part of this realme, and the said marches, where nèd is or shalbe, to certaine persons by the said Chancellor for the time being, to be named, according to the forme and effect of the said Commission & act expressed in the said Parliament holden the said first yere of the reigne of king Henry the first. (cap. 5. before 1.) And ouer that, be it &c. that all such commissioners haue and shall haue full power and authoritie to put their commission in due execution, and to make and execute statutes and ordinances, and all other things to do after the effect and purport of their commission. And that all commissions of sewers graunted or made sithence the said xvb. yere determined, and the actes, ordinances, and all executions, and other things by the commissioners of the same, cõcerning the said commissions, or any two of the same Cõmissioners and euery thing in the same comprised, be and shalbe effectuall, and of like strength, as if the said commissiõ had bene made or graunted within the said

Thꝰ Chãcellor Cõmissions

Statutes

Two Commissioners

xvb. yere, immediat after the said Parliament holdē the said xiij. yeere of the reigne of king Henry the seuēth, cap. 1. before 6.

Chancellor And also be it ēr. that the Chauncellor of Englād for the time being, shall make no cōmission to any person or persons, for the execution of this act, except he haue lands and tenements of estate of frēehold, to the yērely value of xx. pound at the least, or else be Justices of Quorum learned, within any of the Shires where he shall bee made Commissioner. And if any such cōmission be directed to anie person or persons, not hauing lāds & tenements to the yērely value of xx. poūd, or not being one of the Justices of Quorum, learned as is aforesaid, that euery such commission and all presentments & accusations had & presented before any such commissioners, and also al and euery fines set by the said commissioner and commissioners, to be vtterly void & of none effect. This act to endure but for ten yēres, and from the end of the same ten yēres, vnto the next Parliament. An. 6. H. 8. cap. 10.

Twenty pound land Quorum

Void

Cōmissions 8 ¶ Commissions of sewers and other the premisses shall be directed in all parts within this Realme from time to time, where and when nēd shal require, according to the maner, forme, tenor and effect hereafter ensuing, to such substantial and indifferent persons as shalbe named by ỳ Lord Chancellor and Lord Treasorer of England, and the two chiefe Justices for the time being, or by three of them, whereof the Lord Chancellor to be one: Henry the eight &c. Know ye that forasmuch as the walles, ditches, bankes, gutters, sewers, gotes, cawsies, bridges, streames, and other defences by the coastes of the sea, and marsh ground being and lying within the limits of A, B, or C, in the Countie or Coūties of or in the borders or confines of the same, by rage of the sea, flowing and reflowing, and by meanes of the trenches of fresh waters descēding and hauing course by diuers waies to the sea, be so dirupt, lacerate, and broken: And also that common passages of ships, balengers, and boates in the riuers, streames, and other floods within the limits of A, B, or C, in the Countie or coūties of or in the borders and confines of the same, by meane of setting vp, erecting, and making of streames, milnes, bridges, ponds, fishgarths, mildammes, lockes, hebbing weares, hecks, and flodgates, or other like lets, impediments, or annoyāces be letted & interrupted, so that great & inestimable dammage for default of reparation of the said wals, ditches, bankes, fences, sewers, gotes, gutters, cawsies, bridges, and streames: & also by meane of setting vp, erecting, making, and enlarging of the said fishgarths, mildammes, lockes, hebbing weares, hecks, flodgates, & other like annoyāces in times past hath happened, & yet is to be feared, that farre greater hurt, losse, & dammage is like to ensue, vnlesse that speedy remedy be prouided in that behalf: Wee therefore, for that by reason of our dignitie & prerogatiue royall we be bound to prouide for the safetie and preseruation of our Realme of England, willing that spēdie remedie bee had in the premisses, haue assigned you and fiue of you, of the which we will that A, B & C, shalbe three, to be our Justices to survey the said wals, streames, ditches, bāks, gutters, sewers, gotes, cawsies, bridges, trenches, milnes, mildams, flodgates, ponds, lockes, hebbing weares, & other impediments, lets, and annoyances aforesaid, and the same cause to be made, corrected, repaired, amēded, put downe or reformed, as cause shal require after your wisedomes & discretions. And therein aswel to ordeine & do after the forme, tenour, and effect of all and singular the statutes & ordinances made before ỳ first day of March, the xviij. yeere of our reigne, touching the premisses, or any of thē, as also to enquire by the othes of the honest and lawfull men of the said shire or shires, place or places, where such defaults or annoyances be, aswell within the liberties as without (by whom the truth may the rather be knowē) through whose default the said hurts and dammages haue happened, and who hath or holdeth any landes or tenementes, or common of pasture, or profit of fishing or hath or may haue any hurt, losse, or disaduantage by any maner of meanes in the saide places, aswell nēre to the said dangers, lets, and impediments, as inhabiting or dwelling thereabout by the saide walles, ditches, bankes, gutters, gotes, sewers, trenches, and other the saide impediments and annoyances. And all those persons, and euery of them, to tax, assesse, charge, distreyne and punish, aswel within the metes, limits, & bounds of old time accustomed, or otherwise, or elsewhere within our Realme of England, after the quantity of their landes, tenementes,

Chancellor L. Treasorer Chief Just. Forme of the commission

Survey

Annoyāces

Enquire Othes

Profite Hurt

Taxe Distreine Punish

and

and rents, by the nũber of acres and perches, after the rate of euery persõs portion, tenour, or profite, or after the quãtitie of their cõmon of pasture, or profite of fishing or other commodities there, by such waies and means, and in such maner and forme, as to you or sir of you, whereof the said A, B, and C, to be three, shall seeme most conuenient to be ordeined and done for redresse & reformation to be had in the premisses. And also to reforme, repaire, & amend the saide walles, ditches, bankes, gutters, sewers, gotes, calsies, bridges, streames, & other ỳ premisses in all places nedfull, and the same as often as where need shalbe, to make new: And to clense & purge the trethes, sewers, & ditches in al places necessary. And further to reforme, amend, prostrate, and ouerthrow all such mils, streames, ponds, locks, fishgarths, hebbing weares, and other impediments & annoyances aforesaid, as shalbe found by inquisition, or by your surueying and discretions to be excessiue or hurtful. And also to depute & assigne diligent, faithfull, and true kẽpers, bailifes, surueiours, collectours, expenditours, & other ministers and officers, for the safetie, conseruation, reparatiõ, & making of the premisses and euery of them, and to heare the account of the collectours and other ministers of and for the receit and laying out of the money that shalbe leuied and paied, in and about the making, repairing, reforming & amẽding of the said walles, ditches, bankes, gutters, gotes, sewers, calsies, bridges, streames, trenches, milles, pondes, locks, fishgarths, fludgates, and other impediments and annoyances aforesaid. And to distreine for the arrerages of euerie such collection, tare, or assesse, as often as shalbe expedient, or otherwise to punishe the debters & deteiners of the same by fines, amerciamẽts, paines, or other like means after your good discretions. And also to arrest and take as many cartes, horses, oxen, beastes, and other instruments necessarie, & as many workemen and labourers, as for the said workes and reparation shal suffice, paying for the same competent wages, salarie and stipend in that behalfe. And also take such and as many trees, woods, vnderwods and timber, and other necessaries, as for the same workes & reparations shall be sufficient, at a reasonable price by you or sire of you, of the which wee will that A, B, and C, shalbe three, to be assessed or limitted aswel within the limits & bounds aforesaid, as in any other place within the said county or coũties nere vnto ỳ said places. And to make & ordeine statutes, ordinãces and prouisions from time to time, as the case shal require, for the sauegard, conseruation, redresse, correction, & reformation of the premisses, & of euery of them, and the parties lying to the same, necessary and behoueful after the lawes and customes of Romney marsh, in the coũtie of Kent, or otherwise by any waies or meanes after your owne wisdomes & discretions. And to heare and determine all & singular the premisses, aswell at our suite, as the suite of any other whatsoeuer cõplaining before you, or sire of you, whereof A, B, and C, shalbe three, after the lawes & customes aforesaid, or otherwise by any other waies & means after your discretions. And also to make and direct all writs, precepts, warrants, or other commandements, by vertue of these presents, to al shirifes, bailifes, & all other ministers, officers, & other persons aswell within liberties as without, before you, or sire of you, whereof the said A, B, & C, to be three, at certaine daies, termes and places to be prefixed, to be returned & receiued. And further, to continue the processe of the same, & finally to do all and euery thing and things as shal be requisite for the due execution of the premisses by all waies & meanes after your discretiõs. And therfore we cõmand you, that at certaine daies and places, when and where you or sire of you, whereof the said A, B, and C, to be three, shall thinke expediẽt, ye do survey the said walles, fences, ditches, bankes, gutters, gotes, sewers, calsies, pondes, bridges, ruers, streames, walcourses, mils, locks, trenches, fishgarths, flodgates, & other the lets, impediments, and annoyances aforesaid, and accõplish, fulfill, heare and determine all and singular the premisses, in due forme, and to the effect aforesaid, after your good discretions. And all such as you shall find negligent, gainesaying, or rebelling in the said workes, reparations, or reformation of the premisses, or negligent in the due execution of this our commission, that ye doe compel them by distresse, fines, and amerciamentes, or by other punishmentes, waies, or meanes, which to you, or sire of you, whereof the said A, B, and C, shalbe three, shall seeme most expedient for the spedie remedie, redresse and reformation of the premisses, and due execution of the same.

Romney marsh

Statutes

Dier & ter.

Writs
Precepts
Warrants
Shirifes
Baylifes

Surury

Dier & ter.

Negligent

Distresse

lame. And al such things as by you shal be made voide, and ordeined in this behalfe, aswell within liberties as without, that ye doe cause the same firmely to be observed, doing therein as to our Justices appertained, after the lawes and statutes of this our Realme, and according to your wisedome and discretiõs. Saued alwaies to vs such fines and amerciamentes as to vs thereof shall belong. And wee also commaund our Shirife or Shirifes of our said Countie or Counties of that they shall cause to come before you, or sire of you, of the which A, B, & C, shalbe three, at such dayes & places as ye shall appoint to them, such and as many honest mẽ of his or their bailiwike aswel within ẏ liberties as without, by whom ẏ truth may be best knowñ, to enquire of the premisses. Commanding also all other ministers & officers, aswell within libertie as without, that they and every of them shal be attendant to you in and about the due execution of this our commission. In witnes whereof we haue caused these our letters patẽts to be made. Witnesse our self at Westminster the day of in the yeere of our reigne. And it is also enacted that euery such person as shal be named Commissioner in the said commission, after he hath knowledge thereof, shall effectually put his diligence and attendance in and about the execution of the said commission. And before he shall take vpon him the execution of the saide commission, he shall take a corporall othe before the Lord Chancellor, or before such to whom the said Lord Chancellor shall direct the kings writ of Dedimus potestatem, to take the same, or before the Justices of the Peace in the quarter Sessions holden in the Shire where such commission shalbe directed: the tenour of which othe hereafter ensueth.

Fines Amerciaments Shirifes

Enquire

Offices

Diligence

Othe

Dedimus potestatem Just. of P.

Othe

Yée shall sweare, that you to your cunning, witte and power, shall truely and indifferently execute the authoritie to you giuen by this commissiõ of sewers, without anie fauour, affection, corruption, dread or malice to be borne to anie maner person or persons: And as the case shal require, ye shall consent and endeuour your selfe for your part to ẏ best of your knowledge and power, to the making of such wholesome, iust, equall, and indifferent lawes and ordinãces, as shalbe made and deuised by the most discrete and indifferent number of your fellowes being in commission with you for the due redresse, reformation, and amendment of all and enery such things as are cõteined and specified in the said commission. And the same lawes and ordinances to your cunning, witte and power, cause to bee put in due execution, without fauour, mẽde, dread, malice, or affectiõs, as God you helpe and all Saints.

Statute

And it is also &c. that all and euery statute, act & ordinance heretofore made concerning the premisses, or any of them, aswel in the time of our soueraigne lord the king that now is, as in the time of any of his progenitours kings of this realme of England, not being contrarie to this present act, not heretofore repealed, frõ hẽceforth shall stand and be good & effectual for euer, and to be put in due execution, according to the true meaning and purports of the same. And ouer that, be it &c. that the Commissioners hereafter to be named in any of the said commissions, according to the purport and effect of the same cõmissions, haue ful power & authoritie to make, constitute, and ordeine lawes, ordinãces and decrees and further to do all and euery thing mentioned in the said commission, according to the purport, effect, words, & true meaning of the same. And the same lawes and ordinãces so made, to reforme, repeale, and amend, and make new from time to time, as the cases necessarie shall require in that behalfe.

Effectuall

Lawes

Prouided alway, and it is &c. that if any person or persons being assessed or taxed to any lot or charge for any lands, tenements, or hereditamentes within the limits of any commissiõ hereafter to be directed, do not pay the said lot & charge, according to the ordinance & assignemẽt of the cõmissioners hauing power of the execution of the said commission: By reason whereof it shall happen the said commissioners hauing power of execution of such commission, for lacke of payment of such lot and charge to decree and ordeyne the same lands, tenements & hereditaments, from the owner or owners thereof, and their heires, and the heires of euerie of them, to any person or persons for terme of yeares, terme of life, in fee simple or in taple, for payment of the same lot and charge, that then euery such decree and ordinance so by them made, ingrossed in parchment, & certified vnder their seales into the Kinges Court of Chauncerie, with the Kings royall assent had to the same,

Do not pay

Decree Lands

Fee simple

Certifie Chancery

same, shal bind al & euery person and persons that at the making of the same decree, had any interest in such landes and tenements, or hereditaments in vse, possessiō, reuersion, or remainder, their heires & assignes, & euery of thē, and not to be in any wise reformed, vnlesse it be by authoritie of Parliament hereafter to be summoned & holden within the realms. And also it is further enacted, that the same lawes or ordināces & decrees to be made & ordeined by the said Cōmissioners or fiue of them by the authoritie of the said commission, shal bind aswel the lāds, tenements, & hereditaments of the King our soueraigne lord, as al and euery other person and persons, & their heirs & such their interest, as they shall fortune to haue, or may haue in any lands, tenements or hereditaments, or other casuall profite, aduātage or commodities what soeuer they be, whereunto the said lawes, ordināces and decrees shal in any wise extend, according to the true purport, meaning, and intent of the same lawes. And it is &c. that if any maner of person or persons, of what estate or degree soeuer he or they be of, that frō henceforth doth take vpon him or thē to sit by vertue of any of the said commissions, not being afore sworne in forme aforesaid, & according to the tenor of the othe afore specified: Or if any person so named and sworne, do sit as is aforesaid, not hauing landes & tenements, or other hereditamēts, in fee simple, fee taile, or for terme of life, to the cleere yerely value of xl. markes aboue al charges to his owne vse, except he be resiant & free of any citie, borough, or towne corporate, and haue moueable substāce of the cleere value of one C. pounds, or else be learned in the lawes of this realme, in and cōcerning the same, that is to say, admitted in one of ỳ foure principall Innes of court for an Vtterbarrester, shall forfait xl. pounds for euery time that he shall attempt so to do. The one halfe thereof to be to the king, and the other halfe thereof to the vse of him or them that will sue &c. in which action of suite no wager of lawe &c. And if any action of trespalle or other suit shall happen to be attempted against anie person or persons, for taking of anie distresse, or any other act doing by authoritie of the said commission, or by authoritie of any lawes or ordinances made by vertue of the said commission, the defendant or defendāts in any such action, shall & may make auowry, cognisance, or iustification for the taking of the same distresse or other act doing, touching the premisses or any of them, alleging in such auowry, cognisance, or iustificatiō, that the said distresse, trespalle or other acte, whereof the plaintife complained, was done by authoritie of the cōmission of sewers for lot or tare assessed by the said commission or for such other act or cause as the said defendāt did by authoritie of the said commission, & according to the tenour, purport & effect of this present act made the three & twentie yeere of the reigne of our soueraigne Lord king Henrie the eight without anie expressing or rehearsall of any other matter of circumstance conteyned in this present acte, or any commission, lawes, estatutes, or ordinaces thereupon to be made, whereupon the plaintife shalbe admitted to replie, that the defendant did take the said distresse, or doe any other acte or trespalle supposed in his declaration of his owne wrong without any such cause alledged by the said defendant, whereupon the issue in euery such actiō shal be ioined to be tried by verdict of twelue men, & not otherwise, as is accustomed in other personall actions. And vpon the triall of that issue the whole matter to be giuē on both parties in euidence, according to the very trueth of the same. And after such issue tried for the defendant, or nonsuit of the plaintife after apparance, the same defendant to recouer treble dammages, by reason of his wrongfull veration in that behalfe, with his costes also in that part sustained, and that to be assessed by the same Jurie or writ to enquire of the dāmages, as the same shall require.

And it is &c. that euery of the said commissioners shall haue & receiue foure shillings for euery day that they shall take paine in the execution of this commission of Sewers. And one Clerke by them to be assigned ij. s. for euery day, of the rates, tares, lots, and wayues that shalbe assessed or lost by authority of the said commission, and to be leuied and payed by their discretions. And that the saide Commissioners, or fiue of them, shall haue power and authoritie to limit and assigne of the same rates, tares, lots, & waiues by their discretions, such reasonable sums of money to the said clerke for writing of bookes and proces concerning the premisses, and to the collectors, expenditors, and such other as shall take paine in the due execution of the said commission, as by the discretions

Heires

Kings lands

Sit

Sworne

Lands

Fourty marks land

Citizen

One hundred pounds goods

Vtterbarrester For. Moitie

Action

Iustifie

Reply

Issue

3. dammages

Costs

Jury Writ

Cōmissioners 4. s. the day

Clerke 2. s. the day

Officers

irections of the said Commissioners, or sir of them shalbe thought reasonable.

Cõmission

Prouided alway, that whensoeuer and as often as such commission, as is afore limited, shall be made and directed to anie person or persons, for the reformatiõ and amendment of or in any of the premisses specified in the said commissiõ, within the

Lancaster

fées, liberties or possessiõs of the Duchy of Lãcaster, that then such Commissioners as shal execute any such commission, shall be alwaies named and appointed by the

Chancellor Treasorer

discretion of the Lord Chancellor, & Lord Treasourer of England, and the said two

Chiefe Iust. Chancellor

chiefe Justices of either bench, & the Chãcellor of the said duchy for the time being, or three of them, whereof the said Lord Chancellor, and the Chãcellor of the Duchy to be two. And that in euery such case two commissions shalbe awarded & made according to the tenour of the commission aboue expressed, one thereof vnder ỳ great

Seale

Seale of England, and the other vnder the Seale of the same Duchy, as before time haue bene accustomed, any thing afore rehearsed in this present act to the cõtrarie hereof notwithstãding. And it is fur-

Commissions

ther enacted, that the said cõmissions from time to time as the case shall require, shal be had and obteyned without any money

No charge

or other charge to be paied for the Seales or writing of the same, vnlesse it be to the

2.s.6.d.

king two shillings sixe pẽce for the Seale of euery Commission as hath bene accustomed: And for the writing and enrolling of any commission fiue shillings and

v.s.

not aboue. And it is &c. that euery commission to be made by authoritie of this act, shal endure and cõtinue for the terme of three yeeres next after the Teste of the commission. Neuertheles after any commission made & deliuered out of the kings court of Chãcerie, the kings highnes shal alwaies at his pleasure by his writ of

3. yeeres

Supersedeas

Supersedeas, out of his said Court of Chãcerie, at any time discharge aswell euery such commission, as euery Commissioner that shal be made or named by authority

Discharge

of this acte. After which discharge the said Commissioners shall haue no power nor authoritie to procéede in the execution of their commission, nor in any thing by authoritie of this act.

Prouided alwaies, that such lawes, actes, decrées and ordinances, as shall happen to bee made by the said Commissioners according to the tenour of their commission, or by authoritie of this Acte, shall stand good and effectuall, and be put in due executiõ so long time as their commission endureth and no longer: Except the said lawes and ordinãces be made and

Lawes

ingrossed in parchment, and certified vnder the Seales of the said Commissioners into the Kings Court of Chancerie, and then the kings royall assent be had to the

Royall assẽt

same: Anie thing conteyned in this present Acte to the contrary hereof notwithstanding.

Prouided also that whensoeuer and as often as such Commission as is before limitted, shall be made and directed to anie person or persons, for the reformatiõ and amendment of or in any of the premisses specified in the said Commission, within the fées, liberties and possessions of the principalitie of Wales, the Countie Pa-

Wales

lantine of Chester, or within the fées, li-

Chester

berties and possessions of anie other place where there is libertie and iurisdiction of Countie Palantine, that in euerie such case two commissions shall be awarded and made according to the tenour of the commission aboue expressed, one thereof vnder the great Seale of England, and

Seale

the other vnder the vsuall Seale of the Countie Palantine in maner and forme as is aboue prouided for the Duchie of Lancaster, anie thing afore rehearsed in this present Act to the contrary notwithstanding.

And it is enacted, that the royall assent

Royall assẽt

limitted to be had vnto the lawes and ordinances to be made by the said Cõmissioners, as is aboue said, shall be certified into the said Court of Chancerie vnder the

Chancery

kings priuie Seale. And that there shall not any summe of money be paide for the

No charge

same priuie Seale, but for the writing of the same certificate vnder the saide priuie Seale, shall be paid to the writer thereof ij.s. and not aboue, nor no other, nor greater summe for any thing touching or concerning the same certificate vnder ỳ same priuy seale.

Prouided alway, that the Chancellors

Chancellor

& such other as shal haue the custody of the seales of the saide principalitie of Wales, or the County Palantine of Chester, or within the fée, libertie, and possessions of any other place, where there is libertie & iurisdiction of Countie Palantine, vpon reasonable request, & vpon the sight of the commission vnder the kings great Seale of his Chauncerie, shall without delay make out an other commission vnder the

Seale

seale of the said countie Palantine accoꝛding to the tenoꝛ of the kings commissiō, to thē shewed vnder his great seale: And to those Commissioners as shalbe named by the loꝛd chancelloꝛ, Loꝛd treasurer, and the two chiefe Justices, oꝛ by three of thē, whereof the loꝛd Chancelloꝛ to be one, except it be within the fees and liberties of the duchy of Lancaster, within which fees and liberties, the Commissioners shal be named, & Commissions made, as is afoꝛe oꝛdained by this act, anie thing contained in the said act, oꝛ in any pꝛouiso therunto added and annexed, to the contrary therof notwithstanding. This act to endure foꝛ twentie yeeres. An. 23. H. 8 cap. 5. This acte is made perpetuall. An. 3. E. 6. cap. 8. as here following 10. appeareth, altered 12. by 13. El. cap. 9. Lancaster

9 The acte late made foꝛ Sewers & the commission therein recited, shalbe extended, vsed, and put in execution, in the towne and marches of Calice, accoꝛding to the tenour of the same commission in like effect, as it is enacted to bee put in execution within this realme, and that no person shall be compelled to be swoꝛne oꝛ otherwise bound to sit oꝛ trauel in execution of any commission of Sewers within this realme, vnles that he be dwelling within the countie whereof hais oꝛ shall be assigned to be Commissioner: And foꝛ Calice, and the said marches therof, vnlesse that he be dwelling within the same towne of Calice oꝛ marches. And because that diuers persons heretofoꝛe assigned to bee Commissioners, haue refused to bee swoꝛne accoꝛding to the said foꝛmer acte, whereby diuers Commissions heretofoꝛe made, remaine hitherto without effectuall execution: Be it &c. that if any person assigned oꝛ to be assigned to be such Commissioner of Sewers, beeing required hereafter by such person oꝛ persons, as haue oꝛ shal haue authoꝛitie, by the kings wꝛitte oꝛ otherwise, to receiue oꝛ accepte the othe compꝛised in the said foꝛmer acte, euery person that so refuseth to take the same othe, oꝛ vpon request made doe not receiue the same othe, and that refusall oꝛ contempt done in the Chancerie, oꝛ returned into the Chancerie with the saide wꝛitte, shall lose and foꝛfaite foꝛ the same contempte to the King our Soueraigne Loꝛd 5. markes. And so to lose from time to time fiue markes foꝛ euerie such contempt, as shall be done oꝛ returned into the saide Chancerie against anie such person, vnlesse that he in the same Chancerie doe shewe and alleadge in the saide Terme wherein such returne shall bee made against him, sufficient and reasonable matter and cause to be allowed by the Loꝛd Chauncelloꝛ foꝛ his excuse and discharge in that behalfe. Anno 25. Henr. 8. cap. 10. Calice Refuse Othe Foꝛf.

10 The said act (See Anno 23. H. 8. cap. 5. before 8.) and all clauses, articles, and pꝛouisions in the same contained, shal continue and indure in their foꝛce and strength, and to be obserued and kept foꝛ euer, in such manner and fourme as shall and maie stand with the sequell and additions hereafter mentioned. And bee it further enacted, that all scottes, lots, and summes of money hereafter to bee rated and tared by vertue of such commission of Sewers, vpon anie of the landes, tenementes oꝛ hereditamentes, of our Soueraigne Loꝛde the King, his heires oꝛ succesoꝛs. foꝛ anie maner of thing oꝛ things concerning the articles of the saide commission of Sewers, shall be gathered and leuied by distresse oꝛ otherwise in like maner and foꝛme as shall oꝛ may be done in the lands, tenements and hereditaments, of any other person oꝛ persons. And that all billes of acquittance signed with the hand oꝛ hands of such collectoꝛ oꝛ receiuoꝛ as shall haue the collection thereof by the appointment of the saide Commissioners oꝛ fiue of them, shall bee a sufficient discharge to the tenants, farmers and occupiers of the same grounds, so to be charged foꝛ the said summe wherewith their grounds shal be so charged, as also a sufficient warrant, to all and euerie the receiuers, auditoꝛs and other whatsoeuer officer oꝛ officers of our saide Soueraigne Loꝛd the King, his heires and succesoꝛs foꝛ the allowance to such tenant, farmer, oꝛ occupier foꝛ the same, adding moꝛeouer to this acte, by authoꝛitie of this pꝛesent Parliament, that such and like fees, and none other noꝛ moꝛe, shall be at anie commission oꝛ commissions, oꝛ wꝛittes of Dedimus potestatem, hereafter to be sued out oꝛ obtained vnder the seale of the duchie, but onely such and like fees as bēn mentioned in the said foꝛmer acte, to bee paied in the Chancerie, foꝛ commissions and wꝛits of Dedimus potestatem, to bee obtained from the same court of Chancerie, adding moꝛeouer therunto, by ꝯ authoꝛitie abouesaid, that euerie commissiō, and commissions hereafter to be awarded foꝛ Tare Distresse Warrant Dedimus potestatem Fees

for Sewers, shal continue and indure for
Fiue yeres terme of fiue yeres next after the tesse of
such commission, vnlesse the same cõmis-
sion & commissions, shall be otherwise dis-
Supersedeas charged, within the said time by Supersc-
deas, any thing or thinges mentioned or
cõtained in the said former act, contrarie
to the additions before mentioned or anie
of thẽ in anie wise notwithstanding. An.
3. E. 6. ca. 8. altered by 13. El. ca. 9. after 12.

11 ¶ Aswell the said acte of Sewers
made in the three and twentieth yere, (S.
An. 23. H. 8. cap. 5. before 8.) as all cõmis-
sions of Sewers hereafter to be directed,
according to the tenor of the said act may
extend & giue authoritie, that the commis-
sioners therein named for the County of
Glamorgan Glamorgan, or fiue of them, whereof 3.
Quorum to be of the Quorum, shall by this act and
the said former acte & commission to them
directed, haue full power and authoritie
from time to time to make such lawes,
prouisions, ordinances, iudgments, & de-
crées, within the said countie of Glamor-
gan, for the reparelle and saning the saide
grounds from hurt or destruction by rea-
son of ẏ said sands, as they might or may
do by the said former act & commission for
the withstãding and auoiding of the out-
ragious course and rage of the sea or o-
ther waters, any vsage or custome to the
contrarie notwithstanding. Ann. 1. M. 2.
Parl. cap. 11.

12 ¶ Forasmuch as no commission of
Sewers, by ẏ estatutes heretofore made,
may haue continuance aboue the space of
fiue yeres: Be it therefore enacted by the
Quenes most excellent Maiestie, with ẏ
assent of the Lords spirituall & temporal,
and the commons in this present parlia-
ment assembled, and by the authority of ẏ
same, that from henceforth all and euery
commission and commissions of Sewers,
now standing in force, or ẏ hereafter shal
be granted and made, shall stand & conti-
Ten yeres nue in force for the terme of x. yeres next
ensuing the date of euery such commissiõ,
vnlesse the same commission or commissi-
ons be, or hereafter shalbe repealed or de-
termined by reason of any new cõmission
Supersedeas in that behalfe made, or by Supersedeas:
Lawes and that al such lawes, ordinances, & con-
stitutions, as be, or shalbe duely made by
force of any such commission, according to
the tenor and effect, limited in any former
estatute heretofore made touching cõmis-
sion or commissions of Sewers, & being
Indentures written in parchment indented, & vnder
the seales of the said commissioners, or fiue
of thẽ, whereof the one part shal remaine
with the clerke appointed, and to be ap-
pointed for the commission of Sewers for
the time being, and the other part in such
place as the same commissioners, or 6. of
them shall order & appoint: shall without
any certificate thereof to be made into the
court of Chancerie, & without the royall
assent to the same had, stand & continue in
full force and effect, notwithstanding any
determination of any such commission by
Supersedeas, vntill such time as the same
lawes, constitutions, and ordinances shal
be altered, repealed, or made void, by the
Commissioners after to bee assigned and
appointed for Sewers, in those partes
where the same lawes, ordinances, and
constitutions were made, ordained, & con-
stituted, or by fiue of them.

And be it further enacted by the autho- ¶
ritie aforesaid, that at all times from and
after the ende and expiration of the terme
of ten yeres next insuing the date or tesse
of any commission of Sewers hereafter
to be made, al such lawes, ordinãces, and Lawes
constitutions, as were made by vertue of
anie such commission, & written in parch-
ment indented, and sealed as is aboue mẽ-
tioned, without certificate thereof, or the
assent royall to the same had, as is afore-
said, shall, notwithstanding the determi-
nation of any such commission, by the ex-
piration of the terme of tenne yeres next
ensuing the date of any such commission of
Sewers, likewise continue in force, for
and by the space of one whole yeere then
next ensuing: and that the Justices of ẏ.
of the shire and shires, where the same
lawes, ordinances, and constitutions are
to bee executed within their seuerall com-
missions, and limits, or fiue of thẽ, wher- 6. Iust. of ẏ.
of two to be of the Quorum, shal haue po- Two of the
wer and authoritie, by the space of one Quorum
whole yere next after the expiration of e-
uery such commission, to execute the same Commissiõ
lawes, ordinances, and constitutions, and
euery of them, as fully & in as ample ma-
ner and forme, as the commissioners, or a-
nie of them, named and appointed in eue-
rie or any commission so expired, might or
should haue done, to all intentes and pur-
poses, as if the said commission or commis-
sions had continued in force.

Prouided alwaies, and be it neuerthe-
lesse enacted, that if any new cõmission of
Sewers shal be made within ẏ said yere,
that then immediatly from and after such
com-

Commission newly made and published, Just of P. that the power of the said Justices of P. and euerie of them, in anie wise concerning the execution of any such lawes, ordinances and constitutions of Sewers, shall vtterly cease: any thing or things in this act to the contrarie expressed in anie wise notwithstanding. ★

And be it further enacted, that no farmer or farmers, for terme of yeres, of any manors, lands, or tenements, lying or being within the precincts or limits of any such commission of Sewers, which be, or hereafter may bee ordered, and chargeable by any lawes, ordinances, or constitutions, made or to be made by vertue of any such commission, wherein he or they shall bee named or appointed commissioner or Commissioners, not hauing estate of freehold within the realm of England, of or in manours, lands or tenements, of the yerely value of fortie pounds, shall at anie time hereafter, haue power to sit, or in anie wise intermeddle with the execution of such commission or commissions, during the time he or they shal continue, or be such farmer or farmers of any such mannours, lands, or tenements, and shal not haue estate of freehold, as is aforesaid: but that euery such commission, as hauing respect onely to euery such person or persons, for such and so long time as he or they shall so bee and continue farmer or farmers of any such manours, landes or tenements, shall be deemed and adiudged in law to be as void, and of none effect: anie thing in the same commission, or anie statute or law heretofore made to the cõtrarie notwithstanding.

And be it further enacted by the authoritie aforesaid, that from henceforth the said commissioners, nor anie of them shal not be compelled nor cõpellable to make anie certificate or returne of the said commission, or anie of them, or anie of their ordinances, lawes or doings, by the authoritie of any the said commissions, or shall not haue anie fine, paine, or amerciament set vpon them, or any of them, or any wayes to be molested in bodie, lands or goods, for that cause.

And yet neuertheless, to the intent the Quenes Maiestie our Soueraigne Ladie her heires and successours, may bee at all times hereafter truely answered of al such issues, fines, and amerciaments, as shall happen, growe, or bee forfaited by vertue of any such Commission, or by the execution thereof: Be it also enacted, that the clerke and clerkes appointed, & hereafter to be appointed, for and in any such Commission or commissions of Sewers, shall yeerely truelie estreat all the said issues, fines, penalties, forfaitures and amerciaments, that shalbe due and answerable to her highnesse, her heires and successors, and the same estreats shall yerely deliuer into the court of the Eschequer, at such time and times, and in such maner & forme, as Justices assigned to and for the conseruation of the peace in anie wise should or ought to doe by vertue of their commission, vpon paine to forfait to our Soueraigne Ladie the Quæne, her heires and successors, for euerie default in that behalfe made, fiue pounds.

Prouided alwaies, that it shall be lawfull for any Commissioner, being also farmer, and not hauing lands & tenements to the clere yerely value of fortie pounds of freehold, to sit by vertue of the said commission, and haue his voice and ful authoritie with others, to make and establish ordinances for Sewers, according to the tenour of the Commission touching and concerning all landes and tenementes within the precinct of euerie such commission, other then such lands and tenemẽts as he or they for the time being, holde and inioy as farmer, as he or they might haue done, before the making of this statute, any thing therein contayned to the contrarie notwithstanding. Anno 13. Eliz. cap. 9.

Clerke

Estreat

Eschequer

Fork.

Commissioner Farmer

Void

Commissioners

Quene

Fines

¶ Shelton.

ANno 33. H. 8. cap. 26. An acte was made, whereby certaine estates and couenants of Sir John Sheltons landes were made void.

¶ Sheepe.

NO maner of person of what estate, or conditiõ that he be, from henceforth be suffered to ship within the Realme of England, anie sheepe fleece or shorne, into the countrey of Flanders, or to anie other parties beyound the sea, except it bee to vitaile the towne of Calice, & the marches thereof. And that euery man that may bee espied, which vnder the colour of vitailing of the same towne and marches of Calice, passeth into anie other places then to the same towne and marches, with

Shipping

Flanders

Vitaile Calice

with anie sheepe sleered or shorne, except he haue the kings licence, shall forfait to the king the same sheep or the value therof as oftentimes as he shalbe found therin defective. An. 3. H. 6. cap. 2.

Licence Forf.

2 ¶ Forasmuch as diuers couetous persons espying the great profit of sheep, haue gotten into their handes great portions of the grounds of this Realme, conuerting them from pasture to tillage, and keepe some 10000. some 20000. some 24000. sheepe, whereby Churches and townes be pulled downe, rents of lands inhanced, and the prices of cattell and victuall greatly raised, and the poore driuen to fall to theft, and other inconueniences, to the peril of vtter destruction and desolation of this realme: Be it &c. That no person nor persons from the feast of S. Michael the Archangel, which shall be in the yeere of our Lorde GOD 1535. shall keepe, occupie, or haue in his possession, in his owne proper lands, nor in the possession, lands or grounds of any other which hee shall haue or occupie in farme, nor other wise haue of his own proper cattel in vse, possession or propertie by any maner of meanes, fraud, craft, or couin, aboue the number of two thousand sheep at one time within any part of this realme, of all sorts and kinds vpon paine to lose and forfaite for euerie sheepe that any person or persons shall haue or keepe aboue the number limitted by this acte three shillings foure pence: The one halfe to the king, &c. and the other halfe to such persons as will sue, &c. by original writte of debt, bill, plaint, or information in anie Courte of Record, in which suite, the defendant shall not wage his law, &c.

Two thousand sheepe

Forf.

Moitie

Prouided alwaie, that Lambs shal not be accounted of the number of sheepe prohibited by this act so long as they be vnder the age of a yere, and not aboue.

Lambes

Prouided also, that if any person hauing sheepe of his owne happen to be made executor, or to be administrator to anie person, which had sheepe at his death, or happen to be maried to any person which shal happen to haue sheepe at the time of the mariage, by reason wherof the person so being executor or administrator, or being so married, shall happen by such meanes to be aduanced, & haue aboue the said nũber of two thousand: that then in euerie such case, the person so aduanced to lose no penaltie for hauing aboue the number of 2000. sheepe by such means, so that within one yere next after such aduancement, ẏ person so aduãced from time to time as often as any such case shall happen, do put to sale, or otherwise dispose so many of the said sheepe, so to him aduanced, or else of his owne sheepe that he had before, so that aboue one yere he shal not keepe, haue or occupie, by anie such means or otherwise by any fraud or couin, any more number of them, then is before limitted by this act vpon the paine before rehearsed. Prouided also, that if anie person by his last will and testament giue to anie childe within age, any number of sheepe, and appoint them by his said will, to be kept by his executors, or by any other person, vnto such time as the said child shall come to a certaine age, limited by his wil, that then in euery such case after the death of the testator, the said sheepe so being in ẏ possession and occupation of the executors, or of anie other person to the vse of anie such child within the age that he shall be limited to haue the said sheep by the wil of the testator, shal not be accounted against the said executors, nor anie person so hauing the said sheepe, for the intent aforesaid, anie of the number of the sheepe prohibited by this act, any thing in this act to the contrarie thereof notwithstanding.

Executor

One yere

And it is &c. That the Iustices of the peace of euery shire, shall haue power and authoritie to enquire of the offenders of this acte, aswell by the othes of twelue men, as by information of anie of the K. Subiects, and to make such like processe vpon euerie presentment or information concerning this act as they vse commonly to doe vpon presentments before them of trespasse. And that no person being conuict by confession, or otherwise, that hee hath done or attempted contrary to this acte, shalbe put to anie lesse fine, then after the rates of the forfaitures afore limited by this acte. Prouided alwaies, that no person shalbe put to anie answere or losse of any forfaiture by vertue of this acte at the suite of anie of the Kinges Subiectes by anie originall writ of debt, bil, plaint, or information, except the sute bee commenced within one yeere nexte after the offence done or committed contrarie to this act: Nor that anie person shall be put to answere nor to any losse of any forfaiture by vertue of this act, by reason of any presentment, action, or information at ẏ Kings suite, except the same presentment,

Iust of P.

Inquire

Proces

Prouiso

Sute

One yere

action

action or information be had and made for the king, within three yeeres next after the offence done or committed.

Three yeres

Prouided alway, that all & euerie person and persons, being the kings temporal subiects of this realme, and borne vnder his obeisance, which at this present time or at any time hereafter shall haue or be seased of inheritance in possession or in vse, or that now hath or hereafter shall haue ioynter in vse or in possession, or bee or shalbe tenant in dower, or by the curtesie of England, of or in anie manours, lands, tenements, pastures, feedings, or libertie of foldage within any part of this realme of England, Wales, or the marches of the same, that euerie such person and persons hauing any such possession to his owne vse, and euery such person and persons to whose vse any other person or persons now is, or be, or hereafter shal be seased of any such estate as is before rehearsed: may at al times hereafter haue, enioy, keepe & maintaine vpon the same their owne demeane lands, and all other their pastures, feedinges, and foldcourses which they so haue, as manie their owne sheep and Lambs in number to their proper vse, profit, and behoofe, as they or any of them of right had, or lawfully might haue had and kept vpon the same, or vpon any part thereof, at anie time before the making of this present act: this act or anything therin contained or specified, to the contrarie in anie wise notwithstanding And ouer that be it &c. by the authoritie aforesaid, that in case any such person or persons hauing any such estate in vse or in possession, of or in any manor, lands, tenements, pastures, feedings, or liberties of foldcourses as is before expressed, haue, or doe keepe vpon the same their possessions, the number of two thousand sheepe or aboue, the same person or persons so hauing the number of two thousand sheepe or aboue, shall not in any wise keepe, sustaine or haue any sheep aboue or besides the said number of two thousand vpon any lands, pastures or feedings, which the same person or persons haue, or hereafter shall haue or take in farme or otherwise, vpon such like paines & forfaitures for the same, as be limited in the said act, that is to say, for euerie sheepe ouer and aboue the said number of two thousand, iij.s.iiij.d. And in case the said demeane lands, tenements, pastures, feedings, and liberties, or foldcourses of any person or persons before rehearsed, suffice not for the feeding, pasturing, & keeping of two thousand sheep as is aforesaide, that then euerie such person shall, or may haue, sustaine or feede vpon his said demeane lands, & vpon his farme holds which he lawfully may haue, to the said number of two thousand sheepe, & not aboue vpon paine of forfaiture for euerie sheepe aboue that number iij.s.iiij.d.

Lands

Wales

Demeane lands

2. thousand sheepe

Farme

Fort.

Prouided alway, and bee it &c. that it shal be lawful to euery person or persons within this realme, keeping a housholde, to haue from time to time such conuenient number of sheepe, ouer and aboue the number expressed in this act as shalbe necessarie for the only expences of his housholde to be prouided, kept, & fed, in and vpō his lands, or other lands, such as he lawfully can or may haue, or prouide for, in farme or otherwise: Any thing in this present act contained to the contrary notwithstanding. So that the same houlder at no time shall haue or keepe for the expences of his housholde, or by colour of the same, ouer and aboue the number to him limitted by this acte, any number of sheepe moe then shall suffice for the onelie expēces of his household for one yere without fraud or couin, any thing in this present act mentioned or expressed to the contrarie notwithstanding.

Prouid.

Housholde

Be it enacted &c. that no maner person or persons of what degree soeuer hee or they be, being Lord or Lordes, owner or owners, farmer or farmers, of or in anie libertie of foldcourses within any towne, tithing, village or hamlet, within anie of the counties of Norfolke, and Suffolke, from and after the feast of the Natiuitie of our Lord God next comming, shal take in farme for terme of yeres or otherwise, anie quillets of lands or pastures, that is to say, any number of acres of land or pasture appertaining to any other person or persons, lying, & being within the limite, ertent, or precincte of the said libertie of the said foldcourses, but that they shall permit and suffer the said person hauing or being for the time owner and owners lease or leases of the said quillets, to manure and pasture the saide quillets: And also to suffer the sheepe of the said owner or owners, farmer or farmers of the saide quillets after the rate of the same quillets to goe with the flocke of the owner, farmer or occupier of the saide libertie or liberties of the sayde foldcourses, payinge the customary charges for the keeping & feeding

Lords Farmers Foldcourses

Norfolke Suffolke

Farme Quillets

Least

feeding of the same, after the rate and vse of the countrie, there commonly vsed without any interruption therein to bee made by ẏ said owner or owners, farmer or farmers, or occupiers of the said liberties, vpon paine of forfaiture for euerie time that anie such person hauing anie such quillet that shall bee so letted or disturbed of feeding, keeping or pasturing anie of his sheepe so to bee fed and kept after ẏ rate of his said quillet, for euery such sheepe three shillings and foure pence. Forf.

Prouided alway that this act or branch concerning quillets, or any thing therein contained, shal not in anie wise be auailable to any tenant, owner or occupier of any such quillet or quillets to claime, haue or vse hereafter any such pasture of feeding of sheepe, in or with any such folde courses, but only where the tenants, owners and occupiers of any such quillets, haue had, or might haue had heretofore of right and dutie vsed to haue pasture and feeding in the said fold courses, by reason of their tenure & occupations of the same quillet or quillets, and none otherwise. And where they haue not vsed, ne ought to haue anie sheepe fed or kept within anie such foldcourses. by reason of the saide tenures, that the owners or occupiers of such foldcourses may take such quillets lying within their foldcourses in farme, agreeing with the owners or occupiers of the said quillets for the same. And forasmuch as the hundred of sheepe in euerie country bee not like, in some countrie the great hundred where fiue score is accounted for the hundred, & some countrey but onely fiue score, it is eft declared by this present act, ẏ the number of two thousand sheep, limited to euery person by this act, shalbe accounted ten hundred for euerie thousand after the number of the great hundred, & not after the lesse hundred, so that euerie thousand shal contain twelue hundred after the lesse number of the hundred. It is &c. that lambes vnder the age of one whole yere, and as much as shalbe from the time of the falling of them vnto the feast of the Natiuity of S. Iohn Baptist in any yere to come, shal not be abridged, ne taken for sheepe prohibited by the statute: anie thing in the acte to the contrarie not withstanding. It is &c. that no maner of person after the said feast of the Natiuity of our Lord, shal receiue or take to farme for terme of life, yeres, or at wil, by Indenture, Copie of Court roll, or otherwise, any moe houses & tenements of husbandrie, whereunto anie lands are belonging in towne, village, hamlet or tything within this realme, aboue the number of two such holdes or tenements. And that no maner person shal haue or occupy any such holdes so newly taken to the number of two, as is before expressed, except hee or they bee dwelling within the same parishes where such holds be: vpon ẏ paine of forfaiture for euerie meeke that he or they shall haue, occupie or take anie profits of such holds contrarie to this act, three shillings and foure pence. The one moitie of which forfeiture to be to the K. our soueraigne Lord, and the other moitie to the partie that will sue for the same in anie of the kings courts, by bill, plaint, information or otherwise within one yeere next after such contempt & offence committed and done, in the which none essoine, protection, ne wager of law shall be admitted or allowed. It is also &c. that the statutes made the fourth yeere of the noble prince K. Henrie the seuenth (cap. 19. which is in husbandrie 1.) and in the seuenth yere of the raigne of our soueraigne Lord the King that nowe is (cap. 1. which is in husbandrie 2.) concerning the decaye of towns and maintenance of tillage and husbandrie, shall be good and effectuall in euerie thing according to the purport and intente of the same, any thing in this present act to the contrary notwithstanding.

Houses Tenements

Forf.

Moitie

Statutes

Tillage Husbandrie

Prouided also, that it may bee lawfull to al spiritual persons and euerie of them to keepe such, and as many sheepe vppon their owne landes, and after such forme and maner, and none otherwise, as they might haue done afore ẏ making of this acte, any thing mentioned in the same to the contrarie notwithstanding. An. 25. H. 8. cap. 13.

Spiritual persons

3 ¶ See (ships & shipping 15.) where there is an acte made in 8. Elizab. cap. 3. against carrying ouer the sea of Rammes, Lambes, and other sheepe aliue.

Rammes

¶ Ships and Shipping.

VVHereas the ships of diuers people of the realme be arrested and holde for faitte, because of a little thing put in their ship not customed, whereof the lords of the same ships be ignorant: It is accorded & assented, that no Lord shall lose his ship from the fifteen day of Februarie next comming forth, for such a small thing put within

Arrest

within the ship not customed without his knowledge. An. 38. E. 3. cap. 8. stat.

2 ¶ To increase the Nauy of England which is now greatly diminished, it is assented and accorded that none of the K. liege people doe from henceforth ship any marchandise in going out or comming within the Realme of England in any port, but only in ships of the kings liegeance. And every person of the said liegeance which after the feast of Easter next insuing, (at which feaste this ordinance shall first begin to hold place) do ship any marchandise in any other ships or vessels vpon the Sea, then of the said liegeance, shal forfait to the king al his marchandises shipped in other vessels whersoeuer they be found hereafter, or the value of the same, of which forfaitures the K. will and graunteth, that he that duely spieth and duely proueth, that any person hath any thing forfaited against this ordinance, shal haue the third part for his labour of the kings gift. An. 5. R. 2. cap. 3.

Forf.
English ships
Forf.
Third part

3 ¶ The said ordinance onely haue place as long as shippes of the said liegeance in the parties where the same marchants shall happen to dwell, be found able and sufficient: so that then they shall be bound to fraight the same ships of the kings liegeance with their marchandises vnder the paine aforesaid before all other ships. And otherwise it shal be lawful to the same marchants, to hire other ships conuenient, & there to fraight them with their goods and marchandises, notwithstanding the said first statute. An. 6. R. 2. cap. 8.

Strange bottome

4 ¶ All the marchants of Englande shal fraight in the said realme the ships of the same realme, & not the ships of strangers, so that the owners of the said ships take reasonably for their fraight. An.

English ships

5 ¶ All maner marchandises entring in the realme of England, or going out of the same, shall be charged and discharged in the great portes of the Sea, and not in creekes and smal arriuals, vpon paine to forfait all the marchandise so charged or discharged to our Soueraigne Lord the king, except vessels and marchandises arriuing in such little creekes & arriuals by coercion of tempest of the Sea. An. 4. H. 4. cap. 20.

Marchandise
Discharge
Portes
Forf.

6 ¶ No maner of person shall shippe or do to be shipped, wols, wolfelles, nor other marchãdises pertaining to the staple in no place within this Realme, but alonely at the keyes & Wharfes being in the parties assigned by the statute, where the kings weights and his woolles be set. And that euery maister of ships & vessels in the which such woolles and woolfelles, and marchandises be put, shall find sufficient suertie to ỹ custoners of the ports, where they doe shippe, to cartie the same wols & wolfels, to the Staple of Calice, and to bring a certificacion from thence that he hath so done. Sauing alwaies the marchants of Jeane, Uemce, Lukaine, Lumbardy, Florence, and Catelonie, and to the Burgesses of Berwike, the liberties to them graunted by statute heretofore. An. 15. H. 6. cap. 8.

Wharfes
Shipmaister
Suertie
Certificate
Berwike

7 ¶ Anno 1. H. 7. cap. 8. An act was made for the maintenance of the Nauy to endure to the next Parliament that no Gascoine wine should bee brought into England but in English shippes, and the Mariners to be English men, vpon forfaiture of the wine.

Wine
Forf.

8 ¶ No maner of person of what degree or condition that bee hee, conuey nor bring into this saide Realme, Irelande, Wales, Calice or the Marches thereof, or Berwicke, from the feast of the Natiuitie of S. John the Baptist, that shal be in the yeere of our Lord God 1490. any maner wines of the growing of the Duchie of Guin, Gascoine: or Woad called Tholous woad, but such as shall bee conueyed, aduentured, and brought in ship or shippes, whereof our saide Soueraigne Lorde, or some of his Subiectes of this Realme of Englande, Ireland, Wales, Calice or Berwicke beene owners, possessours, and proprietaries, and the Maister vnder God and the Mariners of the same shippe or shippes, English, Irish, or Welsh, or men of Berwicke, or men of Calice, or of the Marches of the same for the more partie, vpon paine of forfaiture of the same Wines and woad so brought contrarie to this act, the one halfe thereof to the king, and the other halfe to him or them that seaseth the same wine or woad. And also hath ordained and established by the saide authoritie that no person inhabiting within this Realm, other then marchant straungers from the feast of Saint John, fraighte ne charge within this realme or Wales, any ship, nor any vessell of any alien or stranger, with any maner marchandise to bee carried out of this realme or Wales, or to be brought into ỹ same, if he may haue sufficient fraight in

Wines
Woad
English
Forf.
Points
Strangers

ships

Foyle. Wolfe

shippes or vessels of the denizens of this Realme in the same porte where hee shall make his fraught, vpon paine to forfait the same marchandises, the one half therof to the king our Soueraigne Lord, & the other halfe to him or them which sealeth the same marchandises. Prouided alwaye that this acte extēd not to any ship or ships hauing any of the said wares or marchandises constrained by tempest of weather or enemies to arriue in any porte or place within this realme. So that the owners of the said marchandises make thereof no sale within this Realme, other then for vitaille or repairing of the same shippe or ships, or takling thereof which they of necessitie be compelled to make. An 4. H.7. cap.10. This statute is confirmed by 23. H.8.cap.7. And by 32.H.8.cap.14.as appeareth here following 10.And after An. 5.Ed.6. part of this acte is altered as here following (10.) appeareth, and also here following 11.

No sale Vitaille

9 ¶An.7.H.8.cap.2. it is enacted that all licences made for bringing in of Galcoine wine and Tholous woad contrarie to the statute of Anno 4.H.6.cap.10.(before 8.)were void.

Licence Galoine Woad

10 ¶The said statutes (See Anno 5. R.2.cap.3,before.2.&.Anno 6.R.2.cap.8. before 3. and An.4.H.7.cap.10.before 8.) and all and euerie thing in them contained, bee, stand and continue in their full strength, force, and effect: So that from hencefoorth no person or persons shall attempt to doe any thing contrarie to the tenors and effectes of the said good laudable statutes vpon the paines in the same contained and expressed. And &c. from hencefoorth the owners, Maisters, and pursers of English shippes or other vessels, hauing the same their ships or vessels, at the Porte and Hauen of the Riuer of Thames at London, and being minded, purposed or agreed to take any fraught or lading at the same Porte into any of the said shippes or vessels, and from thence to saile with the same directly vnto anie of the parties of beyond the Sea, hereafter named, expressed and specified, or to anie haue, port or road of charge or discharge: Or hauing the same their ships or vessels at anie of the said parties of beyonde the sea, and being contented, minded, agreed or purposed to take any fraught or lading from any of the same places of beyond the Sea, directly vnto the said port or hauen of the said Riuer of Thames at London,

London

or to the roade of charge or discharge of the same, shall not at anie time hereafter by any maner of meane take or receiue anie more or greater summe or summes of money for the fraight, transportation, conueiance or cariage of anie wares, goods or marchandises in their shippes or ships, vessel or vessels, in, to or from any of the saide hauens or roades of charge or discharge, but onlie such summe or summes of money, and after the rate, quantitie and fashion as hereafter in this present acte is mentioned and declared. First for the fraight of euery woollen cloth shipped frō London to Flanders, eight pence Flemmish, and a piece of Flemmish monie called an English for Lode monage, and for primage of euery fardell of woollen cloth great or smal foure pence Flemmish. Also frō Flanders to London for the fraight of euery fardell of the biggest sorte xx.s. sterling descending downwarde to xvj.s. xiij.s.iiij.d. x.s. or viij.s. after the rate & quantitie of euerie such fardell as the owner, shipmaster or purser can agree. And for the fraight of a maund of the biggest sort vj.s.viij. sterling, and so descending downeward after the rate and quantitie of euery such maund as the marchant and owner, shipmaster or purser can agree. And also for the fraight of a dozefat of the biggest sorte vi.s. viij.d. sterling, & so descending downwards after the rate of euerie such dozefat, as the marchaunt, owner, shipmaster & purser can agree. Item for euerie case of veluet containing xiiij. pieces of Velvet v.s. Item for a baile of Sayes of fyre sorte high v.s. Item for a baile of Fustian xx.d. Item for a baile of Chamlet xx.d. Item for a baile of Coleine Yempe or thred x.s. Item for a baile of Madder x.s. Item for a baile of Almonds x.s. Item for a butte of Currens iij.s. iiij.d. Item for a barrell of Nailes x.s. Item for a trussing chest x.s. Item for a Suger cheste x.s. Item for a tunne of Yron x.s. Item for a hogshead of Proines and Dates xx.d. Item for a bagge of pepper loose xx.d. Item for euerie hundred of Hoppes vi. pence. Item for a flasket of Sope iiij.s. Item for pieces of Wasel as they be of bignesse, for euerie piece j.d. with all auerages, lodemanage & primage of olde time accustomed in English shippes. Item from London to Danske, the owner of euerie shippe shall haue viij.pence sterling for the fraight of euery broad woollen cloth freighted to Dāske,

Auerage Lodemanage Primage

and

and for euery set cloth 4.d.sterling. Item for euery roll, packe, or maund of Conyskins, 18.s. sterling, and so descending downwards after the bignesse of the roll, or maund, as the merchants and owners haue bẽn accustomed to agrée. Item, for primage of euery fardell toward Dansk 4.d.sterling, from Danske to London for euery lasse of Wheat and Rie 26.s.8.d. Item for euery packe, or two halfe packs of flaxe 30.s. Item for euery pack of Canuas 30.s. Item for euery lasse of Pitch & Tarre, accounting xiiii. barrels for a lasse 12.s. Item for a lasse of ashes, accounting 14. barrels for a lasse, 11.s. Item, for euery lasse of Osmondes &c. counting xiiii. barrels for a lasse 8.s. Item for euery 24. bundels of Bowstaues, 26.s.8.d. Item, for euery nest of Counters 18.s. Item for euery lasse of Fagots of Iron, 4.s. Item for euery Fatt of Sturgeon, 2.s. Item for euery Fatt of Eeles, 2.s. Item for euery Cage of Eeles, 4.d. Item for euery sack of feathers, weighing nine hundred weight, euery hundred 18.d. Itẽ, for euery strawe of ware of sixtéen hundred weight 14.s. Item, for lodemanage of euery lasse of the saide merchandises vi.d. sterling. And for the primage of euery lasse 4.d. sterling. Item frõ Burdeaux to London, for euery tunne of Wine at the first Vintage, accounting two Pipes, foure Hogsheads, or sixe Merses for a tunne, 18.s. Item for the fraight of euery tunne of Wine at the racke vintage 16.s. Item for euery Tolous woad, accounting eight whole bailes or sixténe ballets for a tunne 20.s. with Lodemanage & Primage, and all Auerages of old time accustomed after the old vse and custome of English ships, from London to Walkey outward & homeward, the Merchants which take fraight in any ship, shall haue for euery fiue Tunnes, a fardel of woollen cloth, conteining eighteen broad clothes fraight, frée, and to pay for euery cloth laden besides in the same ship three score & ten marualdes, which is eleuen pence, and the thirde part of a penie sterling. And for euery tunne homewards, 13.s.4.d. And for primage and lodemanage of euery Tunne sixe pence sterling, with all auerages accustomed, after the olde vse and custome of English ships, from London to all Ports of Portugall and South Spaine on this side the streights for the fraight of euery packe or fardell of sixténe broad clothes, two duckets of v.s. sterling the piece.

Allwayes prouided that the Merchant that taketh fraight in any ship fraighted from the saide Port of London to any of these places, shall haue for euery v. tunne fraight one fardell or packe of 15. broad woollen clothes fraight frée. And for primage and lodemanage of euery fardell. v. s.ob. sterling, with all auerages after the old vse and custome of English shippes. From Tauaile Amountey and Lepe, for the fraight of euery tunne of merchandises to Londõ, xx.s. sterling, and sixe pence sterling for lodemanage and primanage, with all auerages accustomed, after the olde vse and custome of English shippes. Also for ẏ fraight of euery tunne of merchandises fraighted to S. Lukes de Baromed, at Saint Mary port the Bay of Candis towardes London (pesterable wares onely excepted) xxi.s. sterling. And for lodemanage and primage, sixe pence sterling, with al auerages of old time accustomed after the olde vse and custome of English ships. Also the fraight of euery Tunne of merchandise from the Crane of Ciuil, directly to London (pesterable wares onely excepted) three and twentie shillings sterling, and for primage and lodemanage vi.d. sterling, with al auerages accustomed after the olde vse and custome of English shippes. Also for the fraight of euery Tunne of merchandises frõ Malaga to London (pesterable wares onely excepted) 25. shillings sterling. And for primage and lodemanage sixe pence sterling, of euery tunne, with al auerages accustomed after the olde vse and custome of English ships. And further be it &c. that if any Owner, Maister, or Purser of ship or vessell of this Realme, or the Dominions thereof, or any of them being fraighted vnto or from the saide hauen or porte, or the riuer of Thames, or any of the places aboue rehearsed, doe exact or take of any merchãt or his Factor, seruant or any of them, any other more or larger fraight or summes of money in ẏ names of fraight, then is aboue limitted and appointed by this acte, or otherwise infringe or breake the same acte, or any thing therein contained, that then euery such person and persons so offending contrary to the form of this statute, shall forfait and lose double so much as hee or they shall so receiue and take, ouer and aboue the rate and summes before rehearsed, the one halfe whereof to bee to our Soueraigne Lorde

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the king, his heires and ſucceſſours, & the other halfe therof to be to any ſuch perſon or perſons that will ſue for the ſame by action of debt, bill, informations or otherwiſe in any of the Kings courtes of Record, in which action no eſſoine, protectiõ, ne wager of law ſhalbe alowed or admitted in any of the Courts abouesaid.

Prouided alwayes that this act, ne any thing therein conteined or ſpecified, concerning the ſaid rates or ſummes for the fraight before rehearſed, ſhal not extende to binde or charge any Owners, maſters, purſers or mariners of any ſhip or veſſell for the fraighting or lading thereof, into, or from any Porte or hauen within this Realme of England, other then the ſaide London Port of London in manner and forme before ſpecified. Prouided alſo & be it, &c. that at what time any warre ſhall happen to be moued or had betweene this realme of Englãd & any other exterior potentates, forrein princes, their realme or ſubiectes, or betwæn any other outward kingdoms or dominions, by occaſiõ & meanes wherof the ſaide owners ſhalbee more charged for the furniture of their ſhips & veſſels, as well with victuals, more number of men, and artillerie for the ſure cõducting, conueiance & tranſportation of the merchandiſes goods and wares laden in the ſame, that then it ſhalbee lawfull to the ſame owners to receiue, take & haue ſuch more and greater ſumme or ſummes of money ouer and aboue the rates aforeſaide, for the fraight of their ſhippes and veſſels, as the merchants and they ſhall bee agreed vpon, any thing or things conteined, or limitted in the ſaid rate ſpecified in this preſent acte, or any other thing in the ſame acte conteined, to the contrarie thereof in any wiſe notwithſtanding.

Warre

Prouided alſo & be it &c. that if at any time hereafter it ſhalbee concluded, couenanted, bargained, condeſcended or agreed betweene any merchants, their Factors & ſeruants, or any of them, and any Owner, Maſter or Purſer of any ſhip or veſſel of this realme or the dominions of the ſame, that any ſuch Owner, Maſter or purſer be cõtented to receiue, take & haue any leſſe ſumme or ſummes of money, vnder the rates abouesaid, for the fraight of their ſhips & veſſels, as abouesaide, that then euery ſuch concluſion, couenant, bargaine, conſent and agreement, ſhal ſtande and bee good and effectuall, any thing or things limitted in the ſaide rate ſpecified in this preſent acte, or any other thing in the ſame act conteined to the contrarie in any wiſe notwithſtanding. And where alſo our ſaid Soueraigne Lord the King, of his owne bounteous liberall minde and princely diſcretion, now of late hath cõmanded that no perſon or perſons, being ſtrangers or denizens, cõueying or tranſporting any goods, wares or marchandiſes into any porte, creke, or other place of this Realme, or out of the ſame, ſhould for a certeine time pay any other more or larger Cuſtome & ſubſidie, then his Graces louing & naturall ſubiects then vſed and were accuſtomed to do and pay at that preſent time (Cuſtome & Subſidie for wolles only excepted) ſince which commandement ſo giuen & knowẽ, ſundrie grieuous complaints haue bæne made, as well to the Kings Maieſtie, as alſo to his moſt honorable Council, by diuers of his Graces louing ſubiects, that the Marchants eſtrangers and their factors, hauing exceeding benefite, profite & commoditie by reaſon of the ſaid cõmaundement, haue done & doe daily lade & conuey their goods, wares, and marchandiſes, bought within this realme, from and out of the ſame, in and vpon ſtrangers ſhippes of other Realmes in ſuch number at ſundry ports, hauens, riuers & places of this Realme, and the dominions of the ſame, that the owners of ſhips, their Maſters, Mariners, Seamen, Shipwrights, and great multitude of other his Graces ſubiects, be greatly impouerished to their extreme loſſes and dammages, whereby no little detriment and decay hath and is likely to enſue to the nauie of this his Graces Realme of England and the dominions thereof: For reformation whereof his royall Maieſtie of his moſt excellent wiſedome and policie foreſeeing the diſcommoditie aſwell of his ſaid nauie, as of the people, and with moſt godly minde intending as well the Common wealth of his Graces ſaid nauie and people, as alſo the ſucceſſe and effect of his ſaide commaundement, doth enact by his moſt royall aſſent, and by the aſſent of the Lordes Spirituall and Temporall, and of the Commons in this preſent Parliament aſſembled, and by the authoritie of the ſame, that from henceforth all & euery perſon and perſons that is or be ſtrangers or aliens borne out of this realme of England, or in any other place out of our ſaid

Strangers Denizens

Cuſtome

Strangers Aliens

said soueraigne Lord the kings obeisance being Denizens or not Denizens, their Factors, Atturnies, ministers & seruãts, that at any time hereafter do lade or shall cause to be ladē any wares, goods or merchandizes of what kinde, nature or qualitie soeuer it be, in any ship, bottome or vessel of this Realme of Englande, commonly called an English ship, bottome or vessell, during the time of the said proclamation conteined, shall not bee compelled to paie or cause to be payed any other custome or Subsidie, but onely according to the said Proclamation. And in case that any stranger or Alien, borne out of this Realme of England, or other our Soueraigne Lord the kings obeysance, being Denizen or not Denizen, at any time hereafter fraight or lade, or cause to bee fraighted or laden any ship, bottome, or vessel of any stranger or outlandish person with any wares or merchandizes frō this realme of England, to any outwarde parts, that then the same estranger or Alien shal content & pay, or cause to be contented & paied to the King our soueraigne Lord, his heires & successours, al such and like customes & Subsidies, as strangers & aliens borne in other Realmes, haue vsed to pay according to the ancient customes, vsages and lawes of this Realm of England, any thing in this present acte, or in the saide proclamation contained to the contrary thereof in any wise notwithstanding. Prouided alwaies that if there be no such ship or vessell of this Realme of England or the dominions of the same, at, or in the Port, Hauen or place where the said Strangers, Aliens or denizens, their seruants or factors would fraight & lade their wares & merchandize towarde the outward regions, that then if the said strangers or denizēs, their factors, atturneis or seruãts, before he or they do lade, fraight, or conuey the same goods, wares, commodities or merchaundizes, into any strange or strangers ship or vessell, do notifie and declare the same lacke or want of the same English shippes and vessels vnto the Lord high Admirall of England for the time being, or his Lieutenant, deputie or deputies, if that any of them bee resiant, at, or in the same Port or place of lading, or if the saide Lorde high Admirall, ne any such his Lieutenant, Deputie or Deputies bee not resiant at, or in the said Port or place, then if they make notice or declaration thereof to the Customer or Comptroller of the same Port or hauen, or to their Deputie or Deputies, and doe obtaine or cause a certificat to be made vnder ỳ seale of him, to whom such notice or declaration is made, of lack of English shippes, as is aboue saide, that then it shalbee lawfull to the strangers & denizens, their factors and atturneis, for lacke and wanting of the saide English shippes and vessels, to fraight and lade the said wares and merchandizes in any strange ship or vessel at the time being in the same Port or Hauen, and to pay none other Subsidies and Customes therfore, but as the English merchants being the Kings naturall Subiectes, do vse & ought to doe by the lawes and Customes of this Realme of England, any article or clause to the contrarie thereof in this present acte conteined, in any wise notwithstanding. And further bee it &c. that all and euery Owner and Owners, Master and Masters, and other Gouernours of English shippes or vessels, or any of them, minding and intending to make any voyage or sayling from the Port of London into the parties beyond the Seas with his or their Shippe or vessell, shall make publike notice and declaration of his or their saide minde, and intent of sayling & voyage in writing, and affixe the same writing vnto some poste or other open place or places in Lumbard streete, there to remaine by the space of seuen dayes, declaring in the same writing, to what place or Port hee or they shall so intende to saile, or make his or their voyage, and of the name of the Shippe and Shippes, in the which hee or they intende to saile, to the intent the merchants may haue perfect knowledge to prepare such wares as they or any of them will haue conueyed into such parties beyonde the Seas.

And also that the saide Owner and Owners, Master and Masters, and other Gouernours, or any of them, intend or make his or their departure from the said Port of London, after the fraighting or lading of the same Ship or Ships, at such time and as soone as winde & weather will serue, according to the Chart. partie to be made betweene the saide Owner or Master and merchants, without protract of time. And it is &c. that the saide Owner and Owners, Master and Masters, and other Gouernour or Gouernours of Ships, and euery of them, to his or their

Denizens

English ship

Custome

Stranger

Outlan. ish ship

Customes

No English ship

L. Admiral

Customer

Certificate

Strange ship

Customes

Owners Masters

London

Lumbard streete

power, and forasmuch as in him or the in shal be, shal see and prouide that al wares and merchandises, which shall bee by the said merchants, their Factors or seruãts, or any of them brought into any ship or vessell, shalbee honestly and in good order saued and kept. Prouided alway and be it, &c. that if any Merchãt stranger or other, finde himselfe agrieued or damnified, by negligent keping of the saide merchandises or wares, or by long delaying or protracting of the time, in taking the voyage by the said Owner, his Factor, Maister or any the mariners of the saide ship, otherwise then shalbe agreed betwixt the saide Merchant, his Factor, Atturney or Seruant, and Maister or Owners in, or by the saide Chart.partie, not being letten by winde or weather, shall and may haue his remedie by way of complaint before the Lord Admirall of Englande for the time being, his Lieutenant or Deputie, against the saide Owner or Owners, Maister or Maisters, Gouernour or Gouernours, or his or their Factor or Factors, which Lorde Admirall for the time being, his Lieutenant or Deputie, shall and may summarily and without delay, take such order and direction therein, as shall bee thought to his or their discretions most conuenient, and according to right and iustice in that behalfe. Prouided alway, that this acte or any thing therein conteined, extend not to giue any libertie, licẽce, benefite, authoritie, profite or aduantage, by any maner of meane to any person or persõs borne out of this Realme of England, or any other our Soueraigne Lord the Kings Dominions, of, or for the shipping, transporting, conueying or carrying of any manner of Wools, or Felles out of the saide Realme, & other his highnesse Dominions, or for any longer time or terme then in the saide Proclamation and commaundement is expressed and declared, any thing in this present Acte to the contrary notwithstanding.

Saued

Stranger Negligence

Complaint L. Admiral

Order

Wools Fels

Prouided alway, and be it &c. that this acte ne any thing therein conteined, extend or be in any wise preiudicial or hurtfull to the Merchaunts of Hanse in Almaine, hauing the house in London, commonly called Guihalda Theutonicorum, otherwise called the Stilliard, but that they and euery of them may doe in all things and in all places, as they and euery of them should or might haue done before the making of this Acte, & as though this acte had neuer been had ne made, any thing in this act conteined to the contrarie in any wise notwithstanding. So that the same Merchants doe onely lade in such Bottoms, vessels and shippes, as belong to, & be of their owne ports, territories & dominions priuiledged, or in English bottomes, vessels or shippes or bottomes, then they or euery of them may lade in any strange bottomes, vessels or ships, in such like forme & maner as they might doe before the making of this acte, any thing conteined in the same, to the contrary notwithstanding.

Merchãts

Stilliard

Prouided alway, that the Lorde Admirall, nor his Deputie nor Deputies shall in any wise intermit nemeddle with the liberties of the fiue Ports, and the members of the same, to execute any authoritie, or iurisdiction to him granted by vertue of this acte, but that the Warden of the saide fiue Portes, for the time being, or his Deputie, shall or may by the authoritie aforesaide, haue and enioy all such authorities, iurisdictions and liberties within the saide fiue Portes, and members of the same, as beene graunted to the saide high Admirall by vertue of this acte within any other Porte or place within this Realme, any thing within this present acte to the contrary in any wise notwithstanding. Anno 32. H. 8. cap. 14.

L. Admiral

5. Ports

Warden of the 5. Ports

English ships

11 ¶ From the first day of February next comming, after the Sessiõ of this present Parliament, vnto the first day of October then following, and so yeerely and from yeere to yeere, beginning at and betweene the first day of Februarie, and the first day of October, it shall and may be lawful to all and euery person & persons being of the parties or Countries in amitie with our Soueraigne Lorde the King to conuey or bring into this realm, Ireland, Wales, Caleis, or the Marches of the same, or Barwicke, any maner of wines, of the growing of the Duchie of Guien or Gascoine, or of any other part of France, and Tholouse Woad, or any of them, in whatsoeuer ship or ships, crayer or crayers, boate or boates, or by any other meane, whosoeuer be or shalbe therof owner, possessor or proprietary, being of the parties or countries in amitie of our Soueraigne Lord, or whosoeuer be therof Master, Mariner or Mariners in the same, without any forfaiture or penaltie thereof to be had. The said statut (s. An. 4 H. 7.

Mariner

Wines

Woad

Custome

Strange

Hoye Plat

H.7.cap.10.before 8.) or any thing therein conteined to the contrary in any wise notwithstanding. An.5.E.6.ca.18.

12 ¶Bee it enacted that the seuerall acts made in ỳ fifth yere of king Richard the second, the thirde Chapter, and in the fourth yere of the late King of famous memorie king Henry the seuenth, intituled of Wine and Tholouse Woad, shalbe from henceforth clearely voide and of none effect. And neuertheless for auoyding of great deceit practised, and now a daies vsed by sundry subiects borne within this Realme of Englande, and Dominions of the same, which enter in the customers bookes, wares and merchandises of Aliens borne, in their owne name, wherby the Quenes Maiestie is defrauded in her Customes and Subsidies, to the great decay of the auncient reuenues of the Crowne:

Bee it enacted by the authoritie of this present Parliament, that all and euery person & persons being Owner or Owners of any goods, Wares or Merchandises, which after the first day of January next ensuing the Sessions of this present parliament, shall in time of peace, and when there is no restraint made of English ships, embark, ship, lade or discharge by way of merchandise, any wares or merchandise (masstraffe, pitch, tarre, and corne onely excepted) out of, or into any ship, barke, boye, vessell or bottom, wherof our saide soueraigne Lady the Quene her heires or successours, or some of her or their subiects of this Realme, or the dominions of the same be not possessioners, or proprietaries, and the masters vnder God, and the mariners of the same ship or ships, for the most part be not subiects of our saide Soueraigne Lady, her heires and successours, shall aunswere, yeld and pay to the vse of our said Soueraigne Lady the Quene, her heires and successors, such Custome & Subsidie, for such wares and merchandises so shipped, laden or discharged, as is aforesaide, rate and rate like, as strangers and Aliens borne out of the obeisance of our saide Soueraigne Lady the Quenes Maiestie, doe & ought to pay for wares and merchandises of like nature and kinde.

English ships

Mariners

Custome

Stranger

And be it further enacted by the authoritie aforesaid, that no boie or plat wherof any English subiect or subiects is, bee or shalbe Owner or Owners at any time after the first day of January aforesaide, frō any Port, Creke or place of this said Realme of England, or any of the Dominions of the same, shall trauerse or crosse the Seas in, to, or from any of the Ports beyond the seas, with any wares, goods or merchandise, vpon paine that the saide Owner or Owners shal forfait and lose ỳ same boie or plat, with all and euery the munition, tackling, and other necessaries pertaining thereunto, whereof the one moitie to be to the vse and behoofe of the Quenes said maiestie, her heires & successours, and the other moitie to the person or persons which wil sue for the same, by bill, plaint, action or information, in any her highnesse Courtes at Westminster, in which case no wager of lawe, protection or essoine shalbe admitted.

Crosse the Seas

Boye Plat

Forf.

Moitie

Prouided alwayes and be it enacted, that it shall be lawfull to the merchants, commonly called Merchants Aduenturers, and merchants of the Staple, and euery of them, at their seueral flætes and shippings of Cloth and Wool, and either of them, from and out of the River of Thames, onely being made twise in one yere at the most, to embarke, ship, and lade any goods, wares or merchandise, in, or to any ship, vessell or bottome, belonging or appertaining to any Stranger or Alien borne, so long and at such time as there be not ships, Vessels or Bottomes, belonging to the Quenes highnesse, her heires and successours, or any of her subiectes, in the saide River of Thames, sufficient in number, and apt and mete for the sure and safe conueyance of the wares and merchandise, into the part of Flaunders, Holland, Zeland or Brabant, or any of them, without paying any greater or more Custome and Subsidie, then Englishmen doe and ought to paye, any thing in this Acte to the contrary notwithstanding: This Act to continue and stand in force for the space of fiue yeres onely next immediatly following this present Session of Parliament, and from thence to the ende of the Parliamēt then next following.

Merchants

Cloth Wooll

Strange ships

Prouided that forasmuch as the Merchāts of the Citie of Brisstow, haue susteined of late great losses at the sea by the enemies, by reason of taking of all their best shippes, with much substance, so that they be not of abilitie to prouide sufficient shippes and vessels of their owne within the time limitted in this present Act, that they for lacke of their owne ships, or anie

Bristow

other vessels of the Quéenes Dominiõs, within fortie miles of ẏ citie of Brikelw, may load and embarke their owne Merchandises in strangers bottomes, without paying any other custome then for wares and merchandises laden in English bottomes: This Acte or any thing therein conteined to the contrarie notwithstanding. Anno 1. Elizabeth capitulo 14. See here 17.

Strange bottomes

13 ¶ For the better maintenance, and increase of the naute of this Realme of England Be it enacted &c. that from the first day of Aprill, Anno Domini 1564 and so from thencefoorth, it shalbee lawfull to all and euery of the subiects of our Soueraigne Lady the Quæne, her heires and successours, at his and their will and pleasure to carrie and transport out of this Realme, in the shippes or other vessels of any the subiectes aforesaide, all and euery kindes of Herring and other Sea fish, to be taken vpon the Seas by any of the subiects aforesaide, any Acte of Parliament or lawe to the contrary notwithstanding. And that all and euery person and persons, which shall by vertue of this Acte, transport or carrie any Herrings or other Sea fish, from or out of any Porte or Harborowe of this Realme, to any place out of ẏ Dominiõs of the Quéenes Maiestie, her heires or successours, shall bee free from payment of any Custome, Subsidie or pondage money for the same fish so carried or transported, during the space of foure whole yeeres, beginning at the saide first day of Aprill, 1564. and so further, during her Maiesties pleasure.

Transport

Herring Sea fish

Free Custome

4. yeres

And be it further enacted, that from the first day of May nert comming, it shall not be lawfull to any person or persons in any Portes, Citie, Towne, Market or other place within this Realme, to set price, make any restraint, or take or demaund toll or tare of any Seafish to bee brought into this Realme, or any parte thereof, being taken by any of the subiects aforesaid in the shippes or other vessels of the same Subiectes, vpon paine to euery person offending contrarie to the meaning hereof, to forfait the value of ẏ fish so restrained, prised, tolled or tared: Any libertie, custome, graunt, priuiledge or other matter whatsoeuer to the contrary in any wise notwithstanding.

Price Tare Sea fish

Forf.

Prouided alwaies that this present Act nor any thing therein conteined, shall bee preiudiciall or hurtfull to the Maior and Burgesses of the Kinges Towne vpon Hull, or their successours Maiors & Burgesses of the same Towne, or to any other officer, or minister of the same Towne at any time hereafter, but that they and euery of them may receiue, haue and take all and euery such tolle, customes, and summe of money of all and euery such person and persons as is limitted, appointed and set foorth by them to be taken, in an Acte of Parliament made in the three and thirtieth yére of the raigne of our late Soueraigne Lorde King Henry the eight. And that neither the saide Maior and Burgesses of Kingston vpon Hull, or any inhabitant there, or any of them shall take any aduantage of the article of this statute, for the carriage of any Herrings or salted fish to any parties beyond the Sea: Any thing in this present acte mentioned, conteined, specified or declared, in any wise to the contrarie notwithstanding.

Maior Hull

Customes

Be it also enacted &c. that no purueyor or other person whatsoeuer, shal from the saide first day of May by vertue of any Commission or otherwise, take any Herring or sea fish from any of the subiects afore mentioned, that shall take the same in the shippes or other vessels of the said subiects, as it is aboueaid, otherwise then by agreement of the Owners or sellers of ẏ same fish, vpon paine for euery purueior or other person whatsoeuer, offending cõtrarie to the tenour of this acte, to forfait the double value of the Herrings or fish so to be taken. And it shalbe lawfull for anie person being Owner or seller of anie such Sea fish so taken as is aforesaid, to withstand anie person that will (by anie colour of purueying or otherwise) demaund any such fish, or the toll of any such fish, without the good will of the Owner or seller as aforesaid.

Purueior

Sea fish

Agreement

Forf.

Withstand

Prouided, that the fish called composition fish heretofore granted to ẏ Quéens Maiestie, by the subiects of this Realme, trauelling into Iseland, shalbee taken by her Maiesties officers and purueyors in such sorte as the same hath bẽn lawfully vsed to bee taken before the making of this acte, and sauing to the Quéenes maiestie, her heires and successours, and to al other persons, such fishes as bee knowen and vsed to be called Regal fishes, whereunto her Maiestie or the saide other persons, haue or shal haue right or interest, for

Composition fish

Regal fishes

such

such recompence as heretofore hath beene accustomed.

And be it further enacted &c. that from the said first day of Aprill, which shall bee in the yeere of our Lorde God, 1564. it shall not bee lawful to any person or persons, to buy of any stranger borne out of the Quenes Maiesties obeisance, or out of any Strangers bottome, any Herring being not sufficiently salted, packed and casked, vpon paine to euery person & persons so buying, to forfeit the Herrings so by him or them to be bought, or the value thereof.

Buy

Strange bottome Herring

Forf.

Prouided alwaies that this branch of this act shall not extend to any Herrings to be bought, which by reason of shipwrak shalbe brought into this realme, but that it shall be lawfull to all and euery person and persons, to buy all such Herrings so brought in by shipwracke as aforesaide, as hee or they lawfully might haue done before the making of this acte. Any thing in this act conteined to the contrary in any wise notwithstanding.

Herrings

Shipwrack

Be it also further enacted, &c. that from the feast of Saint John Baptist next ensuing, it shall not bee lawfull to any person or persons, to cause to be loaden and caried, in any Bottome or Bottomes, whereof any stranger or strangers borne then be owners, Shipmasters or Partowners, any kinde of fish, victuall, wares or things, of what kinde or nature soeuer the same shall be, from one Port or creeke of this realme, to another Port or creeke of the same Realme, vpon paine to euery one that shall offende, contrary to the true meaning of this branch of this present Acte, to forfait all the goods so laden or carried, or the value thereof. And that from henceforth all English hoyes and Plattes may crosse the Seas, as farr as Cane in Normandie, and Eastwarde as farre as Norway, the statute made in the first yeere of the Quenes Maiesties raigne (before 12.) to the contrary hereof notwithstanding. (But now see here 17.)

Strange bottome

Victaile Wares

Forf.

Hoyes Platts Crosse seas

And forasmuch as there is much deceitful packing vsed in Cod & Lings brought in barrels & other caskes into this realm: Be it therefore enacted, &c. that from and after the first day of Aprill in the yeere of our Lord God, 1564. it shall not be lawful to any person or persons to bring into this realme any Cod or Lings in barrels or other caskes, but loose in bulke and by tale to be solde within this Realme, vpon paine for euery one that shall offende contrary to the tenor hereof, to forfait all the Cod and Lings, so to be brought in, or the value thereof.

Cod Lings

Forf.

And be it further enacted, that from the feast of Saint Michael ỳ Archangel next following, no person or persons whatsoeuer, shall bring into this Realm of England, or any part of the same, any Wine comming out of any of the Dominions or Countries belonging to the Crowne of Fraunce, or any Woade called Tholouse Woade in any other vessel or vessels, but onely in such vessell and vessels whereof some subiect or subiectes of the Queenes Maiestie, her heires or successors, shalbee then onely Owner or Partowner, vpon paine to forfait all Wines and Woade brought contrary to the meaning hereof, according to the meaning of a statute made in the time of the reigne of King H. the seuenth, concerning Wine of the Duchie of Gastoine and Guion (before 8.) except that there may bee brought into Wales or any port within the countie of Monmouth, Rochel wines.

Wine

Woad English ship

Forf.

Wales Rochel wine

Bee it also enacted by the authoritie aforesaid, that from henceforth it shal bee lawfull to all and euery owner and owners of ships or vessels, and to euery householder vsing and exercising the trade of the Seas, by fishing or otherwise, and to euery Gunner or gunners, comonly called Cannoners, and to euery shipwright, to take and keepe one or more apprentice or apprentices to bee brought vp in the said trade or trades, euery of the same apprentice or apprentices to bee to them bound for 7. yeares or vnder. And euery apprentice so taken, being aboue 7. yeares of age, shalbe by ỳ same couenants bound, ordred and vsed, to all intents according to the custome of the Citie of London, so that the same couenant or bond of apprentiship be made by writing indented & inrolled in the towne where the same apprentice shalbe then inhabiting, if it be a towne corporate, and if the towne be not incorporate, then to be enrolled in ỳ next towne incorporate to the habitatiõ of euery such apprentice. And that the officers of euery such towne corporate, shal take for euery such enrolment not aboue 12.d. Any law, statute or other matter whatsoeuer to the contrary notwithstanding.

Owners

Fishermen Gunner

Shipwright Apprentice

Custome of London Indenture

Enrolled

xii.d.

And be it further enacted, that so much of the statute made in the 5. and 6. yeeres

of the late king Edward the firt, intitu-
led, An act againſt Regrators, Foreſtal-
lers, and Ingroſſers (before in Foreſtal-
lers 4.) And ſo much of all other ſtatutes
againſt all Regrators, Foreſtallers and
Ingroſſers, as doeth and may concerne
Sea fiſh Wine Oyle Salt the buying of Sea fiſh vnſalted, or mud
fiſh, or any wine, oyle or ſalt, to be taken
& brought in any Engliſh ſubiectes ſhips,
crayers or other veſſell, into any Port,
Creeke or place of this Realme, ſhal from
henceforth to all intents, conſtructions
Repealed and purpoſes be vtterly repealed & voide,
forſomuch of the ſaid oyles, wine, ſea fiſh,
mud fiſh, and ſalte, as any buyer or buy-
ers vpon the ſea by way of foreſtalling or
regrating, ſhal or do bring or diſcharge in
any Port or hauen within this Realme.
But S. this Statute ſomewhat altered at this
day, as is noted in Foreſtallers 4. in the ende
by 23. El. ca. 25. And be it further enacted
by the authoritie aforeſaid, that from the
feaſt of Saint Michael the Archangel, in
Wednesday the yeare of our Lorde God 1564. euery
Wednesday in euery weeke through the
whole yere, which heretofore hath not by
Fiſh day the lawes or cuſtomes of this Realm bin
vſed and obſerued as a fiſh day, & which
ſhal not happē to fall in Chriſtmas weeke
or Eaſter weeke, ſhall be hereafter obſer-
ned and kept as the Saterdayes in euery
weeke be, or ought to be, and that no ma-
ner of perſon ſhall eate any fleſh on the
ſame day, otherwiſe then ought to be vpō
the common Saturday.

And be it further enacted by the autho-
ritie aforeſaide, for the benefite and com-
modities of this Realme to grow aſwell
in maintenance of the Nauie, as in ſpa-
ring and increaſe of fleſh victuall of this
realme, that from and after the feaſt of
Pentecoſt next comming, it ſhall not bee
lawfull to any perſon or perſons within
No fleſh this Realme, to eate any fleſh vpon any
Fiſhdayes daies now vſually obſerued as Fiſhdaies,
or vpon any Wedneſday nowe newly li-
mitted to bee obſerued as fiſh day, vpon
paine that euery perſon offending herein,
Forf. 3. li. ſhall forfeit 3. poundes for euery time hee
or they ſhall offende, or els ſuffer three
Impriſon Mainprize moneths cloſe impriſonment without
baile or mainprize. (See this forfeit and im-
priſonment altered here following, 14.)
Houſholder And euery perſon or perſōs within whoſe
houſe any ſuch offence ſhalbee done, & be-
ing priuie or knowing therof, & not effec-
tually punihing or diſcloſing the ſame to
ſome publike officer, hauing authoritie to
puniſh the ſame, for euery offence to for-
feit 40. s. (Which forfeiture ſee here alre-
dy after 14.) All which forfeiture for not
abſtainting from meates, ſhall be deuided
into 3. equall partes: That is, one part to
the vſe of ỹ Quenes Maieſtie, her heires
or ſucceſſours, the other parte to ỹ Info-
mer, the third part to the common vſe of
the pariſh, where the offence is or ſhalbee
committed, and to bee leuied by Church-
wardens, after any conuiction in that be-
halfe. Prouided allwayes and be it en-
acted, that this acte nor any thing therein
conteined, concerning eating of fleſh, ſhal
in any wiſe extend to any perſon or per-
ſons, that ſhall hereafter haue any ſpeci-
al licence, vpon cauſes to bee conteined in
the ſaid licence, and to be graunted acco-
ding to the lawes of this Realme in ſuch
caſes prouided. All and euery ſuch ſaid li-
cence and licences, ſhalbe voide to all in-
tents, vnles the ſame conteine the condi-
tions hereafter mentioned: That is to
ſay, euery licence made to any perſon or
perſons, being of the degree of a lorde of
Parliament, or of their wiues, ſhalbe vpō
condition that euery ſuch perſon ſo to bee
licenced, ſhall pay to the poore mens boxe
within the Pariſh where they ſhal dwell
or remaine, in the feaſt of the Purificatiō
of the bleſſed Virgin Marie, or within vi.
daies after the ſame feaſt, 26. s. 8. d. The
ſame to be paied within one moneth next
after the ſame feaſt, vpon paine of forfei-
ture of euery ſuch licence. And euery li-
cence to any perſō of ỹ degree of a Knight
or a Knights wife, ſhalbe vpon conditiō,
that euery ſuch perſon ſo licēced, ſhall paie
yerely 13. s. 4. d. to the vſe aforeſaide, and
in forme afore mentioned. And euery li-
cence to any perſon or perſons, being vn-
der the degree aboueſaid, ſhalbe vpon con-
dition that euery ſuch perſon ſo licenced,
ſhal pay yerely 6. s. 8. d. to the ſaid vſe, & in
forme afore mentioned.

Prouided alwaies, that no licence ſhall
extend to the eating of any Beaues at any
time of the yeare, nor to the eating of any
Veale in any yeere from the feaſt of ſaint
Michaell the Archangell, vntill the firſt
daie of May.

Prouided alſo, that al perſons which by
reaſon of notorious ſickneſs, ſhalbe enfor-
ced for recouerie of health to eat fleſh, for
the time of their ſickneſs, ſhalbe ſufficient-
ly licenced by the Biſhop of the Dioceſſe,
or by the Parſon, Vicar, or Curate of the
pariſh where ſuch perſon ſhalbe ſick, or of
the

Forf. 40. s.

Church-wardens

Licence

Lord of the Parliament

Poore

Forf.

Knight

Poore

Beefe

Sick perſons

Biſhop Parſon Vicar Curate

the next parish adioyning, if the said parson, Vicar, or Curate, of his or their owne parish be wilfull, or if there bee no curate within the same parish. Which licence shal bee made in writing signed with the hand of the bishop of the diocesse, or of the parson, vicar, or curate, & not endure longer then the time of the sickenes. And that if the sickenesse shall continue above the space of eight dayes after such licence granted, then the licence shalbe registred in the Church booke with the knowledge of one of the Churchwardens, & the party licenced shall give to the curate iiij. d. for the entre thereof. And that licence to endure no longer but onely for the time of his her, or their sickenesse. And if any licence by any parson, vicar, or curate, bee graunted to any person or persons, other then such as evidently appeare to haue néede thereof by reason of their sickenes, not only every such licence shall bee void, but also every such parsō, vicar, or curat, shall forfait for every such licence, otherwise granted, v. markes.

viii. dayes

Church booke

iiij pence

Forf.

Prouided also, and be it enacted, that all licences heretofore granted to any subiect of this realme, by any of the late kings, or by the late Q. Mary, or by the Quéenes Maiestie now being, or by any archbishop of this realme, hauing authority so to do, shalbe of as good force in law for ỳ Wednesday now limitted, & other accustomed fish dayes, as they were before ỳ making of this act, for ỳ said other accustomed fish dates, so as the parties licenced do hereafter obserue al such conditions, as be limitted in this estatute to such as hereafter shall obtaine any licences. And such persons also as heretofore were or ought to be licenced, by reason of age, or other impediment or cause, by order of the Ecclesiasticall lawes, shall enioy the same priuiledge & accustomed licences, any thing in this acte to the contrary hereof in any wise notwithstanding.

Wednesday

Fish dayes

Old persons

And bee it enacted, that no forfaiture of ship, craier, or other vessel, or of any apparell of the same, nor any other penalty or forfaiture, shalbe extēded or grow against any owner or owners of any ship, crayer, or other vessell for ỳ trāsporting or carrying of any wheat, or other corne, or things prohibited by the estatute made in ỳ Parliament holden the first and second yeres of king Philip and Quéene Mary, (after in vitaile 15.) vnlesse the same owner or owners shalbe witting, knowing, ayding or consenting to the prohibited transporting or carrying, the said estatute, or any thing therein mentioned to the contrarie notwithstanding.

Wheat Corne

And be it &c. that all and euery person & persons, which be or shal be by the lawes and statutes of this Réalme, or otherwise authorised to sell wines by retaile, in the seuerall Counties and places where they be, or shall be so authorised, shall and may from henceforth sell the same wines by Pinte, Quart, Pottle, Gallon, or otherwise, at such price or prices, and in such forme as shalbe limitted by the Quéenes Maiesties Proclamation in the Countie or place, made with the assent of such lords and other persons, as by the statute made in the 28. yere of the raigne of king Henry the eight (after in Wines 20.) were authorised to set price vpon Wines in grosse, without any paine or forfaiture for the same: Any law, vsage, or estatute heretofore made or had to the contrary hereof in any wise notwithstanding.

Wines Retaile

Price

Proclamation

And be it further enacted, that from and after the feast of Saint Michael the Archangell next comming, it shalbe lawfull to all and euery person & persons being subiects of the Quéenes Maiestie, her heires and successors, onely out of such portes or créeks, as by the Quéenes Maiesties proclamation hereafter shalbe published and appointed, and not elsewhere, to load, carry, or transport any wheate, rie, barley, malt, pease or beanes into any partes beyond the seas, to sell as a marchandise in ships, crayers, or other vessels, whereof any English borne subiect then shalbe the only owners: so that the price of the saide cornes or graines so carried or trāsported, exceed not the prices hereafter following, at the times, hauens, and places where and when the same corne or graine shalbe shipped or laden, vz. the quarter of wheat at x.s. the quarter of rie, pease, or beanes at viii.s. the quarter of barley or malt at vi.s. viii.d of currant money of England: Any lawe, vsage, or Statute heretofore made to ỳ cōtrary hereof in any wise notwithstanding. (But see these prices hereafter altered 14.) And where doubt hath heretofore ben, whether the statute in the 18. yeere of the raigne of king Henrie the first * (before in Captaines 4.) heretofore made against souldiers reteined, which depart from their captaine without licēce, did, or ought to extend vnto mariners and Gunners, seruing on the Seas taking wages

Port

Loade Corne

Price

Souldiers Depart without licence

Mariners

wages of the king or quéne of this realm: Bee it exprelled, ordained, enacted and declared, by authority of this present parliament, that the said estatute made in ỳ said 18. yeere of ỳ raigne of king Henry the 6. in all paines, forfaitures & other things, did, doth, & hereafter shall extend, as well to al and euery mariner & gunner hauing taken, or that shall hereafter take prest or wages to serue ỳ Quénes Maiestie, her heires or successors, to al intents and purposes, as ỳ same did or doth vnto ane souldier: any diuersities of opiniõ, doubt, matter, or thing to the contrary hereof in any wise notwithstanding.

Gunner

And where an estatute concerning sowing of flaxe and hempe, was made, & prouided in the Parliament holden the xxiij. yeere of the raigne of our late soueraigne lord king Henry the eight (which see before in flax and hempe 1.) to be vniuersall through euery county of this realm, for ỳ better prouision of nets, for helpe and furtherãce of fishing, & for eschewing of idlenes: Be it ordained and enacted by authority of this present parliament, that euery such county of this Realme, or parte of such county, where by the Quénes Maiesties proclamation it shal hereafter bee published, the saide estatute to be commodious or profitable for the cõmon wealth, the said statute and euery clause, article and prouision therein contained, bee and shal be reuiued and stand in full force and strength, to bee executed and performed from the feast of S. Michael tharchangel next comming, in al things, other then in the proportion of a rode or fourth parte of an acre, & in the paine of iii.s. iiii.d. by the said estatute limited. In place whereof, be it ordained & enacted by the authoritie aforesaid, that in euery cale & degrée, wherby ỳ said former estatute, or road, or fourth part of an acre is limited to be sowẽ with linseed, otherwise flaxe séed or hempe séede, from the said feast of S. Michael the archangel next comming: In stead & liew of ỳ said roade or fourth parte of an acre, one whole acre, or lesse, as by proclamation in forme aforesaid shal be limitted, shalbe sowen with linseed, otherwise flaxe séed or hempe séede, vpon paine of forfaiture of v.li. for euery such default or offence. (But see a repeale of this branch here following 14.) And further be it ordained &c. that all and euery such of the offences before mentioned, as hereafter shall bee done on the maine sea or coastes of the sea, being no parte of the body of any Countie of this Realme, & without the precinct, iurisdiction, and libertie of the Cinque ports, and out of any hauen or péere, shalbe tried and determined before the Lord Admirall of Englande or his lieutenant, deputie and deputies, and other Justices of oier and terminer, according to the forme of the estatute of Anno 28. Hen. 8. for causes of Piracie (after in Triall 8.) And if the same shalbee done on the maine sea, or coasts of the sea, within the iurisdiction or liberty of the Fiue portes, and out of anie Hauen or port, then the same to bee tryed and determined before the said Lord Warden of the said Fiue ports, or his Lieutenant or iudge, or before the Justices of oyer and terminer, according to the true fourme of the said estatute of Anno 28. H. 8. for causes of Piracie. And for all and singuler such other of ỳ offences before mentioned as shal be done in the land, or within any Hauen or péere: al Justices of the peace in their sessions, & Maiors, shirifes, and baylifes, and other head officers in cities and townes corporate in their selliõs, or other courtes, within the liberties of their commissiõs or authorities shal haue ful power & authority to enquire of the offenders of this act, aswell by the othes of twelue men, as otherwise by information, & therupon to heare & determine the same. And if any person or persons shalbee presented before the said Judges, Justices, or officers within ỳ limits of their authorities, or any information giuen to them of any offender of this acte, that then they shall haue full power and authoritie vpon any such presentment or information, to make proces against the offenders of this acte, like as is commonly vsed vpon indictmẽts of trespas. And if any be prestéd, & afterward be conuicted by confession or otherwise, that then euery such person shal suffer no lesse forfaiture or punishment then herein is before limited: All which forfaitures to be leuied in maner & form following: that is to say, such forfaitures concerning eating of flesh, as are before limited to certaine vses, to bee to the same vses in that behalfe before exprelled, & al such forfaitures as according to ỳ tenor of this act shalbe determinable before ỳ said iudges, Justices, or other officers of the Admiraltie aforesaid, or before Commissioners of oyer and terminer in that behalfe, shal be to the vse of the lord Admirall of England, or Lord Warden of the Fiue ports, where

Flaxe Hempe

Nets

Fyne

Offence on the sea

Fine ports

L. Admirall

Warden of the v. ports

Just. of P. Maior Shirifes Baylifes Sessions

Enquire

Informatiõ Oier & ter.

Procesle

Conuict

Leuie

where such offence shall bee presented, or where as the iurisdiction of the cause shall appertaine. And all such forfaitures, as according to the tenor of this act, shal bee determinable before Maiors, shirifs, bailifes, or other head officers of Cities or townes corporate, shal be to the common vse of the corporation of the saide Citie or towne corporat, where such offences shall bee presented, or whereas the iurisdiction of the cause shall appertaine. And all such forfaitures as according to the tenour of this act, shall bee determinable before the Iustices of the peace, shalbee to the vse of the Quenes Maiestie, her heires & successors. And if any person shal bee conuict by confession or otherwise vpon any information made by any person or persons against any offender or offenders of this acte, in anie cause, saue for the eating of flesh, first before specially limited: That then euery such person so conuict vpon any information, shall lose such forfaiture as is before limited, the one halfe thereof to be to such as shal make the informatiõ, & the other halfe to those, which vpon presentment, without special informatiõ, are before limitted to haue ỳ whole fork. And that for the leuying of euery forfaiture growing by this statute, as well the saide L. Admiral of Englãd, L. Warden of the Cinque ports, their lieutenãts, & Iudges, as the said Iustices, Maiors, shirifes, baylifes, & other head officers within ỳ limits of their commissions, or authorities, haue and shall haue full power and authoritie to make such processe, as they shal thinke good by their discretions.

Maiors Bailifes Shirifes &c

Iust. of P.

Informer

Fork.

L. Admiral L. Warden Iustice Maior Shirifes Baylifes

Execution Discretion

Prouided alwaies, that none information at ỳ suite of any person cõcerning this act, shalbe of any effect to put any persõ to answer or losse of forfaiture, except ỳ said information be commẽced within halfe a yere next after the offence done cõtrary to this act, nor that anie information or presentment for the Quenes Maiestie, her heires or successors, or for the Admirall, wardẽ of the Cinque ports, Maiors, or other officers aforesaide, be of anie effect to put any person to any answere or losse of any forfaiture by vertue of this act, except the saide information or presentment bee within one yere next after the offẽce done and committed contrary to this act.

Informatiõ

Halfe yere

One yere

Prouided, & bee it likewise enacted, that it shalbe lawful to any person or persons, to haue at his or their table vpon euerie Wednesday, being ordered by ỳ estatute to be obserued as fish day, one only vsuall competent dish of flesh, of one kinde, & no moe, so ỳ he, she, or they be also serued to ỳ same table and messe at the same meale, three full competent vsuall dishes of sea fish of sundry kinds, either fresh or salt, & that without fraud or couin, & so shal also order that the same fish bee meete & seasonable, and that it shal be eaten or spent in like maner as vpon Fridaies and Saturdayes in like cases are vsed. And that also such persons as haue, or hereafter shall haue vpon good & iust considerations, anie lawful licence to eate flesh vpon any fish day, except such persõs, as for sicknes shal for the time be licenced by the bishop of ỳ dioceese, or their curats, or shal be licenced by reason of age, or other impediment allowed heretofore by the Ecclesiasticall lawes of this realm, shalbe bound by force of this statute to haue for euerie one dish of flesh serued to be eatẽ at their table, one vsuall dish of sea fish, fresh or salt, to bee likewise serued at the same table, & to bee eaten or spent without fraude or couin as the like kinde is, or shalbee vsually eaten or spẽt on Saturdaies. And that these two articles & clauses next aboue, shalbe takẽ and interpreted from time to time in the fauor of expences of sea fish & that the offender or offenders herein, shall bee punished in like manner as is ordered by this estatut, for punishmẽt of such as shal eate flesh vpon Fridaies, Saturdaies, or other fish daies. And because no maner of person shal misiudge of the intent of this statut, limiting orders to eate fish, & to forbeare eating of flesh, but ỳ the same is purposely intended and ment politikely, for the increase of fishermen and mariners, & repairing of port townes and nauigation, & not for anie superstition to be mainteined in choise of meates: Bee it enacted, ỳ whosoeuer shall by preaching, teaching, writing, or open speach, notifie, that anie eating of fish, or forbearing of flesh mentioned in this statute, is of anie necessitie for the sauing of the soule of man, or that it is the seruice of God, otherwise thẽ as other politike lawes are & be, that then such person shal bee punished as spreaders of false newes are or ought to be, (which s. before in newes 1. 2. & 3.) Bee it enacted in the fauour of fishermẽ & mariners, haunting the Seas as fishermen or mariners, that none of them shall hereafter at any time be compelled against his or their will, to serue as any Souldier vpon the lande, or

Dish of flesh

Three dishes of fish

Licence Sickenesse

Age

Flesh Fish

Punish

Breach White Speach

Punish

Fishermen Mariners

Compell

Souldier

Wednesday

vpon

vpon the sea, otherwise then as a mariner, except it shall bee to serue vnder any captaine of some shippe or vessel for landing, to doe some speciall exploit, which mariners haue vsed to doe, or vnder any other person hauing authority to withstand any invasion of enemies, or to subdue anie rebellion within the realme. & also except all such persons as by tenure, lawful custome or couenant, be or shalbe otherwise bound to serue.

Tenure

Prouided alwayes, that this act or any thing therin contained, shall not extend to take away or diminish any libertie, priuiledge, frãchise, forfaiture or amerciamẽt, fines, issues, wreckes of the sea, or any other lawful inheritance or frãcholde, from any person or persons, bodies politique or corporate, their heires or successors, for or touching any lawfull liberty, authoritie, or iurisdiction admirall, or for conseruation of any water, that they or any of them nowe haue lawfully or hereafter shall haue any thing in the same to the contrary notwithstanding.

Libertie Priuiledge Wrecks

Prouided alwaies, that no fisherman, vsing or haunting the sea, shalbe taken by the Quéenes Maiesties commission, to serue her highnes as a mariner on the sea, but that ẏ said cõmission bee first brought by her highnesse taker or takers, to two Iustices of Peace adioyning and inhabiting to the saide sea coasts, townes, or other places, where the saide mariners are so to be taken, to the intent the said Iustices may chuse out, and cause to bee returned such sufficient number of able men, as in the saide Commission shall bee contained to serue her Maiestie as is aforesaide, Sauing alwayes to the Cinque portes, and also to the towne of greate Yarmouth, all such lawfull liberties, as they iustly haue before the making of this acte, touching the frae faire kept at Yarmouth other then in buying of strangers, and taking of tolle, as the same be before prohibited.

Fishermen
Commissiõ
Mariner
2. Iust. of p.
Fiue ports Yarmouth Liberties
Faire Strangers Tolle

Prouided alwaies, that any thing in this act contained, shall not be hurtfull or preiudicial, to any authoritie, stile, preheminence, dignitie, or iurisdiction, belonging to the office of the Lorde warden of the Cinque portes.

L. Warden

Prouided alwaies, that it shall & may bee lawfull, to & for any person or persons being strangers borne, to bring yearely in any Shippe, bottome, or vessell, whereof any straunger or straungers borne, is or shalbe owner or owners, into the hauens, ports, & townes of the Isle of Man, or into any of them, any wines made in any of ẏ dominiõs or Countries belonging to the crowne of Fraunce, & in the same portes & townes, or any of them, to discharge the said wines so to bee brought, so that there bee not brought & discharged by the same strangers, in any such strangers shippes, bottoms, or vessels in any one yeere, in or at the said hauens, ports, & townes, or any of them, aboue an hundred tunnes at the most: this act or any thing therein contained to ẏ cõtrary thereof notwithstãding.

Strangers Strange bottome
An hundred tunnes

Prouided also, that it shall and may bee lawfull to & for any person or persons being strangers borne, to bring yerely in any shippe, vessel, or bottome, whereof any stranger or strangers borne, is or shalbe owner or owners. into the hauen, port, & towne of Chepstow in ẏ county of Monmouth, any wines made in any of the said dominiõs or countreys belonging to the said crowne of France, ouer & besides all Rochel wine, heretofore in this act allowed to be brought, and in the same port and towne to discharge the said wines, so that there be not brought & discharged by the same strangers, in any such straungers, ships, bottoms, or vessels in any one yere, in or at the saide Hauen, port, and towne, aboue an hundred tunnes at the most: This act, or any thing therin contained to the contrary notwithstanding.

Stranger Strange bottome
Chepstow Wines
Fraunce
Discharge
An hundred tunnes

Prouided also, that it shall be lawful to and for any person or persõs being strangers borne, to bring yerely in any shippe, vessell, or bottome, whereof any stranger or strangers borne, is or shall be owner or owners, into the Hauens, portes, and towne of Cardike, Carneruon, Bewmaries, and other Hauens, ports, & townes, in South Wales and North Wales, or any of them, and into the Hauen, port, & towne of Newport in the said County of Monmouth, any of the saide wines made in any of the said dominiõs or Countries belonging to the said crowne of France, ouer and besides all Rochell wines, heretofore in this acte allowed to bee brought, and in and at the same ports and townes, or any of them, to discharge the said wines so to bee brought, so that there bee not brought and discharged by the same strangers in ante such straungers shippes, bottomes, or vessels, in any one yere, in or at the said Hauens, ports and towns, or any of them, aboue an hundred Tunnes at the most

Strangers Strange bottoms
Wales
Fraunce
Discharge
Repealed

moſt. This act or any thing therin conteined to the contrary thereof notwithſtanding. Sauing vnto the Quęens Maieſty, her heires & ſucceſſors, all ſuch duties & things which her highnes, her heires and ſucceſſors, ought to haue, enioy, & bee anſwered & payed for the ſaide three hundred tunnes of wines, mẽtioned in ẏ ſaid three laſt prouiſoes, to be brought & diſcharged, as in ẏ ſame three prouiſoes be mentioned and declared: Any thing in this acte to the contrary therof not withſtanding. Prouided alſo and bee it &c. that this acte or any thing or things therin conteined, ſhal not in any maner of wiſe extend to giue vnto the Lord Admirall of England for ẏ time being, or to any his vice admirals, Judge or Judges of the Admiralty, his or their deputie or deputies, or to any other the officers or miniſters of the Admiralty, or to anie others hauing or clayming any Admirall power, iuriſdiction, or authoritie within this realme & Wales, or any other the Quęenes dominions, any of her power, right, iuriſdiction, preheminence or authoritie then hee or they, or any of them lawfully haue, hath or had, or ought to haue & enioy before ẏ making of this acte, other then for ſuch of ẏ offẽces ſpecified in this act, as hereafter ſhal be done vpon the maine ſea, wtin the iuriſdiction of ẏ Admiralty: this act, or any article, braach, clauſe, prouiſion, or thing therein contained to ẏ contrary thereof notwithſtãding. This act ſhall continue & endure vntil the ende of ten whole yeeres, to be accounted from the feaſt of Saint Michael, which ſhalbee in the yere of our Lord God 1564. & from thence to the end of the next Parliament then following the ende of tenne yeares. Anno 5. Eliz. cap. 5. See here following 16. & 17. certaine alterations and parts of this ſtatute. Anno 27. Eliz. cap. 11. this ſtatute is continued vntil the end of the next Parliament. And therein it is prouided that ſo much of the ſaid ſtatute (viz. 5. Eliz. cap. 5. as concerneth the eating of fiſh, or to reſtraine ẏ eating of fleſh, or prohibiting ẏ ſuffering of any fleſh to be eaten vpõ any Wednesday not being before the making of the ſaide Statute by the lawes of this Realme vſed as a fiſh daye, & euery matter, clauſe, article, and penaltie in the ſaid ſtatute contained, concerning the ſame, ſhall ſo farre forth only as they concerne the ſame, from henceforth bee repealed, ceaſe and be vtterly void, any thing in the ſaid ſtatute contained to the cõtrary notwithſtanding.

An hundred tunnes

L. Admiral

Iudg of the Admiraltie

Fiſh dayes Wednesday

Repealed

And for the better incouragement of fiſhermen to go to the ſeas, and to beſtow their time and trauaile in fiſhing, be it enacted by the authority of this preſent parliament, that from henceforth it ſhall and may be lawfull, to & for euery ẏ Quęenes highnes ſubiects, to vtter and ſell all maner of ſeafiſh, vpon anie fleſh daie in the weeke, other then the Sundaies, in euerie citie, borough, towne corporate, or market towne whatſoeuer, within this realme, anie priuiledge, charter or preſcription to the contrary notwithſtanding. Fiſhermen

And to the intent that the Fridaies, Saturdaies and daies appointed by former lawes to bee fiſhdaies, maie the better bee obſerued for the vtterance and expenſe of fiſh, and for the ſparing of fleſh: Be it enacted, that from the feaſt of Pentecoſt next inſuing, no inholder, tauerner, alehouſe keeper, common vitailer, common cooke, or common table keeper, ſhall vtter or put to ſale, or cauſe to be vttered or put to ſale, vpon anie the ſaide daies, not being Chriſtmas daye, or vpon anie daie in the time of Lent, anie kinde of fleſh vitailes (except it bee to ſuch perſon and perſons reſorting to his or their ſaid houſe or houſes, as haue or ſhall haue lawfull licence to eate the ſame) according to the tenor and true meaning of the ſaid Statute made in the ſaid fift yeere of ẏ raign of the Quęenes highnes that now is, vpon paine of forfaiture of fiue pounde, and ſhal alſo ſuffer tenne daies impriſonment without baile, mainprize, or remouer, for euery time ſo offending: one thirde parte therof to be to the Quęenes Maieſty, her heires and ſucceſſors, one other third part to the Lord or Lordes of the Leete, for the time being, where ſuch offence ſhall bee committed, & the other third part thereof to him or them that will ſue for the ſame, in any her Maieſties courts of record, by action of debt, bill, plaint, or information, in which no eſſoine, protection or wager of law ſhalbe allowed, & the ſaid offence and offences, by vertue of this ſtatute, ſhal be inquired of, heard, and determined, in maner and forme as is expreſſed for the offences conteined in the ſaide ſtatute, made in the ſaide 5. yeere of her Maieſties ſaide raigne: Sauing alwaies vnto the Cinque portes, & to the towne of great Yarmouth al ſuch lawful liberties as they now haue by reaſon of any former act of Parliamẽt or charter touching the frę Faire yearely

Fridayes Saturdaies

Victuales

Licence

Foyl.

Fiue Portes Yarmouth

to

to be holden at the saide towne of greate Yarmouth. Anno 27. Eliz. cap 11.

Anno 29. Eliz. cap 5. So much of the said statute of 5. Eliz. cap. 5. as was then in force and not repealed, was continued to the end of the next Parliament. And Anno 31. Eliz. cap. 10. So much of the saide statute of 5. Eliz. cap. 5. as was then in force, and not repealed, was continued to the end of the next Parliament. And 35 Eliz. cap. 7. the saide statute continued to the ende of the Parliament next ensuing with these provisions here following.

14 ¶ Prouided euer and be it enacted, &c. that so much of the saide statute made for the maintenance of the Nauy, (here 13.) as heretofore at any time was repealed, and all and euery such branch & branches of the said statute as concerne the sowing of Flax or Hempe, (which is before in flax and hempe 1.) or the tenuring of one statute concerning sowing of flaxe or hempe made and prouided in the parliament holden in the xviij. yere of the raigne of king Henry the eight, (here 15.) & euery matter, clause, article, prouision, penaltie, and forfaiture in the saide statute concerning the same, shall so farre forth only as they concerne the same, from henceforth be repealed, cease, and be vtterly voyde. Anie thing in the said statute, or in this present act to the contrary notwithstanding.

Flaxe Hempe

Repealed

Prouided also and be it further enacted, &c. that euery person eating any flesh vpō any fish daies, contrary to the forme of ỹ said statute (before 13.) made for ỹ maintenance of the Nauie, shall forfait onelie xx.s. or else suffer only one moneths close imprisonmēt without baile or mainprise. And euery person or persons within whose house any such offence shal bee done & being prime, or knowing thereof, and not effectually publishing or disclosing ỹ same to some publique officer hauing authority to punish ỹ same, for euery such offece, to forfait onely xiij.s. iiij.d. Any thing in the said statute contained to the cōtrary notwithstanding.

Fleshe Fish dayes

Fork.

Disclosing

Fork.

Prouided also and be it further enacted, &c. that when ỹ price of cornes or graines exceedeth not the rates hereafter following at the times and Hauens, and places where and when the same corne or graine shalbe shipped or loaden, vz. the quarter of wheate at xx.s. the quarter of Rye, pease and beanes at xiij.s. iiij.d. the quarter of Barley or mault, at xij.s. of curr āt English money, That then it shalbe lawfull for all and euery person and persons being subiects of her Maiestie, her heires or successors to load, carry, or transport anie of the saide cornes or graines, in such maner & forme as in the said act made for the maintenance of the Nauy, is limited and appointed. And that the Quenes Maiesty, her heires & successors shal haue & receiue by the Customers & officers of her Ports, for the custome or pondage of euery quarter of Wheate, to be transported by force of this statute, ij.s. and of euery quarter of any other graine, xvi.d. which said seuerall summes so to bee had or taken as custome or pondage, to bee in full satisfaction of all maner of custome or pondage for the said Corne or graine, by any constitution, order, statute, lawe or custome heretofore made, vsed or taken for transporting of any such maner of corne and graine.

Corne Graine

Price

Custome

Prouided alwayes, that this act, or anie thing therein contained, shall not bee preiudiciall or hurtfull to any former letters Patents, or licence graunted by her Maiestie, to any person or persons, bodies politique or corporate for the trāsportation of anie corne or graine, either at anie lesser customes, or subsidies, then is contained in this present act, or without anie custome or subsidy, but that they & euerie of them, their deputies & assignes, shall & may transporte Graine hereafter for the time in their seuerall letters Patents especified, either at such prices and rates, or without Custome or subsidy in such maner and forme, as in the saide letters Patents is contained, according to the forme & effect of the same Letters P. and in such maner and forme, & not otherwise, to all intents and purposes, as if this present act had neuer ben had, or made.

Preiudicial

Letters P.

Prouided alwaies, and be it enacted by the authority of this present Parliament, that the Quenes Maiestie, her heires & successors, may at all times by her & their Writ of proclamation to be published generally in the whole realme, or in any the Counties of the realme, where any Port townes are, command, that no person shall by vertue of this Acte, transport, or carrie any maner of Graine out of her Highnes dominiōs generally, or out of any speciall Ports to bee in the same Proclamation particularly named, for such time as shal be therein limited and appointed.

Proclamation

Restraint

And that it shall not be lawfull for anie person to cary out any such graine, cōtrary to the tenor of the same proclamation, vpon

vpon such paines & forfaitures, as by the lawes and statutes of this realm are and haue been prouided & ordained in that behalfe: This acte or any thing therein contained to the contrary notwithstanding An.35.Eliz.cap.7.

15 ¶ For sundry good causes and considerations in this high Court of Parliament, Bee it &c. that no manner of person or persons, of what estate, degrée, or condition soeuer he or they be, shall after the last day of February next ensuing, bring, deliuer, sende, receiue or take, or procure to be brought, deliuered, sent, or receiued, into any ship or bottome, anie rammes, shéepe, or lambes, or anie manner of other kinde of shéepe, being aliue, to bee caried and conueyed out of this realme of England, Wales or Ireland, or out of any of the Quénes highnesse dominions, vpon the paine that euerie such person or persons their ayders, abbettors, procurers and comforters, shall for his or their first offence or offences so done contrary to the true meaning of this statute, forfait and lose all his goodes for euer, whereof the one moitie shall bee to the Quénes Maiestie, her heires and successors, the other moitie to him or them that will sue for the same in anie court of record, wherein no essoine, protection, nor wager of law for the defendãt shalbe admitted or allowed. And further, euery such offender or offenders, shall suffer imprisonment by ỳ space of one whole yere, without baile or mainprise, and at the peres end shall in some open market towne, in the fulnesse of the market, on the market day, haue his left hand cut off, and that to bee nailed in the openest place of such market. And that euery person or persõs offtsoones offending against this Statute, shall be adiudged a felon, and shall suffer death, as in cases of felonie.

Rammes Sheepe Lambs Transport

Forf.

Moitie

Imprison

Mainprise

Hand cut off

Felonie

Prouided alwaies, that this act shal not extend to any corruptiõ of blood, or be preiudiciall or hurtfull to any woman, clayming dower by or from any such offender or offenders: Any thing in this acte to the contrary not withstanding.

Blood

Dower

And be it further enacted by the authoritie aforesaid, that the Iustices of oier & terminer, Iustices of gaole deliuerie, and Iustices of Peace, in euerie countie and shire within this realme of England and Wales, & other the Quénes Maiesties dominions, shall haue full power and authoritie by vertue of this act, to enquire of euery offender and offenders, contrary to the forme and effect of this acte, & to heare and determine euery offence and offéces, committed, perpetrated, & done, contrarie to the forme and effect of the same, according to the course of the Lawes of this realme. An.8.Eliz. cap.3.

Justice of oier and ter Just of g.d. Just. of P.

Enquire

Oier & ter.

16 ¶ Forasmuch as in the act made in the fift yére of the Quénes Maiesties raigne touching certaine politique constitutions made for the maintenance of the nauie (before 13.) is founde by experience to bee very good, and greatly to haue increased the nauie and Fishermen, and caused many poore men to be set on worke, and is in great likelihood daily to increase the same more & more: Bee it enacted by authority of this present parliament, that so much of the said act, for liberty of transporting of herring & sea fish, by the naturall borne subiects of your Maiestie, your heires or successors, & for frédome frõ paying of anie custome, subsidie, or poundage monete, shalbe reuiued & shal from hencefoorth continue for the space of fiue yéres from the end of this session of Parliamẽt, & from thencefoorth to the ende of the next Parliament, after the saide fiue yéres to be summoned, and from thencefoorth during your Maiesties most gracious pleasure, so that such trãsporting be in vessels with crosse sailes.

Transport herring Sea fish No custome

Cros sailes

And where also in the said acte, made in the said fift yere, amongst other things, al maner of persons are generally forbidden to bring into this realm any cods or lings in barrels or other caskes, vpon paine of forfaiture of all the codes & lings so to be brought in, or the value thereof, contrary to the tenor of that act.

Codes Lings

Forasmuch as by that braunch of the said statute, it was wel intended & meant to méete with the fraude of strangers and other with brought into this Realme great quantitie of codes and lings deceitfully packed in barrels, and not meant to hinder anie the Quénes Maiesties subiects, vsing vprightnesse and trueth in the barrelling of such fish: Maie it therefore please your Maiestie, that it bee further enacted by the authoritie aforesaide, that after the feast of Easter, which shall bee in the yére of our Lord God 1575 it shalbee lawefull from thencefoorth to all your Maiesties louing subiects, borne within this realm, or within any other your Maiesties dominiõs (vsing no fraud or deceit in packing or barrelling thereof) for the

terme

Bring

Cods
Lings

terme of fiue yeres next ensuing, to bring into this realme, or any other your highnes dominions, all such cods and lings as they shall happen to take vpon the sea, by their owne fishing in vessels with crosse sailes, without incurring any forfaiture or penalty therefore: any thing in the said acte contained to the contrarie notwithstanding.

Carring of nets

And for the auoyding of the leude outrages committed and done vpon the sea coasts of Norfolke and Suffolke by the catches, mongers, & picards, pretending to buy fresh herrings, and which do cut in sunder diuers pieces of fishermens netts, trauelling the high seas, to take fresh herrings, to the vtter vndoing of the saide poore fishermen: Bee it therefore enacted, ordained, & established by the authority of this present Parliament, that no person or persons, vsing any ship, boat or vessell, called catch, monger or picard, or other vessel of like vse, shall in the time of common fishing vpon the sea coasts of Norff. and Suffolk, betweén the fourtenth day of September, and the fourtenth daye of Nouember, from sunne setting to sunne rising, anker vpon the maine sea, or in the commō streame or trade of fishing where the fishermen vse to driue, vpon paine to forfait their catch, monger, picard or vessel, with the tackle, & al the fish in ẏ same, or the value thereof. the one halfe to your Maiesty, your heires and successors, the other halfe to the bailifs, burgesses & comminalty of the town of great Yarmouth, to bee imployed to the recompensing his damage to the party whose nets shal so be cut, and to the building & repayring of the decayed hauen there, and to bee taken by way of seisure, or otherwise to be recouered by bill, action, or information, in anie of your Maiesties courts of Record, anie statute, law, or vsage to the contrary notwithstanding.

Catch
Monger
Picard
Norfolke
Suffolke

Cast anker

Forf.

Yarmouth

Hauen
Seise
Bill

And where your subiects, vsing the trade of fishing for herring, haue of many yeres and time out of minde, vsed to packe their herring in caske of barrels, containing about two & thirty gallons of vsuall wine measure, and with such assise hath béne vsually gaged & allowed at your honourable citie of London, and do conteine the said measure of two & thirtie gallons, according to such vsual brasse measure, as is out of your honorable court of exchequer deliuered to your said honourable Citie of London, which measure yet hath lately bin quarrelled at by certaine Informers, for that the same containe not two and thirty gallons by the old measure of standerd, which they neuer did, though peraduenture the extremitie of olde statutes in words, by some mens cōstructions might be stretched to require so much: And for that the vsual barrels now be as great as euer within the time of any memory they haue bēn knowen to bee, & the alteration thereof would be a great decay, & perill of vndoing to the saide Fishermen: It may also please your most excellent Maiestie, that it bee also enacted & declared, that the said assise of two & thirty gallons of wine measure, which is about eight & twentie gallons by olde standerd, wel packed, and cōtayning in euery barrel vsually a thousand full herrings at the least, is and shall be taken for good, true, and lawfull assise of herring barrels, through the whole libertie of the said Towne of great Yarmouth, and elswhere: Any ancient or former Law or statute to the contrary notwithstanding.

Gage
London

Herring

Two and thirty gallo

I. thousand herring

Yarmouth

Be it further enacted, that no fish hereafter to be takē or brought into this realm by any stranger, nor any fish cōmonly called Scottish fish, or Flemmish fish, shalbe dried within England to bee solde, vpon pain of forfaiture of al such fish to be dried contrary to the meaning of this act, or the value thereof, which forfaiture shalbee to such person dwelling at any town where is any Port, Pēere, or hauen, as wil seise the same fish, or will sue for ẏ same value in any court of Record, to be employed to the reparation and maintenance of such Port, Pēere, or hauen, as is next to the place where the offence shal bee committed. Anno 13. Eliz. cap. 11.

Fish
Scottish fish
Flemmish fish
Dzie
Forf.

Repaire
Port
Hauen

*

17 ¶ Because the clause in the statute of An. 5. El. cap. 5. (before 13.) licencing English boyes & plats to crosse the seas, contrary to the statute of Anno 1. Eliz. ca. 14. (before 12.) tendeth greatly to the decay of Mariners and Ships, by the marueylous increase of boyes: Bee it enacted, that from ẏ feast of S. Michael the Archangel next comming, the saide clause contained in the saide estatute made in the said fift yeere of your raigne for the crossing of the seas by boyes and plattes, shall be vtterly repealed and made void and of none effect. And that from the said feast of S. Michaell tharchangel next, the saide statute made in ẏ first yere of your raign (before 12.) prohibiting the crossing of

Boyes
Plattes
Repeale

of the seas by boyes and plattes, be obserued and kept the said statute made in the fift yere of your Maiesties raigne, to the contrary hereof notwithstanding: This act to continue vntill the ende of the next parliament An. 13. Eliz. cap. 15.

18 ¶ Where the Merchants & Fishmongers of diuers places of this realme, haue for their priuy gaines, gone & sente into other countries & forreine realmes, and there ingrossed into their handes great numbers and quātitie of fish taken by aliens and strangers, being in goodnes far inferiour to the fish taken by Englishmē in the Iland voyages: And for the buying of the same fish, haue conueied & carried great masses of money forth of this realm, and haue victualled and furnished this realme with forraine fish & herring, the subiects whereof haue been accustomed in times past to serue the same with fish & herrings gotten in their owne trauell, and diuers other forreine Regions & countries: by reason of which vnnatural dealings of the said merchants and Fishmongers, and vsuall eating of flesh on the accustomed and vsuall fish daies, there be of late decayed not only the number of 2. hundred saile and more, of good & seruiceable ships, which yerely traded to Iland for taking of fish in this Realme vsuallie solde, but also a great number of marriners and seamen, fit for the seruice of her Maiestie and her said Realme, for the defence thereof in time of warres.

For redresse whereof, Be it enacted by the Queenes Maiestie our soueraign Ladie, the lords Spiritual & Temporal, and the Commons in this present parliament assembled, and the authority of the same, that it shall not be lawfull to anie native Englishman, woman, or denizen, at any time after the ende of this session of this parliamēt, directly or indirectly by themselues, their seruants, factors, agents, deputies, or friends, or any of them whatsoeuer, to go or send into anie other forreine countrey, realme or Dominion whatsoeuer, for the buying, prouiding or bringing into this Realme, out or from anie the saide forreine realmes or Dominions out of the Quēns obeisance, of anie salted fish, or salted herrings, nor shall make any agrēment with anie alien or strāger, or any other for such bringing into this realme, by any alien or stranger, of anie salted fish or salted herrings. And that no salted fish nor salted herrings shall bee brought hither out of the saide forreine realmes and dominions, but by the mere owners thereof, or deputies of them, being aliens and strāgers, without the procurement of anie subiect of the Quēnes Maiestie, her heires or successors, or of anie denizen, and by none other person or persons, vpon paine that such English person or denizen, offending against this act, shall forfaite the same salted herrings and salted fish, or the value therof, the one moitie whereof shall be to the Quēnes Maiestie, her heires and successors, and the other moitie to him or them that shall first seise the same fish or herrings, or first sue for the value therof, by action of debt, bill, plaint, or information, wherein no essoine, protection, or wager of lawe shall be allowed.

Englishmē Denizen

Send Forreine countrey Bying

Salt fish Herringes Agreement Alien

Forf.

Moitie

And be it further enacted by the authoritie aforesaid, that it shall be lawfull for all & euerie her Maiesties subiects, being owners of any ships, barks or vessels, to receiue & take into their said ships, barks and vessels sailing with crosse sailes, anie herrings or other fish, which anie alien or stranger shall buy and prouide, of any her Maiesties subiects within this Realme. And the said herrings and fish, or any of them, may transport into any partes beyond the seas, in their said ships or vessels with crosse sailes, so as the said aliens and strangers paye to her Maiestie her customes and dueties for the same.

Subiectes may take fish bought of subiects

Transporte

Custome

And be it further enacted, that al aliens and strangers shall from hence forth, and from time to time, pay to her Maiestie for al salted fish, and salted herrings, to bee brought into this realme, all such like customes and impositions, as are or shall be imposed and set vpon anie her Maiesties subiects in those forreine regions & countries, ports and towns, from whence the said salted fish and salted herrings shal be shipped and brought for the like fishes & herrings, ouer and besides the ordinarie customes which haue been paied to her Maiestie for the same.

Strangers

Custome

Prouided alwaies, & be it enacted by the authority aforesaide, that if any person or persons shal do, suffer, cause, or procure any fraudulent, deceitful, or colourable act whatsoeuer, wherby any part of this acte before mentioned, shal or may be colourably, fraudulētly, or deceitfully auoided or frustrated, contrarie to the intent therof, that then euery person so offending, shall forfait & lose for euery such his offence, the

Deceit

Forf.

ſumme of two hundred poundes, the one moitie whereof ſhall be to our ſoueraigne Ladie, her heires and ſucceſſors, and the other moitie to him or them that will ſue for the ſame in any court of record, by bil, plaint or information, wherein no eſſoine, protectiõ, or wager of law ſhalbe allowed. And that if anie alien or ſtraunger ſhal wilfully conceale any acte or thing whatſoeuer, to bee done to the deceiuing, colouring or defrauding of any branch or article of this eſtatute before mentioned, that then euerie ſuch alien and ſtranger ſhal forfait & loſe for ſuch offence to the M. Maieſtie ſuch ſhip and veſſel, and all that therunto appertaineth, to be ſeiſed to her Maieſties vſe by any her Maieſties ſubiects. And moreouer, that if anie alien or ſtranger borne, ſhal bring into any haue, port, creeke or towne of this realme, any ſalt fiſh, or ſalt herrings, which ſhall not be good, ſweete, ſeaſonable, and meete for mens meate, and ſhal offer the ſame to be ſolde, and ſhalbe warned by any officer of ſuch porte, hauen, or towne (where the ſame ſhall be offered to be ſolde) that the ſame be not ſeaſonable nor meet for mens meat, that then if hee or they with their ſaid fiſh, ſhall after that, offer anie of the ſaid vnſeaſonable fiſh to bee ſolde to any perſon within this realme, or ſhall not depart with the ſame from the ſaid haue, port, or towne, ſo ſone as conueniencie will ſerue, that then all and euerie perſon owners therof, ſhal loſe and forfait to our ſaid ſoueraigne Ladie, all the ſaid vnſeaſonable fiſh vnmeete for mans meate, as before is ſaid.

Alien Conceale

Forf.

Alien

Fiſh not good

Forf.

Prouiſo

Prouided alway, that this acte or any thing therein cõtained, ſhal not extend or be preiudicial to anie prouiding or bringing of fiſh in or out of the coũtry of Iſlãd, Scotland, or Newe found land, or anie ẏ parts or ſeas thereunto adioining, or on the Scottiſh ſeas, nor to any fiſh that ſhal be killed, taken & ſalted by the Queenes naturall ſubiects, any thing in this acte to the contrarie notwithſtanding.

Iſland

Prouiſo

Staple fiſh Lings.

Prouided alſo, that it ſhalbe lawful for all the Quéenes ſubiects nowe vſing the trade of bringing in of Staple fiſh and Lings from beyond the ſeas, to bring in Engliſh bottomes into this Realme for the better ſupplie of preſent furniſhing of this realme with vitaile, al maner of ſtaple fiſh and Lings, being good and wholeſome for mans bodie, during the ſpace of three yeres next following the end of this

Three yeres

ſeſſion of Parliament, any thing in this act to the contrarie notwithſtanding.

And be it likewiſe enacted, that al ordinances of the Fiſhmongers of London, or of any other companie or corporation whatſoeuer, made or to bee made, for reſtraint of anie perſon to take or ſel fiſh, or to buy or prouide anie fiſh of any merchãt or other within this realme, ſhall bee repealed and void. And that euery perſon or body corporate, that ſhal make or execute anie ſuch ordinance or reſtraint, ſhall for euerie ſuch offence forfait one C. pounds, the one moitie therof to the Quéens Maieſtie her heires and ſucceſſors, and the other moitie to the partie grieued, that wil ſue for the ſame, by action of debt in anie court of record, wherin no eſſoine, protection, or wager of lawe for the defendant, ſhalbe admitted or allowed. An. 23. Eliz. cap. 7.

Ordinances London

Repealed

Forf.

Moitie

19 That it may be lawfull for anie of your Maieſties ſubiects of this realme, for ſeruing of the North partes, to bring into this realme from the partes beyond the Seas, in Engliſh ſhips or craiers being ſailed by Engliſh mariners wõ croſſe ſailes, herrings, Staple fiſh & Ling fiſh, paying your Maieſtie cuſtome or ſubſidy for the ſame herrings, and Staple fiſh, & Ling fiſh to the citie of Yorke, the townes of Boſton, Grimeſbie, Kingſtone vpon Hull, Newe caſtell, Scarborough, or to any towne or creeke in the North partes, ſo as none of the ſaid fiſh be ſhipped from anie thoſe North parts into anie place of England South or Southweſt frõ Boſton, anie act, ſtatute or prouiſo in anie act heretofore made to the contrarie notwithſtanding.

Engliſh ſhips

Cuſtome

Prouided alwaies, that this act nor any thing herein contained ſhal continue & be in force for anie longer time then for fiue yeres now next following, & ſo frõthenceforth vnto the end of the next parliament from thence then next following.

Prouided alwaies, that this ſtatute nor any thing therin contained, ſhalbe preiudicial or in any maner of wiſe hurtful vnto the towne of Barwike vpon Tweede, nor to ẏ Burgeſſes of the ſame town, nor to any of them, nor to their heires or ſucceſſors, but that they may lawfully vſe, haue, enioy and occupie all and ſinguler ſuch franchiſes, liberties, vſages and cuſtomes as at any time heretofore they haue or might haue done, in ſuch manner and forme as if this ſtatute had neuer bin

Barwike

had

had or made, any thing in the ſame Statute contained to the contrarie notwithſtanding. An. 27. Eliz. cap. 15.

¶Sherburne cauſey.

IN 1. M. in the firſt Parliament was made an act (not thē printed) for the repairing of Sherburne cauſey, betweene Shaftſbury & Sherburne, which act was to endure vnto the end of the next parliament. Which act was in 1. M. 2. Parl. cap. 5. made to endure vnto tenne yeres after the end of the Parliament.

¶Shirifes.

VVEe haue alſo ordained by the advice of our Counſell, that from henceforth ſhirifes ſhall not be charged of any iſſues to be leuied, nor ſhal leuie anie before they paſſe out of the Eſchequer, there to be deliuered by the extracts of the Juſtices. And that in the eſtreats of Juſtices, euery head ſhall be charged for iſſues forfaited like as of amerciaments, and if peraduenture any ſhirife will anſwere for the iſſues of any recogniſor, pledge or mainpernor by him aſſigned & returned into our court, which at ẏ time of the returne is not able to pay ſuch iſſues or amerciaments, the ſhirife ſhall be charged, and ſhal anſwere therfore in our Eſchequer. And let the ſhirifs beware vnder paine of great forfaiture, that from henceforth they do make tailes of al ſuch money, as they or their officers haue receiued by our commandement. And that they do not returne anie where, ẏ names of any mainpernours, or ſureties, iurors, or anie other, except ſuch ſureties, mainparnors or other according to the tenour of our writs being directed to the ſhirifes for the ſame cauſe, be lawfully and manifeſtly impanelled thereupon: And they ſhal not returne the names of any freēmē as pledges, without that they will plainly conſent & agræ to the ſame. And hereupon we haue enacted ẏ at one time certain euery yere, one baron & one clerke of our ſaid Eſchequer ſhalbe ſent throughout euerie Shire of England, to enroll the names of all ſuch as haue paid that yeere debts eracted of them by a greene ware. And the ſame baron & clerke ſhall viewe all ſuch tailes and enroll them. And ſhall heare and determine complaintes made againſt Shirifes and their Clerkes, and Bailifes that haue done contrarie to the premiſſes, and the offenders ſhalbe grieuouſly puniſhed.

Shirifes Iſſues

Eſchequer Extracts

Iſſues

Tailes

Returne

Impanel

Barons Clerke

Enroll

Greēn ware

Oier & ter.

Foraſmuch as ſhirifes and other heretofore, haue let out by pleuin common felons and openly defamed, being take and impriſoned for murder and felonie, and ſuch as be not repleuiſable, contrarie to ẏ forme of our ſtatute made at Weſtminſter, of perſons repleuiſable, & not repleuiſable, whereby ſuch tranſgreſſors not repleuiſable bee let out, and for to deliuer them deceitfully before the comming of the Juſtices errant, or other aſſigned for their deliuerance, they procure by themſelues and by their friends Iurors of the countrey, and ſome they threat, whereby aſwell for feare of the ſhirife, and other ẏ let them at large by the pleuine, as for feare of the thrues being ſo deliuered before the Juſtices aſſigned for gaole deliueries, ſuch felonies and murders are cōcealed, and ſo being concealed, remaine ſtill vnpuniſhed: Wee for the vtilitie of our realme, and for the more aſſured conſeruation of our peace, haue prouided and ordained, that Juſtices aſſigned to take aſſiſes in all ſhires where they take aſſiſes, as it is ordained, incontinēt after the aſſiſes taken in the ſhires, ſhall remaine both together if they be lay. And if one of them be a clerke, then one of the moſt diſcreete knights of the ſhire being aſſociate to him that is a lay man, by our writ ſhal deliuer the gaoles of the Shires, aſwell within the liberties as without, all maner of priſons, after the forme of the gaole deliueries of thoſe ſhires before times vſed. And the ſame Juſtices ſhall inquire then, if ſhirifes or anie other haue let out by pleuin priſoners not pleuiable, or haue offended in anie other thing contrarie to the forme of the foreſaide ſtatute, lately made at Weſtminſter, and they ſhall reforme and puniſh them in al things according to the forme of the ſtatute aforeſaid. Stat. de finibus leuatis. Anno 27. E. 1.

Plenin Felons

Iurors

Juſt. of aſſ.

Knights

Gaole deliuerie Enquire

Puniſh

2 ¶ Sherifes from henceforth ſhal be aſſigned by the Chauncelor, Treaſorer, Barons of the Eſchequer, and by the Juſtices. And in the abſence of the Chancelor, by the Treaſorer, Barons and Juſtices. And that none ſhall be ſhirife, except hee haue ſufficient lande within the ſame ſhire, where he ſhall bee ſhirife, for to anſwere the K. & his people. And that none that is ſteward or bailife to a great Lord, ſhalbe made ſhirife, except he be out of ſeruice,

Shirifes Chancelor Treaſorer Barons Juſtices

Land

Steward Bailifes

uice, so that he may attend to the office of a shirife, for the king and his people. And in like maner it is agréed and eſtabliſhed that hũdreds, whether they belong to the king, or to other, ſhalbe kept by conuenient and able perſons that haue ſufficient lands within the ſame hundred or ſhire where the hundred is, and that the Chãcelor, Treaſorer, Barons and Juſtices, ſhal doe aſſigne in maner aforeſaid, without hauing anie other regard: and if any ſhirifes of hũdreds be vnſufficient at this time, they ſhall be remoued, & other more conuenient put in their roomes. And that ſuch hundreds bee leaſſed to ſuch perſons as are ſufficient, ſo that they néde not to vſe extortion vpon the people by reaſon of two outragious ferme. And that no ſhirife nor hundreder ſhall leaſe his land to any other in ferme otherwiſe, and that the execution of writtes that come to the ſhirifes, ſhall be done by the hundreders ſworne and knowen in the ſhire, and not by other, if it be not the open default and diſturbance of the hundreders, and thẽ executiõ ſhalbe done by other perſons more conuenient, being ſworne, ſo that the people may know to whom to ſue ſuch executions, ſauing alwaies the returnes of the writtes to them that haue them, or ought to haue them. Anno 9. Ed. 2. ſtatute of ſhirifes.

Hundreds
Lands
Remoue
Leaſe
Execute writtes
Returne

3 ¶ The king hath granted vnto his people, that they ſhal haue electiõ of their ſhirife in euery ſhire where the ſhriualtie is not of the fée (if they liſt) Articuli ſuper cartas capitulo 8.

Election

4 ¶ Foraſmuch as the K. hath granted the election of ſhirifes to the commons of the ſhire, the king will that they ſhall chuſe ſuch ſhirifes, that ſhall not charge them, and that they ſhall not put any officer in authoritie for rewardes or bribes. And that they ſhal not lodge too oft in one place, nor with poore perſons, or men of religion Articuli ſuper cartas 13.

Lodge
Religious

5 ¶ Of the ſhirifes & other miniſters, which gather the debts of the king, and make tailes and other acquittãces to the debtors, yet doe not acquite them in the Eſchequer, and of the ſame are impleaded in the Eſchequer, and by fauour are put to little iſſues, which they wil rather leſe thẽ come to anſwere, and ſo are the plaintifes alwaies charged to their great dammage and oppreſſion: It is ordained and eſtabliſhed that the Shirifes and other Miniſters when they are impleaded in the Eſchequer, are ſo farre gone in plea, that the great diſtres is returned againſt him, and he commeth not to anſwere, then ſhall goe forth an other writ of diſtreſſe, returneable at a certaine date, in which writ ſhall be commanded that proclamation be made in the full countie, that the defendant come at ſuch a day, and acquite the debte of the ſumme for the which hee made the Taile or acquitance, at which day if the defendant come not, & the writ be returned and Proclamation certified, he ſhall bee holden for conuict, & the debt taken of him alſo, as debt recouered in the kings court, and dammages awarded to the plaintife according to the diſcretion of the barons. And this eſtatute ſhall extend aſwell to thoſe which were Shirifes and other miniſters that let to leaſe their bailiwikes, as to ſhirifes and other miniſters which holde their bailiwikes themſelues.

Great diſtreſſe
Proclamation
Debt
Dammages

And it is not ẏ intent of our ſoueraigne Lord the King, nor of his counſell, nor by this eſtatute no man ſhalbe forbidde, but that they may complaine of ſhirifes and other miniſters when they ſhalbe found in the Eſchequer, and that they ſhal anſwere there as hath bin reaſonably vſed before this time, Statut. de attinctis.

6 ¶ Becauſe the peace cannot be well kept without good miniſters, as ſhirifes, bailifes, & hundreders which ought to doe executiõ as well of the kings priuities, as of other thinges touching our ſoueraigne Lord the king and his people: It is ordained and eſtabliſhed that the ſtatute made in the time of king Edward father to the king that now is, at Lincolne, cõtaining that Shirifes, hundreders and Bailifes, ſhalbe of ſuch people as haue lands in the ſame ſhires, or Bailiwikes: ſhall be obſerued in al points after the forme therof. And that Shirifes and Bailifes of fee, ſhal cauſe their Counties and bailiwikes to be kept by ſuch as haue lands therein. Anno 2. E. 3. cap. 4.

Lands Counties Bailiwikes

7 ¶ Where as all the Counties in Englande were in olde time aſſeſſed to a certaine farme, and then were al the hundreds and Wapentakes in the Shirifes handes rated to this Farme: And afterward were appruers ſent into diuers Counties, which did increaſe the farmes of ſome Hundreds and Wapentakes: And after that, the Kinges at diuers times haue graunted to manie men part of the ſame Hundreds and Wapentakes

Farme

for

for their old farmes onely. And nowe of late the shirifes be wholly charged of the increase which amounteth to a great sum, to the great hurt of the people, and diſherison of the shirifes, and their heirs: It is ordained, that the hundreds and wapentakes let to farme by the K. that now is, be it for terme of life or otherwise, which were somtime annexed to the farmes of the counties where the shirifes bee charged: shal be reioined againe to the counties. And that the shirifes and their heirs haue allowance for the time that is past. And that from henceforth such hundreds and wapentakes shal not be giuen nor seuered from the counties. An. 2. E. 3. ca. 12.

Hundreds Wapetakes

8 ¶ No shirife, bailife of hundred, wapentake, nor of franchiſe, no vnder Eſchetors shalbe from henceforth, except he haue lands sufficient in the places where they be miniſters, wherof to answere the king and his people, in case that any man complaine against them, as it was ordained another time at the kings parliament holden at Lincolne, in the time of the kings father that nowe is, that is to say, the ninth yere of his raigne. Anno. 4. Ed. 3. cap. 9.

Bailifes

Eſchetors Lands.

9 ¶ Forasmuch as shirifes & gaolers would not heretofore receiue theeues, and persons appealed, endicted, or found with the maner, taken & attached by the Conſtables & townships without great fines and ranſomes, whereby they are become vnwilling to take felons. And so felons be the more incouraged to offend: Bee it &c. that the shirifes & gaolers, shal receiue and freely keepe in priſon from henceforth such theeues & felons by the deliuerie of ỹ Conſtables & townships without taking any thing for their receipt. And that the Juſtices assigned to deliuer the sayle, shal haue power to heare their complaints, ỹ wil complaine vpon the shirifes and iaylers in such case, moreouer to punish the shirifs and gaolers if they be found guiltie. Anno 4. E. 3. cap. 10.

Gaolers

Conſtables

Extortion

Juſtices

Punish

10 ¶ Shirifes shall from henceforth let their hundreds & wapentakes for the olde farme, and not aboue. And that the Juſtices assigned shall haue power to enquire of the said shirifes, & to punish them that shall be found offending this ſtatute. Anno 4. E. 3. cap. 15.

Hundreds Wapetakes Farme Enquire Juſtices Punish

11 ¶ No shirife, vnder Eſchetour, bailife of franchiſes, wapentakes, hundreds, nor tithings, shal from henceforth be, except he haue lands sufficient in the same countie, wherof to answere to the king & his people, if any man wil complain. An. 5. E. 3. cap. 4.

Eſcheatour Bailife Lands

12 ¶ No shirife shal tarie in his bailiwike ouer a yeere, and then another conuenient to be ordained in his place, that hath land sufficient in his Bailiwike, by the Chancelor, Treasorer, and chiefe Baron of the Eſchequer, taking to them the chiefe Juſtices of the one bench and of the other if they be present. And that shall be done yerely in the morrow of all soules, at the Eſchequer. Anno 14. Edwardi tertij capitulo 7.

Lands Chancelor Treasorer Eſchequer

13 ¶ From henceforth all the wapentakes & hundreds, which be seuered from the Counties, shalbe reioined to the same Counties, as before this time hath beene eſtabliſhed by another ſtatute. And that the shirifes hold the same in their owne handes, and put in such bailifes and hunderders, hauing landes within the Bailiwickes and hundreds, for whom they wil answere. And if they will let anie hundreds, Bayliwikes, or Wapentakes to farme, they shall let the same at the ancient farme without any thing increasing. And that the king & his people bee serued by such bailifes and hunderders, and their vnder bailifes, in auoiding for euer the outriders & other, which in diuers counties before this time haue notoriously deſtroied the people. And that no Bailife errant be put in the Counties where Bailifes errants haue been in times past, in the time of the Kinges grandfather that now is. And that there be no more but one bailife errant in one Countie. And it is assented, that al other of what eſtate or condition they be, which haue been Bailifes or hunderders in fee, if they the same will holde in their owne hands, then they shal put in such Bailifes, for whome they will answere. And if they will let the same to farme to other, then they shall let the same at the ancient farme without any thing increasing, as before is said, and the Juſtices of the one Bench and the other, the Barons of the Eſchequer, & the Juſtices assigned shall haue power to enquire of all those, that come against this ordinance at all times that they come into the Countrey, and to doe such punishment as to them shall seeme conuenient to be done according to the lawe and reason. And if the Shirifes or their Farmers be found in default in anie poynt against this ordinance, and thereof bee attainted,

Wapetakes Hundreds

Bailifes Lands

Farme

Outriders

Bailife errant

Aincient Farme Juſtices Barons

Enquire

Punish

Attaint
Hundreds
Wapentakes
Kings hãds
Imprison
Fine

tainted, the hundreds and wapentakes, where such defaults shall be found, shall be taken into the kings hands, and let to other by the Justices, and to commaund them to prison, there to remaine till they haue made fine and ransome to the King according to the quantity of the trespasse. And neuertheles they shal answere to the king of the whole farme. And that the Lords, which holde hundreds or wapentakes in fee, shal set such bailifes, which be sufficient to answere the king & his people. And if their Bailifes do against this ordinance, they shal be called to answere. And if they bee attainted, they shall haue such punishment as the law of the lande requireth in such case, and they shall bee out of their bailiwikes for euer, and other sufficient put in their places by the same Lords. An. 14. Ed. 3. cap. 9.

Lordes
Bailifes

Oneyeere

14 ¶ The Shirifes of the Counties shall be remoued euerie yeere out of their office, so that no shirife, that hath bẽn in his office by a yeere, shall abide in the same office the yere next following. And that no commission be made to him therof, or renued for the same yere following. An. 28. Ed. 3. cap. 7.

Cõmission

Inquests
Endict

15 ¶ Because that the people of the Realme haue suffered many euilles and mischiefes, of thatthat Shirifes of diuers counties, by vertue of Commissions and generall Writs granted to them at their own sute, for their singuler profit to gain of the people, haue made and taken diuers inquests to doe indict the people at their will, and haue taken fine and raunsome of them to their owne vse, and haue deliuered them without that that such persons endicted were brought before the kings Justices to haue their deliuerance. It is accorded and established for to eschewall such euils and mischiefes, that all such commissions and Writs before this time made shall be vtterlie repealed, and that from henceforth no such commissions nor Writs shall be granted. Anno 28. Ed. 3. cap. 9.

Cõmissions
Repealed
Writs

Shirife
Vndershirife
Shirifes
clerke

16 ¶ That no Shirife, vndershirife, nor Shirifes clerke abide in his office aboue one yere, as it is ordained of shirifes by the same statute. Anno 42. E. 3. cap. 9.

Oneyeere
2. yeres

17 ¶ That none that hath bẽn shirife of any countie by an whole yeere, shall be within two yeres next ensuing chosen againe, or put in the same office of shirife, if there be other sufficient in the same countie of possessions and goods to aunswere to the king and his people. Anno 1. R. 2. cap. 11.

18 ¶ Where as the said commons by their petition haue shewed in the same parliament, how the shirifes of Counties within this realme, bee charged with the ancient farme of ỳ same Counties, wheras a great parcell of the profites of the same bee giuen diuerslie to Lords & other the Kings liege people, so that the same shirifes cannot pay their farme without doing extortion in the saide counties, in great oppression and hinderance aswell of the said shirifes, as of the inhabitants of the said Counties: Our soueraigne Lord the king, considering the mischiefs aforesaid, by the aduise and assent of the Lords and Commons aforesaide, hath ordained and established, that from henceforth the Shirifes of the counties of Esser, & Hert. in especial, and the shirifes of other counties aforesaid for the time being, shall accompt at the Eschequer, and haue allowance by their othe of the issues of the said Counties, as well after the date of their patents made to them by the said late K. Richard, as for all times to come.

Shirifes
Esser
Hertforde
Accompt
Othe

Extortion

And if any shirife from henceforth doe anie extortion to the people, and be therof attainted, he shall be duely punished for the same extortion at the kings will. An. 1. H. 4 cap. 11.

19 ¶ Euerie shirife shall abide in proper person within his bailiwike, for the time that he shall be such officer, and that he shal not let the said bailiwike to ferme to any man, for the time that he occupieth such office, and that the saide Shirife bee sworne from time to time, to do the same in especiall, amongst other articles compriſed in the othe of the Shirife. Anno 4. H. 4. cap. 5.

Resiant
Farme
Sworne

Bailife
3. yeeres

20 ¶ They that be baſlikes of shirifes by one yeere, shall be in no such office by three yeres next following, except bailifs of shirifes, which doe inherite in their office. And that no vndershirife, Shirifes clerke, receiuer, nor Shirifes Bailife be atturney in any of the kings Courts, during the time that hee is in office with anie such shirife. Anno 1. H. 5. cap. 4.

Vndershirife
Clerke
Receiuer
Bailife
Atturney

Accompts
Othe
Estreats

21 ¶ All the shirifes of England shal haue allowance vpon their accounts by their oths of things casual, as of estreats that soune not, nor runne not in farme, nor in demand. But all such things that soune or runne in yerely farmes or yeerelie demaundes, they shall bee charged against

againſt the king, as the ſhirifes haue been charged in this caſe in times paſt. An. 4. H. 5. cap. 2.

22 ¶ Anno 9. H. 5. cap. 5. an acte was made that the king might make ſhirifes and Eſchetors at his will, vntill the ende of foure yeeres, notwithſtanding the ſtatute. Anno. 14. E. 3. cap.

23 ¶ Anno 9. H. 6. cap. 7. an acte was made to indure for three yeres againſt the ſhirife of Hertford for taking of inqueſts and indictments of matters not determinable before him. And after An. 11. H. 6. cap. 7. This acte was made to indure for three yeres from this parliament.

24 ¶ The ſtatutes before recited (See Anno 14. E. 3 cap. 7. & An 42. Ed. 3. cap. 9. & Anno 1. R. 2. cap. 11. which is before 12. 16. & 17.) and euerie of them, ſhall be duelie obſerued in euerie countie of England, The vnderſhirifes and al other officers within the Citie of London, which now be or ſhall be, at all times excepted. And ſuch counties al only except in which diuers of the kings liege people bee inheritable to the office of a Shirife at this day, and alſo ſuch perſons which haue eſtate of freehold in the office of Shirife at this day, and except the letters patents made to them of the office of Shirife and their vnderſhirife and Clerkes. And if anie Shirife or vnderſhirife, or ſhirifes clerke occupie the office of ſhirife, vnderſhirife or ſhirifes clerke, contrarie to any of the ſtatutes before recited, or againſt ẏ effect or intent of anie of them, (except before excepted) that then he which doth ſo occupie, ſhal forfait the ſum of two hundred pounds yeerely as long as he occupieth contrarie to the effect of the ſaid ſtatutes. And that euerie pardon hereafter to be made for ſuch offence or occupation of forfait of ſummes before recited, ſhalbe voide and not auaileable. And all patents made or to be made of anie of the ſaid offices for terme of yeres, or terme of life, or fee ſimple, or in fee taile, to anie of the K. liege people (except before excepted) ſhall be voide and of no value by the ſame authoritie, any clauſe or worde of Non obſtante, in any wiſe put or to be put in ſuch Patents to bee made notwithſtanding. And moreouer whoſoeuer preſume vpon him or them to take or occupie the ſaid office of Shirife by vertue of ſuch graunts or patents now to be made for terme of yeeres, for terme of life, fee ſimple or fee taile, to ſtand for euer and at all times diſabled to bee or beare the office of ſhirife within anie countie of Englande by the ſame authoritie. And ẏ euerie liege man, which will ſue for the ſaid ſumme forfaite againſt him or them, which in ſuch maner doe forfait, ſhall bee receiued and admitted to ſue an action of debt in his own name, our ſouereigne lord the K. to haue the one halfe of all that ſhall happen by the ſame action to bee recouered by ſuch ſuite, and hee or they that ſo purſueth, to haue the other halfe. An. 23. H. 6. ca. 8.

25 ¶ The king conſidering the great periurie, extortion & oppreſſion, which be and haue been in this Realme by his ſhirifes, vnderſhirifes, and their Clerkes, Coroners, Stewards of franchiſes, Bailifes and keepers of priſons, & other officers in diuers counties of this Realme, hath ordained by authoritie aforeſaide, in eſchewing of all ſuch extortion, periurie and oppreſſion, that no ſhirife ſhall let to farme in anie maner his countie, nor anie of his bailiwikes, hundreds, nor wapentakes, nor that the ſaid ſhirifes, vnderſhirifes, bailifes of franchiſes, nor anie other bailife, ſhal returne vpon any writ or precept to them directed to be returned, anie inqueſts in any panell thereupon to bee made, anie Bailifes, officers or ſeruants to any of the officers aforeſaide, in any panel by them ſo to be made, nor that any of the officers and miniſters aforeſaide, by occaſion or vnder colour of their office, ſhall take anie other thing by them or by any other perſon to their vſe, profite or auaile, of anie perſon by them or any of thē to be arreſted or attached, nor of anie other of them, for the ſparing of any arreſt or attachment to be made by their bodie, nor of any perſon by them or anie of thē by force or colour of their office arreſted or attached, for fine, fee, ſute of priſon, mainprize, letting to baile, or ſhewing any eaſe or fauour to any ſuch perſon ſo arreſted or to be arreſted, for their reward or profit, except ſuch as followeth, That is to ſay, for the ſhirife twentie pence, the bailife, which maketh ẏ arreſt or attachment, foure pence, & the iailer, if the priſoner be cōmitted to his ward, iiij. d. And that the Shirife, vnderſhirife, Shirifes clerke, ſteward, or bailife of franchiſe, ſernāt or bailife, nor Coroner ſhal take any thing by colour of his office by him nor by any other perſon to his vſe, of anie perſon for the making of any returne or panell, and for the copie of a panell fourepence.

London
Inherite
Freehold
L. patents
Clerke
Forf.
Pardon
Void Patents
Void
Non obſtante
Diſabled
Sue
Forf.
Moitie
Bailiwike
Hundred
Wapētake
Returne
Inqueſt
Bailife
Officer
Seruant
Arreſt
Reward
xx. d.
4. pence
4. pence
Clerke
Steward
Bailife
Coroner
Returne

And that the ſaid ſhirifes and all other officers & miniſters aforeſaid, ſhal let out of priſon al maner of perſõs by them or any of them arreſted, or being in their cuſtody by force of any writ, bil, or warrant in any action perſonall, or by cauſe of inditement of treſpas, vpon reaſonable ſuretie of ſufficient perſõs hauing ſufficiẽt within the Counties where ſuch perſons bee ſo let to bayle or mainprize, to kæpe their daies in ſuch places as the ſaide writtes, billes, or warrants ſhall require. Such perſon or perſons which be or ſhall bee in their ward by redẽption, execution, Capias vtlagarum, or excommunicatum, ſurety of the peace, & all ſuch perſons which bee or ſhalbe committed to ward by ſpecial commandement of any Juſtices, & vagabonds refuſing to ſerue after the forme of the ſtatute of labourers, onely except.

urties

Cõdemned Execution Capias Vtlagarum Excommunicate Commandement Vagabonds

And that no ſhirife, nor none of his officers or miniſters aforeſaide, ſhall take or do to be taken, or make any obligatiõ for any cauſe aforeſaide or colour of their office, but all onely to themſelues, of anie perſon nor by any perſon, which ſhalbe in their ward by ẏ courſe of the law, but vpon the name of their office, and vpon condition written that the ſaid priſoners ſhal appeare at the daie contained in the ſaide writtes, bill, or warrant, & in ſuch places as the ſaid writs, bills, or warrants ſhall require. And if anie of the ſaid Shirifes or other officers or miniſters aforeſaid take any obligation in other forme by colour of their offices, that it ſhalbe voide. And that hee ſhall take no more for the making of any ſuch obligation, warrant, or precept by them to bee made, but iiii.d. And alſo that euery of the ſaide ſhirifes ſhall make yærely a deputie in the Kings Courts of his Chauncerie, Kings bench & common place and bench, and in the Eſchequer, of Recorde, before that they ſhall returne any writs, to receiue all maner of writs & warrants, to bee deliuered to them. And that all ſhirifes, vnderſhirifes, clearkes, bayliffes, laylers, coroners, ſtewardes, bailifs of franchiſes, or any other officers, or miniſters which do contrary to this ordinance in any point of the ſame, ſhal loſe to the party in this behalfe indammaged or grieued, his treble damages, and ſhall forfaite the ſumme of xl. li. at euery time that they or any of them doe the contrarie thereof in any point of the ſame, whereof the king ſhall haue the one halfe to be imployed to the vſe of his houſe, and in none otherwiſe, and the partie that wil ſue, the other halfe. And that the Juſtices of aſſiſes in their Seſſions, Juſtices of the one bench and of the other, & Juſtices of peace in their countrey ſhall haue power to enquire, heare and determine of office without eſpeciall commiſſion, of and vpon all them that doe contrarie to theſe ordinances in anie article or point of the ſame. And if the ſaid ſhirifes returne vpon anie perſõ Cepi corpus, or reddidit ſe, that they bee chargeable to haue the bodies of the ſaid perſons at the daies of the returnes of the ſaid Writtes, billes, or warrants, in ſuch forme as they were before the making of this acte. Prouided alwaies that the warden of the K. gaole of the Fleete, and of the Kings palace at Weſtminſter for the time being, ſhall not bee endamaged nor preiudiced by this ordinãce in the duetie of his office. An. 23. H. 6. cap. 10.

Partie grieued 3. damages Fork.

Moitie

Juſt. of aſſ. Juſt. of both Benches Juſt. of P. Enquire Diet & ter.

Returne Cepi corpus Reddidit

Warden of Fleete K. Palace

26 ¶ Anno 28. H. 6. cap. 3. it was enacted that the ſhirifes, their vnderſhirifes and clerks ſhould be diſcharged of the forfaiture for exerciſing their offices aboue a yeere &c.

Diſcharged Fork.

Obligation

Condition

Void

4. pence

Deputies

Officers

27 ¶ Where manie haue bin greatly vexed by the inordinate inditements taken before Shirifes and their officers in their turnes or lawdaies by Jurors of no conſcience nor freehold, and manie times by their menial ſeruants, and being therupon arreſted and impriſoned, haue beene inforced to make great fines vnto them, and then haue bin let goe at largeſſe, and the indictments imbeaſeled and ſuppreſſed: Bee it &c. That as to all maner indictments and preſentments that ſhalbe taken hereafter before any of his ſaid ſhirifes of the counties for the time being, their vnderſhirifes, Clerkes, bailifes or other Miniſters at their turnes or Lawdaies before mentioned, they nor none of them ſhal haue power to attach, arreſt or put in priſon, nor to leuie anie fines or amerciaments of any perſon or perſons ſo indicted or preſented, by reaſon or colour of any ſuch indictment or preſentment to be taken before them or anie of them, nor to take of anie ſuch perſon or perſons ſo indicted or preſented, any fine or ranſome, but that the ſaid ſhirifes and their vnderſhirifes, Clerkes, or Bailifes, and their Miniſters ſhall bring, preſent, and deliuer al ſuch indictments and preſentments taken before them or any of them in their turnes or Lawdaies aforeſaid, to the Juſtices of Peace at the nexte Seſſions of

Indictmẽts Preſentments

Clerkes Bailifes Turnes Wardens Arreſt Leuie fine

Juſt. of P. Seſſions

of the peace that shal be holden in the coũtie or Counties where such inditements and presentmẽts shall be taken before the said Justices of such Countie or Counties for the time being. And if any of the said Shirifes, Undershirifs, Clerks, Bailifes and their ministers doe not bring, deliuer & present all such inditements or presentments so taken before them and euerie of thẽ in their Turnes or Lawdaies, as before is recited, at such Sessions of ỹ peace before the said Justices of peace, that then al such Shirifes, Undershirifes, Clerkes. Bailifes, and their ministers, and euery of them that so shall faile in bringing, deliuering & presenting of such inditements & presentments, shall forfeite to the king xl. pounds at euery time that they or anie of them doeth the contrarie. And that the said Justices of Peace shall haue power & authoritie to award processe vpon all such inditements and presentments, as the Law doth require, and in like forme, as if the said inditements and presentments were taken before the said Justices of Peace in the saide Countie or Counties. And also to arraine & deliuer all such persons or person so indicted & presented before the said Shirifes, Undershirifs, their Clerkes, Bailiffes, and their ministers or any of them in their saide Turnes or Lawdaies. And all such persons or person which be indited or presented of trespasse, to make such fine as shal seeme lawfull by their discretion. And the estreats of the said fines and amerciaments to bee enrolled, and by indenture to be deliuered to the said Shirifes, Undershirifes, their Clerkes, Bailifes or ministers, or any of them, to the vse and profite of him that was Shirife in the said Counties or Coũtie at the time of such inditements or presentments taken. And if any of the said Shirifes, their Undershirifes, Clerkes, Bailifes, or their ministers doe arrest, attach, or put in prison, or cause any fine or raunsome to be taken, or leuie any amerciament of any person or persons so indited or presented, by reason or colour of any such inditement or presentment taken before them at their Turnes or lawdaies aboue rehearsed, before that they haue processe from the said Justices of peace, or estreates deliuered out of the said inditements or presentments so brought, deliuered and presented to them, that thẽ the said Shirifes which so doeth shall forfeit C.li. the one halfe thereof to be employed to the expenses of the Kings house, and the other halfe to the parties or partie, which bee or is endammaged, and shall haue an action of debt at the Cõmon law, & like proces, as in an action of debt at the Common lawe, and that the defendant or defendants in such sutes or actions of debt, shall not be essoined nor wage their lawe. And if hee or they, or any of them against whom this action shall be taken, doe offer or cast anie protection or other impediment, in retardation of the saide sutes or actions, that shal not be allowed. Prouided alwaies, that this present ordinance doe not extend, nor in any wise be preiudiciall to the Shiriffes of the Citie of London now beyng, or which at anie time hereafter shall be, concerning anie inditements or presentments to be taken within the said Citie of London. Prouided also that this acte extend not, nor bee preiudiciall to any persõ or persons which haue grants of any fines or amerciamẽts by any Letters patents of our said Souereigne Lord the King, or of any of his progenitours or predecessours, bearing date before the tenth day of December next after the beginning of this parliament. And that this acte and ordinance doe not extend nor be preiudiciall to anie person or persons hauing anie liberties or franchises by any of the said Letters patents, or in any other maner by prescription. And that this ordinance be in his force and begin to take effect at the fortie day next after the firt day of May nert after the beginning of this present Parliament, vpõ the which firt day, the said Parliament * was dissolued. An. 1. E. 4. cap. 2.

Fyne.
Just. of P.
Processe
Just. of P. Arraine Deliuer
Estreats Enroll Indenture
Arrest
Imprison
Just. of P.
Fyne. Forfeite

Action of debt
Prouiso
London
Letters P.
Liberties

28 ¶ Anno 8. E. 4. cap. 4. it was enacted that no shirife nor vndershirife should be endammaged for occupying his office. An. 1. 2. & 3. Edwardi 4. contrary to the statutes made, An. 14. Ed. 3. cap. 7. Anno 42. Edw. 3. capitulo 9. and Anno 23. H. 6. cap. 8.

29 ¶ If any Shirife of any Countie do execute or returne any writ, precept, or warrant in any of the said Courts of the king within ỹ said Terme called Michaelmas terme, after the vj. day of Nouember: And before any writ of discharge deliuered to him of his occupying of Shirifewike, he shall not be dãnified by force of the said statute, nor charged of the pain aforesaid, although that he hath occupied the office of Shirife, before any of the said daies of returne called Crastino Martini,

Returns

Octabis

Octabis Martini, or quindena Martini. An.12.E.4.cap.1.

30 ¶ Euery old shirife of euery countie, remembred in the said last parliamēt, frō the first day of Nouēber next to come, shall haue full authoritie & power, as wel lawfully to execute & returne euery writ, precept or warrant, in euery of the sayd courts of the king, deliuered to him, as to doe and execute euery other thing which to the office of Shirife lawfully pertaineth, at all times during the said termes of S. Michael, and of S. Hillary. Unlesse he be before the same time lawfully discharged of his occupation of shirife, without sustaining any damage, forfeiture or paine, because thereof: Any act, ordinãce or prouision, before made to the contrarie in any wise notwithstanding. Anno 17.E.4.cap.6.

Returne

31 ¶ Whereas great extortion hath bene vsed by Shirifes and their officers in the kæping of their Countie Courtes by entering of plaints against men in other mens names, and then amercing them for their default, where as they were neuer summoned, so to increase pillage: Be it &c. that no shirifes, vndershirifes, nor Shire clerkes hereafter, neyther any person in their names, nor by their commãdement, shal take and enter any plaints into their bookes in any mãs name, vnlesse the partie plaintife be in proper person present in the courts, or els by a sufficient Atturney or deputie, that is knowen to be of good name & disposition, and that the same partie plaintife shall finde pledges to pursue his said plaint, such persons as are knowen there in that Coũtie, and that the partie plaintife shall haue but one plaint for one trespasse or contract. And if the saide shirifes, vndershirifes, shire clerks, take, enter, or cause to bee entred anie moe plaintes, then the plaintife supposed that he hath cause of action against the defendant, that then the said shirifes, vndershirifes, Shire clerkes that doeth enter, or cause to be entered any such plaints contrary to the said prouision and ordinance, shall forfait for euery such default xl. shillings, the one halfe thereof to bee had to the vse of our saide Soueraigne Lord the King, and the other part to him or them that will sue, and prowe the same matter, by action of debt, or informatiõ in the Eschequer. And ouer the Justices of peace in the same Counties and euery of them, shall haue authoritie vpon cõplaint made by the partie so vnlawfullie grieued to examine the sayd Shirifes, Undershirifs, or Shire clerke and plaintifes. And if the sayd Justices of peace or one of them, finde by the examination, default in the said Shirifes, Undershirifes, or other their clerks, in entring of the said plaints dereitfully for his or their aduantage, as is before rehearsed, contrarie to this present act, that then the said Shirifes, Undershirifes, and Shire clerks, shal be conuict and attaint of the same offence, without further enquirie or examination, and that hee shall forfeite vpon the same examination, fortie shillings to the vse of our Soueraigne Lord the King for euery default.

Vndershirife
Shire-clerke
Enter plaints
Pledges
Forf.
Moitie
Just. of P.
Examine
j. Just. of p.
Deceit
Attaint
Forf.

And the saide Justices of peace that so shal take the examination, shal certifie the same examination within a quarter of a yere into the kings Eschequer, vpō paine of xl.s. And furthermore, that the saide Shirifes, Undershirifes, & Shire clerkes, make or cause to be made a sufficient precept to the Baylife of the hundred, to attach, summon or warne the defendants, that are so in sute, to appeare & answere to the said plaints. And if there be any default in the said Bailifes of the hũdreds in warning of the said defendãts, to appeare and answere to the said plaint commenced against them in their Counties, or in executing their said office, that then the same Baylifes shall forfeite for euery default vnto our Soueraigne Lord the King fortie shillinges, and to bee attaint and conuicte thereof by like examination of the Justices of peace, or euerie of them, as before is rehearsed. And that the same shirifes, Undershirifes, Shire clerkes and their deputies for the time beyng, shall make no estreats to leuie the said Shires amerciamentes, vntil such time that two Justices of peace, whereof one shall be of the Quorum, haue had the view and ouersight of their bookes, and that estreates be indēted betwixt the said Justices of peace, and the sayde Shirifes and Undershirifes, and sealed with their seales, the one parte to remayne with the sayd Justices, and the other part with the sayd Shirifes or Undershirifes, for the intent to vnderstand if any deceit bee, or vntrue demeaning in them, in making of their bookes. And that those persons that shall bee gatherers of the same amerciaments, as Bailifes and other Officers, be swoorne by the saide Justices, that they take

Just. of P. Certifie
Precept Bailife
Bailife
Forf.
Just. of P.
ij. Just. of P. Quorum
Estreats indented
Bailifes Sworne

no

no moze money then is fozfeited and conteined in the Eſtreates ſealed with the ſeales of the ſaid Juſtices of Peace, vpon the ſame payne of fozfeiture as befoze is rehearſed, thereof the ſame gatherers to bée conuict by examination of the Juſtices of Peace oz one of them as befoze is rehearſed.

Examine
Juſt. of p.

Juſt. of P.

Prouided alway that the ſaid Juſtices of peace ſhall bée appointed and named at the generall Seſſions after the feaſt of S. Michael the archangel by him that is Cuſtos Rotulorum of the ſaid counties, oz els by the eldeſt of the Quorum in his abſẽce, to haue the ouerſight and controlment of the ſaid ſhirifes, vnderſhirifes, and Shire clerkes, and other of the ſaid officers, and of the ſaid Shirifes amerciaments. And the ſaid Juſtices of peace vpon ſuggeſtiõ oz infoꝛmation of the partie ſo grieued, ſhall make like pꝛoceſſe as in an action of Treſpaſſe againſt the ſaid ſhirifes, vnderſhirifes, oz ſhire clerkes, & other the foꝛeſaid officers miſdemeaning as befoze is rehearſed, foꝛ to appeare befoze them, to anſwere to the ſaid ſuggeſtiõ oz infoꝛmation. An. 11. H. 7. cap. 15.

Seſſions

Cuſtos Rotulorum Quorum

Pꝛoceſſe

32 ¶ Anno 6. H. 8. cap. 18. An Acte is made that the vnderſhirifes, and all other officers of ſhirifes of Bꝛiſtow to continue and occupy their offices frõ yéere to yéere, as the vnderſhirifes and other officers of ſhirifes of London may doe without any penaltie oz fozfeiture, notwithſtanding the acts made. Anno 42. E. 3. cap. 9. & An. 23. Hen. 8 capitulo 8. (which is before 16. and 17.)

Vnderſhirife Bꝛiſtow One yeere

33 ¶ Al and euery perſon which now is oz hereafter ſhal be ſhirife oz ſhirifes of any countie oz counties, accõptable oz anſwerable in the ſaid Eſchequer, ſhall at this day of pꝛeſentiõ immediately after hée is ſwoꝛne to accompt of the iſſues & pꝛofite of his office of ſhirifewike, and euerie other perſon which of late haue bin ſhirife oz ſhirifes of any of the Counties, & haue no taile of reward, noꝛ haue not yet determined his oz their accompt, oz otherwiſe be diſcharged oz pardoned thereof, ſhal in the ſame terme, that he taketh his oth to accompt, be ſwoꝛne by himſelfe, oz by his atturney oz deputy ſwoꝛne foꝛ him, when hee ſhall anſwere befoze the Lord Treaſurer, Chamberlaines, Chancelloꝛ and Barons of the ſaid Exchequer, oz in the abſence of the ſaide Lord Treaſurer, Camberlaines oz Chanceller, oz of any of them, then befoze ſuch of the Lord Treaſurer, Chamberleins, Chanceller, and of the ſaid Barons as then ſhall happen to be pꝛeſent in the ſaid Court, to bꝛing in, & deliuer into the ſaid court, rolles oz ſchedules of parchment, conteyning in them truely without omiſſion oz cõcealement, all ſuch particular ſums of money, which he hath leuied, oz lawfully might haue leuied to his witting oz knowledge within his Bayliwike, as a part oz parcel of the ſaid ancient farmes, and the other farmes befoze rehearſed, making expꝛeſſe and diſtinct mẽtion in ỹ ſame rols oz ſchedules, as nigh as he oz they can oz may, of what perſon, and in what lands and tenemẽts, and foꝛ what cauſe the ſame particuler ſummes, & euery of them be leuied oz leuiable towarde the making of the ſame farme oz any of them. And that after the ſame rols oz ſchedules ſo deliuered, and the particuler ſummes of money in them conteined, appertaining to their pꝛoper farmes, caſt and rated befoze the ſaid Lord Treaſurer, Chamberleins, Chanceller, & Barons, oz befoze the ſaid Barons in the abſence of the ſaid Lord Treaſoꝛer, Chãberleines oz Chanceller, foꝛ the time being, oz any of thẽ: The ſame Lord Treaſurer, Chamberleins, Chãceller, and the ſaid Barons, oz the ſaide Barons in the abſence of the Lord Treaſurer, Chamberleines oz Chãceller, oz of any of them foꝛ the time being, ſhall haue full powꝛer and authoꝛitie by this act, to make allowonce, eroneration and deductiõ in the ſaide open Court, from time to time by their diſcretions, to euerie ſuch perſon in euery of the ſayd farmes, of ſo much money as the ſaid farmes ſhall be moze then the ſaid particulers ſo appoꝛtioned and conteined in the ſaid rolles oz ſchedules doe amount vnto. And foꝛ reuiuing and recouerie of ſuch parcels belonging to any of the ſaide farmes, oz other the pꝛemiſſes omitted out of the ſaid rolles oz ſchedules, and foꝛ ſauing of other the Kings ancient rights and inheritances anſwereable in the ſaid Eſchequer, which bee nowe wꝛongfully withdꝛawen, and vniuſtly withholden from his poſſeſſion: the Lord Treaſoꝛer, Chamberleins, Chanceller, and Barons of the ſaid Eſchequer, oz the ſame Barons in the abſence of the ſaid Treaſoꝛer, Chãberlaines and Chanceller, oz of any of them, ſhall from time to time awarde ſuch pꝛoceſſe, and vſe ſuch conuenient wayes & meanes by commiſſion oz otherwiſe, acoꝛding to the courſe of ỹ ſaid Eſchequer, and

Allow

L. Treaſoꝛer Chamberleine Chancelloꝛ

Pꝛoceſſe

Cõmiſſion

and further as ſhall be deuiſed by their diſcretion: ſo that the king, his heires & ſucceſſors may be truly anſwered of ẏ iſſues & profits of the ſame, without other warrãt to be purſued and obteined for the premiſſes, or any part thereof: Any Statute, Acte, ordinance or vſe heretofore to the cõtrary had, made or vſed in any wiſe notwithſtãding. And furthermore, where diuers and ſundry ſummes of money bene reſpected to many perſons, which haue bin ſhirifes of the ſaid coũties before this time vpon their accounts yelden in the Kings ſaid court of the Eſchequer, of the forſaid farmes and other vicontels, vpon diuers petitions in the ſaid Court, forſomuch as they, ne any of thẽ could nor might leute the ſame by vertue of the ſummes of the ſaid Eſchequer, for ſuch cauſes as ẏ ſame late ſhirifs haue alleaged in their ſaid petitiõs, as by the ſame petitiõs more plainly doth appeare: Bee it further enacted that al and euery the ſaid late ſhirifes vpon their othes taken in the ſaid court that the cauſes alleaged in the ſame petitiõ be true, and the ſame cauſes examined in the ſame court accordingly, bee, by vertue of this preſent acte clearely acquited and diſcharged againſt the Kings Maieſtie & his heires & ſucceſſors for euer, of all and euery ſuch ſumme and ſummes of money, ſo not leuied nor leuiable, but in reſpect, as is before rehearſed. And thereupon ſuch like proceſſe to be awarded by the ſaid Court, and ſuch cõuenient waies and meanes by commiſſiõ and otherwiſe to be had according to the courſe of the ſaide Eſchequer, frõ time to time, as ſhall be deuiſed by the ſaid lord Treaſurer, Chamberlains, Chãceller and Barons, in the abſence of the ſaid Lord Treaſurer, Chamberlaines or Chãceller, or any of them, by the ſaid Barons, & by as many of the ſaid lord Treaſurer, Chamberlains and Chancellor, as then ſhal happen to be there then preſent, without either warrãt or ſute in that behalfe to be had. And foraſmuch as the ſhirifes of the ſaid Counties for the time being, ſhal ſuſtaine and ſupport diuers charges by reaſon of their ſaid office of ſhirifewike, as in executing the Kings writs & ſummons, and leuying al ſummes of money conteined in the extracts within their Counties, and in comming to the Eſchequer to make their profers and viewes of their accounts, and make payment of all that ſhalbe due vpõ euery of their viewes and accounts, and other diuers coſtes and charges concerning the ſame office of ſhirifewike, without hauing from henceforth any taile or tailes of reward, portage, or other allowances towarde their ſaid charges. And where alſo diuers of the ſaid Shiriffes heretofore haue vſed at their owne coſt, to beare yerely the charges of the expenſes of the Kings Iuſtices of aſſiſe, Niſi prius, generall and ſpeciall gaole deliueries, and oyer & determiner, and of their Clerkes of aſſiſes, & ſeruants of the ſame Seſſions at their comming two times in the yere, during ſuch time as the ſaide Iuſtices remayne and ſerue the Kings Highneſſe there, without hauing heretofore any recompẽce or allowance for the ſame: And to the intent that euery of the ſaid Shirifes for the time being, may and ſhall hereafter be more able diligently to ſerue the King in his or their ſaid offices without taking any vnlawful eractions of the Kings ſubiectes, and alſo better to make prouiſion for the ſaid Iuſtices and their company in their circuits, hauing aid of the King toward their ſaide charges and expenſes: The Kings highneſſe of his liberalitie, in conſideration of the ſame charges ſo to be ſuſtained by the ſaide Shiriffes, is contented and pleaſed that it be et. that euerie of the ſaide Shirifes comming to his accounts in the ſaid Eſchequer, ſhewing a bill ſubſcribed with the handes of the ſaide Iuſtices, or of ſuch of them as ſhall be preſent at the ſaid Aſſiſes and Seſſions, making playne mention of the dayes and time that the ſaide Iuſtices did abide or remayne in the ſame Countie at the coſtes of the ſaid Shirifes, in, or about the kings affaires & buſineſſe, ſhall haue allowance as wel hereof, as for other his ſaid reaſonable coſtes, vpon his or their accounts in the ſaid Eſchequer, by the diſcretion of the ſayd Lord Treaſurer, Chamberlains, Chanceller and Barons, and in the abſence of the ſaid Lord Treaſurer, Chamberlains, Chancellor, or any of them, by the ſaid Barons, and by as many of the ſaid Lorde Treaſurer, Chamberlains & Chancellor, as then ſhal happen to be there preſent by authority of this preſent act, without warrant or any further ſuite to be had or made in this behalfe, ſo that all the allowances for the coſts aboue ſaid, to all the ſhiriffes do not amount in any one yere aboue the ſumme of three hundred fortie two pound, ſix ſhillings eight pence. This acte to continue and endure onely to the ende of the next

Shirifes Othe

Diſcharge

Proceſſe

Cõmiſſion

Barons

Tryences Iuſtices

Shirifes comming to account

Allowance

L. Treſorer Chamberleine Chanceller Barons

342.li.6.s. 8.d

Parlia-

Parliament. Anno 34. H. 8. cap. 16. This act is continued 37. H. 8. cap. 23. to endure to the laſt day of the next Parliamẽt. An. 2. Ed. 6. cap. 4. this act is altered in part as hereafter following appeareth.

34 ¶ That the ſaid former Act (S. An. 34. H. 8. cap. 16. before 33.) & all clauſes & ſentences in the ſame contained, ſhall be from henceforth clearely fruſtrate & void to all intents & purpoſes, other then hereafter in this act ſhal be ſpecified. And that it may be &c. by this preſent Parliament that the ſhiriffes which ſhalbe made from henceforth within all the ſhires of England, & alſo ſuch as haue not made & finiſhed their accompt or accompts, ſhal haue ſuch & like tailes of reward, and al ſuch other allowances as they had before the making of the ſaid former acte, or els the ſame ſhiriffes which ſhall be or heretofore haue bene, to be at their election & choiſe to accompt, and all other things to do according to the aforeſaid former acte. And that they & euery of them, that ſo ſhall accompt & take no taile of reward, ſhalbe in and by all things intreated in the Kings Eſchequer, as though the ſaid former acte were, & ſhould continue in his ful ſtrẽgth and effect: Any thing before ſpecified notwithſtanding. And that the ſame tailes of reward and euery of them, by force of this preſent act, without any further warrant or warrants to be obtained for the ſame, ſhall be leuied or ſtriken, at the receipt of the Kinges Maieſties Eſchequer, in due maner and forme, with ſuch like letter or writings vpon the ſame tailes and euerie of them, as before the making of the ſaid former acte were, and haue bene accuſtomed to be leuied and ſtriken. And that the ſame tailes ſo hereafter there to be leuied and ſtricken, ſhall be deliuered vnto euery of the ſame Shiriffes, or their ſufficient atturney for them, without preſt or other charge to be ſet vpon them for the ſame, & that this acte ſhall be a ſufficient warrant and diſcharge to the Treaſourer of England, and all other officers within the ſaid receipt for ſtriking, leuying and deliuerie of the ſaid tailes and euerie of them: And further, that all thoſe Shiriffes that hereafter ſhall be made within thoſe ſhires of England whereas no tailes of rewarde heretofore haue bẽne, by the Kings Maieſties moſt noble progenitors, giuen and graunted, and ſuch ſhiriffes as ſhall hereafter take no taile of reward, ſhall in conſideration of their great coſtes, charges and expences which they ſhall beare and ſuſtaine, as well by the diets of the Iuſtices of Aſſiſe, as by any other means, haue vpon the ende of their account, and of euery of them ſuch allowances, vpon a petition to be made by the ſame Shiriffes or any of them, in a Bill to be brought in by the ſame ſhirife and euery of them of their ſaide coſtes and charges, vpon which bils the ſame Shiriffes to bẽ ſworne in their owne proper perſons, or by their Vndershirifs, or lawfull atturney thereunto admitted to be true, without warrãt or taile ſuing for the ſame. And alſo that al ſhirifs, which hereafter ſhall take no taile of reward, & euery of them ſhall be diſcharged vpon their accounts, of all ſuch Farmes, goods, cattels, profites, caſualties, & ſums of money which they might or ſhould bẽe charged with vpon their accounts in the ſaid Eſchequer, by what title or name ſoeuer they bẽe named, or vpon whatſoeuer perſon or perſons they ſhall bẽe ſtreated, or out of whatſoeuer landes and tenements they ſhall be going forth, as they cannot leuie nor come by. And that all other Shiriffes which hereafter ſhall take any taile of reward, ſhal in like maner be diſcharged of al ſuch farmes and ſummes of money aforeſaide, (except onely of the vicountels of their Shires, wherewith they ſhall be charged, and anſwerable as they were before the making of the aforeſaid former Acte.) And alſo the ſame Shiriffes of euerie Shire of England that now be, or heretofore haue bẽne, or that hereafter ſhall be, and euerie of them, ſhal haue playne deduction and allowance in their ſaide accounts of all ſuch ſumme and ſummes of money, as they or any of them ſhall make or haue true petition of, for or concerning ſuch poſſeſſions and hereditamentes, as bẽe come vnto or were in the Kings Maieſties hands, or any his progenitours, by vnitie of poſſeſſion, or by any meane out of the which any part or parcell of the aforeſayde vicountels were at anie time heretofore leuiable or leuied. And that the Lord treaſurer, Chãberlaine, Chauncellour, and Barons of the ſaide Eſchequer, or in the abſence of the ſaid Lord Treaſurer, Chamberlaine and Chauncellour, the ſayd Barons ſhall by authoritie of this Acte, giue and make allowance, deduction, and exoneration, to euerie the ſaide Shiriffes, of the ſaid Farmes, and of all other thinges without any other warrant. Prouided alway that

Accompts Tailes

Reward

Warrant K. Treaſurer

Shiriffes

Iuſt. diet

Allowance Petition

Swoꝛne

Atturney

Taile of reward Diſcharge

Shiriffes

Allowance

Treaſoꝛer Chamberlaine Chãceller Barons

Barons

Allowance

that euery of the ſaid ſhirifs at this day of preſtrion immediatly after that he or his deputie, or atturney is ſworne to account for the iſſues and profites of his office of Shirifwicke, ſhall by himſelfe, or by his Atturney or deputie ſworne for him, whē he ſhal anſwere before the Lord Treaſurer, Chamberleines, Chāceller, and Barons of the ſaide Eſchequer, or in the abſence of the ſaid Lord Treaſurer, Chamberlaine or Chanceller, or of any of them, then before ſuch of the ſaid L. Treaſurer, Chamberlains or Chāceller, & of the ſaid barons as then ſhal happen to be preſent, in the ſaid Court of Eſchequer, to bring in & deliuer into the ſaid court, rolles or ſchedules of parchment, conteining in thē truly without omiſſion or concealement, all ſuch particular ſummes of money which he hath leuied or lawfully might haue leuied to his witting or knowledge within his Bailiwike, as part or parcel, aſwel of the ſaid farmes called vicontels in the ſaid former act expreſſed, as of al other farmes of what name or title ſoeuer they be called being ſtreated, written or otherwiſe charged, to any of the ſaid ſhirifs out of the ſaid court of Eſchequer, making expreſſe & diſtinct mention in the ſame rols or ſchedules, as nigh as he or they can or may, of what perſon, & what lands & tenements, and for what cauſe the ſame particular ſummes of money and euery of thē be leuied or leuiable. And that after the ſame rolles or ſchedules ſo deliuered, & the particular ſummes of money in them conteined appertaining to their proper farmes, caſt & rated in the ſaid court, the ſaid Lord Treaſurer, Chāberleines, Chanceller, & the ſaid Barons in the abſence of the ſaid Treaſurer, Chamberlaines, or Chanceller, or any of them for the time being, ſhal haue ful power and authoritie by this act, for the leuying and recouerie of ſuch parcels belonging to any of the ſaid farmes, called vicontels, or any other farmes by what name or title ſoeuer they ſhalbe called, being omitted out of the ſaid rolles or ſchedules, & for ſauing of other the Kings ancient rights & inheritances anſwerable in the ſaide Eſchequer which bee now wrongfully withdrawē, or vniuſtly withholden from the Kings Maieſtie his poſſeſſions, and ſhall haue power and authoritie frō time to time, to award ſuch proceſſe, and vſe ſuch conuenient wayes and meanes by commiſſion or otherwiſe, according to the courſe of ỳ ſaid Eſchequer, and further, as ſhall be deuiſed by their diſcretion, ſo that the Kings Maieſtie, his heires and ſucceſſours, may be truely anſwered of the iſſues & profites of the ſame, this acte or any other Statute, act or ordinance, or vſe heretofore to the contrarie had, made or vſed in any wiſe notwithſtāding. And furthermore, that ỳ ſaid Treaſurer, Chamberlaines, Chanceller and Barons of the ſaide Eſchequer, or the ſaid Baron in the abſence of the ſaid Treaſurer, Chamberlaines or Chanceller, or any of them for the time beyng, ſhall haue full power and authoritie by their diſcretions, from time to time, to giue & allow vnto all and euery ſuch Commiſſioner or Commiſſioners (as they ſhall aſſigne and appoint by their diſcretion to enquire of the ſaid farmes, & other the Kings rights withdrawen) their reaſonable coſtes and charges as frō time to time to them ſhall ſeeme good and conuenient. Anno 2. E. 6. cap. 4.

Rolles

Vicontels

Farmes

Proceſſe Commiſſiō

Chamberlaine Chāceller Barons

38 ¶ An. 2. Ed. 6. cap. 34. an act is made for the Shirife of Northumberland, to bee accountable for his office as other Shirifes be.

Northumberland

39 ¶ For that ſince the ſtatute of 1. E. 6. cap. 7. (before in Diſcontinuance of pro. 2.) it ſeemeth not cōuenient, that one ſame perſon ſhould exerciſe at once in one Countie the offices of Shirife and Juſtice of Peace: Be it, &c. That no maner of perſon or perſons hauing, vſing or exerciſing the office of the Shirife of any coũtie or Counties, ſhall vſe or exerciſe the Office of the Juſtices of the peace by force of anie Commiſſion or otherwiſe, in anie Countie or Counties where hee or they ſhall be Shirife, during the time onely that he or they ſhall vſe or exerciſe the ſaid office of ỳ ſhirifewicke: Any thing in the ſaid former act to the cōtrary in any wiſe notwithſtanding. And that all and euery acte and actes to be done by authority of any cōmiſſion of the peace during the time aboueſaid, ſhall be void and of none effect: The ſaid former act notwithſtāding. An. 1. M. 1. parl. cap. 8.

Juſt. of P.

*

40 ¶ Whereas the coũties and ſhires of Surrey & Suſſex, Eſſex and Hertford, Somerſet and Dorſet, Warwike & Leyceſter, Nottingham and Derby, Oxon & Barkſhire, of long time haue had but one ſhirife to ſerue for two of the ſaid coũties, that is to ſay, one for Surrey and Suſſex, and one other for Eſſex & Hertford, & one other for Somerſet and Dorſet, and one other

other for Warwike and Leiceſter, & one other for Notingh̄ and Darbie, and one other for Dron. and Barkſh. &c. Be it &c. that the Quēenes moſt excellēt Maieſtie, her heires & ſucceſſors, Kings or Quēenes of this realme, ſhall and may from and after the firſt day of Nouēber, which ſhalbe in the yere of our Lord God 1567. yerely chuſe and make for euery of the ſaid cōtries before named, one ſufficient and able perſon to be ỳ Shirife of the ſame, in ſuch like maner and forme, as is and hath bin vſed to bee choſen, made & done for any other countie or ſhire within this realme: Any lawe, cuſtome, or vſage, heretofore had or vſed, to the contrarie thereof notwithſtanding. And that euerie perſon, which after the ſaide firſt day of Nouēber ſhall be made, and appointed Shirife, for any of the ſaid counties, ſhall be accountable and vſed in the order of his accoūt, & all other things, and allowances to him to be made in the court of the Eſchequer and all other courts & places, in ſuch maner and forme, as is commonly vſed for Shirifes in like caſes.

Shirifes

Prouided alwaies, and be it further enacted by the authoritie aforeſaid, that the Barons of the Quēenes Highneſſe, her heires and ſucceſſours, of the court of Eſchequer, for the time being, calling vnto them aſwell her or their graces Officers of Remembrances, and the Treaſurers remembrancer together with the Clerke of the Pipe of the ſame Court, as alſo the ſeuerall Shiriffes, the which next after the ſaid firſt day of Nouember, ſhall be by her Highneſſe, her heires and ſucceſſours, conſtituted, named and appointed, of euery of the ſayd ſeuerall Counties of Surrey and Suſſex, Eſſex and Hertford, Somerſet and Dorſet, Warwike and Leiceſter, Notingham and Derbie, Dron. and Barkeſhire, ſhall haue by vertue of this acte of Parliament full power and authoritie, to ſeuer and diuide by the diſcretion and iudgement of the ſaid Barons, al and ſinguler the proffers of the ſaid Counties of Surrey and Suſſex, Eſſex and Hertford, Somerſet and Dorſet, Warwike and Leiceſter, Notingham and Derbie, Drenford and Barkeſhire. The which ſaid ſeuerance and diuiſion of the ſaid proffers, ſhall bee entred of record in the ſaid court of Eſchequer, and ſhall be finall and perpetuall, during ſo long time as this preſent act of parliament ſhall endure and haue continuance.

Barons

Remembrances

Somer

Proffers

And it is further enacted by the authoritie aforeſaid, that in ſuch and the ſame maner and forme as the ſaid proffers ſhal be deuided, euen ſo the taile of reward of euery of the foreſaid counties where any taile of reward hereafter ſhall bee taken, ſhall be ſeuered and deuided in maner and forme aforeſaid.

Taile of reward

And be it likewiſe further enacted by the authoritie aforeſaid, that the ſaid Barons for the time beyng of the Quēenes Highneſſe ſaid court of Eſchequer, and of her heires and ſucceſſors, calling vnto thē the ſaid officers & the Treaſurers remēbrancer, and the Clerke of the Pipe, ſhall haue full power & authoritie from time to time to take order & appointment for the true and ſpēdie paiment and cōtentation of ſuch creatiō mony, fées, and annuities, and all other ſummes of money as hath bene accuſtomed to haue bene paied, or of right ought to haue bin paied, to any perſon or perſons, by the hands of the ſaid ſeuerall ſhirifes. And that ſuch order, direction, and appointment ſo made, had & taken by the ſaid Barons, in maner & forme laſt before recited, ſhall be obſerued, performed, fulfilled and kept yerely, as wel by both the Shirifes of the ſaide ſeuerall counties of Surrey & Suſſex for the time being, as by the ſaid ſeuerall Shirifes for the time being in the ſaid Counties of Eſſex and Hertford, and of Somerſet and Dorſet, and of Warwike and Leiceſter, and of Notingham & Derbie. and of Dronford and Barkſhire, any vſage, law or cuſtome, to the contrarie in any wiſe notwithſtanding.

Barons

Prouided alwaies, and be it further enacted by the authoritie aforeſaid, that no Shirife hereafter to be choſen and made of anie one of the ſaid Counties in this act mentioned, ſhall pay in anie court of Record, for anie dutie belonging properly to the office of Shirife, anie other fées or charges then onely the one halfe of the charges and fées which he ſhould be compelled to haue payd if he had bene Shirife of two of the ſaid Shires and Counties, as before the making of this act was vſed, any law, vſage, or cuſtome, to the contrarie notwithſtanding.

Shirife

Fees

This act to continue & endure vnto the end of three whole yeres, to be accounted from the feaſt of all Saintes, in the yere of our Lord God, a thouſand fiue hundred. threeſcore and ſeuen, and from thence to the end of the next Parliament, then next following

folowing the end of the said three yéres. An.8.Eliz.cap.16. this is made perpetual.An.13.El.cap.22. here following 41.

41 ¶ Be it enacted, that the said acte made in the said eight yére of your Maiesties raigne (cap.16.before 40.) for, touching and concerning the choise, election, and making of shirife and shirifes, in the said seuerall counties of Surrey, Sussex, Essex, Hertford, Somerset, Dorset, Warwike, Leicester, Nottinghã, Derby, Dxon, and Barkshire, and euery of them, & that al and euery article, clause, sentence, branch and prouiso therein cõteyned, shal from hencefoorth for all and euery the said Shirifs and Counties and euery of them, except the said shire of Surrey & Sussex, stand, remaine and continue in full force, strength, vertue and effect, to all intents, constructions and purposes, to bee holden and kept for euer: Any acte, statute, lawe, custome or vsage, to the contrarie thereof in any wise not withstanding. An.13.Eli. cap.22.

42 ¶ Be it enacted by the authoritie of this present parliament, that from and after foortie daies after the end of this Session of Parliament, no Shirife, Coroner or other person, to whom it shall appertaine to make returne of any Writ, shall returne any Juror dwelling out of any libertie, without the true addition of the place of his dwelling or abode at the time of the said returne, or within one yére nert before ỳ making of any such returne, or some other addition by which the partie returned may bee knowen: nor any Juror within any libertie with other addition then such as shall be deliuered to him by the bailife of the said liberty or his deputie, certified vnder his or their hand: nor any Bailife of any libertie, nor anie his or their Deputie or Deputies, shall of himself returne any Juror, or deliuer to ỳ shirife, his vndershirife, deputie or deputies, the names of any persõs to be returned vpõ any Panel or Jurie, without the true addition certified vnder his or their handes to the shirife, of the place of dwelling or abode of euery person so to be returned at the time of the said returne, or within one yére nert before the saide returne, or some other additiõ, by which the party returned may be knowen: And that no extract of issues against any Juror returned as aforesaid, be deliuered out, receiued or put in vre, without such additiõ as is put in the originall Panel or Tales wherein such Juror shall be so returned. And that no Undershirife, Bailife, or other officer, or person whatsoeuer, shall collect, leuie, or gather any Issues so estreated, of any other person or persons, then of such person and persons as by vertue of the said estreat is of right charged or chargeable with the paimẽt of the said issues, vpon paine that euery Clerke that shall write or deliuer, or cause or procure any such estreat to be deliuered out, receiued or put in vre, & euery other person offending contrary to the intent & meaning of this act, shall forfeit to the Queens Maiestie, her heires & successors fiue markes, & to the partie grieued or which shall susteine any losse thereby, the summe of fiue marks of lawful English mony: All which forfeitures and penalties shall & may be recouered by action of debt, bill, plaint, or informatiõ in any court of Record, wherin no essoine, protection, or wager of lawe shalbe allowed.

Shirife Coroner

Juror Addition

Tales

Issues

Forf.

And be it further enacted by the authoritie aforesaid, that Justices of oier and terminer within the limits of their commission, Justices of assises in their circuits, and Justices of peace, aswell within liberties as without, within the limits of their commission, shal by vertue of this present acte, haue full power and authoritie, to enquire, heare and determine, all and euery offences aforesaid, committed, or to be committed within the seuerall limits, circuit, or precinct of their seuerall commission or commissiõs, and to award foorth processe of execution for the leuying of the said forfeitures: This act to endure to the end of the nexte Parliament. An.27. Eliz.cap.7. And An.28. Eliz.cap. 5. this act is cõtinued to the end of the next Parliament. And Anno 31. Eliz. cap.10. this act is continued to the end of the next Parliament. And An.35.Eliz. cap 7. this acte is continued to the end of the Parliament next ensuing.

Justices

43 ¶ Be it enacted by the authoritie of this parliament, that al and euery person and persons, that from & after the last day of the Session of this present Parliament, shall be admitted to, or take vpon him the executing of the office of an Vndershirife, in any shire or Countie within this realme of England, before he entermeddle with the vse or exercise of the said office, shal receiue and take a corporal oth vpon the holy Euãgelists, before the Justices of assise, or one of them of the same

Vnder shirife

Othe

Justices

circuit

circuit wherin that Countie is whereof he shalbe vndershirife, or before the Custos Rotulorum, or two Justices of ỳ Peace, whereof one to be of the Quorum of ỳ saide Countie whereof he shalbe vndershirife as aforesaid, for, & concerning the Supremacie, in such maner & forme as that othe is expressed and declared in one acte of the Parliament made & ordeined in the first yere of the raigne of our saide soueraigne Lady the Quenes Maiestie, together with which othe he shal in like sort before the same person or persons, receiue & take one corporal Othe, as followeth, (that is to say:) I A.B. shall not vse or exercise the Office of vndershirife corruptly, during the time that I shal remaine therin, neither shal or will accept, receiue or take by any colour, meanes or deuice whatsoeuer, or consent to the taking of any maner of fee or reward of any person or persons, for the impanelling or returning of any Inquest, Jury or Tales, in any court of Record for the Quéne, or betwixt party & party, aboue two shillings, or the value thereof, or such fees as are allowed & appointed for the same, by the Lawes and Statutes of this realme: but will according to my power truely & indifferently with conuenient spéd impanel al Jurors, & returne al such writ or writs, touching the same, as shal appertaine to be don by my duetie or office, during the time that I shal remaine in the said office, So helpe me God. And likewise be it enacted by the authoritie aforesaid, that this act shal be a sufficient warrant to the persons appointed by this Acte to minister the othe aforesaide, for the ministring therof accordingly.

Othe

And be it further enacted by the authoritie aforesaid, that euery vndershirife ỳ is already chosen & appointed for the executing of the said office of vndershirif for the yére or time be gunne, of, or vpon the last change of shirifes, shal within fourtie dayes next ensuing the session of this present parliament, receiue & take the othes mentioned in this acte, before such person or persons, as by this acte is or are limitted & appointed to minister the same.

And be it further enacted &c. that euery Bailife of franchise, Deputie & Clerke of euery shirife & vndershirife, and euery other person and persons, which after xl. daies after the end of this session of parliament, shal haue authoritie or take vpō him to impanel or returne any Inquest, Jury, or Tales, or to intermeddle with execution of Processe in any Court of Record, shall before hee or they intermeddle with any further execution therof, receiue and take the othes aforesaide corporally, before the person or persons appointed by this acte, to minister the same, or before the head officer of the place, if it be a town corporate, changing only the wordes (the office of vndershirife) conteined in ỳ othe expressed in this act, to such words as are conuenient for the deputation, office or place, in which the partie which taketh ỳ oth, is to be exercised in. And if any ỳ saide persons, limitted to take the othe aforesaid doe take vpon him to impanel or returne any Inquest, Jury, or Tales, or to intermeddle with the execution of processe, not hauing before taken the othes aforesaid. that then euery such person shal lose & forfait the summe of xl. li. of currant English money, the one moitie to be to ỳ vse of our soueraigne Ladie the Quéne, the other moitie to him or them that will sue for the same.

Bailife Clerke Shirife

Processe

Forf.

And be it further enacted &c. that if any vndershirife, or other person mentioned in this acte, or any of them, at any time & times, from and after xl. daies next ensuing the last day of this present Session of Parliament, shall doe or commit any acte or acts, contrary to the othes aboue saide, or either of them, or contrary to the true intent and meaning of this acte, that then euery such person so offending, shal forfait & lose for euery such offece to the partie or parties grieued, his or their treble dāmages. Al which seuerall forfaitures before mentioned, shall or may by the authority of this present act bee recouered, had, & leuied by action of debt, bill, plaint or information in any of the Quenes Maiesties Courts of record, in which actions, suites, plaints or informatiōs, no wager of law, essoine or protection shal be allowed.

Sherife

Forf.

Damages

And bee it &c. that the Justices of Assise, and Justices of Peace in their open Sessions, shall haue full power within the limits of their authoritie to heare and determine the defaults done contrary to this act, aswell by presentment and information as indictment, and vpon conuiction of the offenders to award execution for the leuie of the forfaiture aforesaid, by Fieri facias, or by attachment, Capias, or exigent. An. 17. El. cap. 12.

Justices

Dier & ter.

Anno 29. El. cap. 5. this act is continued vntill the ende of the next Parliament.

We it enacted by the authoritie of this present parliamẽt, that it shal not be lawful from the first day of May nowe next ensuing, to, or for any shirife, vndershirif, bailife of franchises or liberties, nor for any of their, or either of their officers, ministers, seruants, bailifs, or deputies, nor for any of them, by reasõ or colour of their or either of their office or offices, to haue, receiue or take of any person or persons whatsoeuer, directly or indirectly, for the seruing & executing of any extent or execution vpõ the body, lands, goods, or chattels of any person or persons whatsoeuer, more, or other consideration or recõpence then in this present act is & shalbee limitted & appointed, which shalbee lawfull to be had, receiued & taken, that is to say, xii. d. of, & for euery xx. s. where the summe extẽdeth not one hundreth pounds: & vi.d. of and for euery twentie shillings, being ouer & aboue the saide summe of one hundreth pounds, that he or they shal so leuie or extend, & deliuer in execution, or take ỳ body in execution for, by vertue & force of any such extent, or executiõ whatsoeuer, vpon paine & penaltie that al & euery shirife, vndershirife, bailife of franchises or liberties, their & euery of their ministers, seruants, Officers, Bailifs or Deputies, which at any time after the saide first day of May now next ensuing, shal directly or indirectly do the contrary, shall lose & forfait to the partie grieued his treble damage, and shal forfait the summe of xl.li. of good and lawfull English money, for euery time ỳ hee, or they, or any of them shall doe the contrarie: The one moitie therof to be to our Soueraigne Lady the Quéne, her heires and successours, and the other moitie thereof to the partie or parties that will sue for the same, by any plaint, action, sute, bill, or information, wherein no essoine, wager of law, or protection shalbe allowed.

Fees

Forf.

Prouided alwaies, that this act, or any thing therein contained, shal not extende to any fées to be taken or had for any execution within any Citie or Towne corporate, any thing aboue mentioned to the contrary thereof notwithstanding. Anno 29. Eliz. cap. 4.

Townes corporate

¶ Silke and Silke women.

AN. 33. H. 6. cap. 5. an acte was made to endure for fiue yeeres against bringing into England of certaine silke wares wrought.

Wrought silke

2 ¶ An. 3. E. 4. ca. 3. an acte was made to endure for fiue yéres against bringing into Englande of certaine silke wares wrought.

Wrought silke

3 ¶ An. 2. E. 4. ca. 3. it was enacted to endure for 4. yeres, that none should bring into England silke, & certain silke wares there named, vpon forfaiture, which acte after An. 1. R. 3. cap. 10. was made effectual for those foure yeres & for tenne yeres moe. And after Anno. 1. H. 7. ca. 9. this act was confirmed for those foure yeres, and from thence to twentie yeres.

Forf.

4 ¶ No maner of person from hencefoorth bring or cause to bee brought into this realme of Englande to be solde, any maner silke wrought by it selfe, or with any other stuffe, or in any place out of this realm in ribands, laces, girdles, corses, caules, corses of tissues or points, vpõ paine of forfaiture of al the same ribands, laces, girdels, corses, caules, corses of tissues, & points, and euery of them in whose hands soeuer they be found, or the value of the same, the one moitie of ỳ same forfaiture to our soueraigne Lord the king, & the other moitie therof vnto any of the kings Subiectes that wil sease the same, the which to do, it shalbe lawful to euery of the kings Subiects at all times. And that it shalbe lawfull to euery person as well stranger as other, to bring into this realme from hencefoorth al other maner of silks, aswel wrought, as rawe or vnwrought, to sell at his or their pleasure, any act or actes of Parliament here before to the cõtrary made in any wise notwithstanding. And that it shalbe lawful to all persons that haue any such ribands, laces, girdles, corses, caules, corses of tissues, or points wrought beyond the Sea brought into this land by the kings licence, and to be sold, to make sale of the same, & euery person thereof to haue licence & liberte thereto, to the feast of Pentecost ỳ shalbe in the yere of our Lord God 1505. Anno 19. H. 7. cap. 21.

Wrought silke

Forf.

Moitie

Wrought Silks

Licence

¶ Somerset.

AN. 2. E. 6. ca. 12. an act was made to make such leases & graunts as certaine of the Duke of Somersets Officers had made & should make of certaine demeane lands of ỳ said dukes, to be of the nature of copihold land.

Leases Grant

Copiholds

Southhampton.

IT may be lawful to euery mã to abate, plucke & take away all and euery of the said

said weares & engins, and euery of them at all times at their pleasure, being in the said hauen betweene the saide places called Colshoth & Redbridge directly without trouble, let or veration of any man, & that no man let, trouble, vere, hurt or sue the pluckers vp and takers awaye of the said weares & engins or any of them, vpō paine of forfaiture of forty pound of euery of them, that so letteth, troubleth, sueth, vereth or hurteth. And that if any person or persons from henceforth make, lewe, fire or set any weares or engins for fishing, stone, timber and earth in the said hauen, directly betweēn the said places, then he or they that so do, shall forfait an hundred pound, the one halfe of either of the said summes to be to the king &c. The other halfe to him or them that will sue &c. And that the defendant &c. be not essoyned &c. And this act to endure the space of xx. yeres now next ensuing. Anno 11. H. 7. cap. 5. This act is made perpetual. Anno 14. H. 8. cap. 13.

Clearis

Trouble

Fors.

Fishing

Fors. Spoilie

2 ¶ And furthermore be it &c. that euery owner, fermour & occupyer of the said weares, gores & engins, and euery of the same, doe pull downe and put away the same on this side the feast of S. Michael the Archangell next comming, without leuying, maintening, making or repayring the same from henceforth, vpō paine of a C. li. to be forfait and leuyed likewise and in like manner as in the same former act is contained. This act to endure for euer. Anno 14. H. 8. cap. 13.

Pull downe

Fors.

¶ Spirituall Lawes.

AN. 25. H. 8 ca. 19. an act was made of the submission of the Clergie to the king, & that they should not execute any constitutions, ordināces, &c. without the kings licence, & that two & thirtie persons should be by the king appointed to examine those constitutiōs &c. and to abrogate such as they shall thinke méete, & the residue to stand in force. And after Anno. 27. H. 8. ca. 15. it was enacted that the king during three yeeres might name those two & thirtie persons. And after by An. 35. H. 8. ca. 16. the same power is giuen to the king during his life: but these three acts be repealed by 1. & 2. P. & M. cap. 8. and the said act of 25. ca. 19. is renued by 1. Eliz. cap. 1.

Clergie

32. persons

King Repealed Renued

2 ¶ Anno 37. H. 8. cap. 17. an acte was made, that Doctors of ciuil Lawe, being married, might exercise Ecclesiastical iurisdiction, but it is repealed by 1. & 2. P. & M. cap. 8. as appeareth in Rome. 4.

Doctors

3 ¶ An. 3. E. 6. cap. 11. it was enacted that ỳ king during three yeeres might appoint xvi. spirituall men & xvi. temporall men to examine the Ecclesiastical lawes, & to compile Ecclesiasticall lawes, with diuers articles cōcerning those matters. But this act tooke no effect.

32. persons

4 ¶ Bee it enacted that euery person vnder the degree of a Bishop, which doeth or shal pretend to be a Priest or Minister of Gods holy word and Sacraments, by reason of any forme of institution, consecration, or ordering, then the forme set forth by parliament in the time of the late king of most worthie memorie king Edward the sixth, or now vsed in ỳ raigne of our most gratious soueraigne Lady, before the feast of ỳ Natiuitie of Christ next following, shal in the presence of the Bishop or Gardian of the spiritualties, of some one Dioces where hee hath or shall haue Ecclesiasticall liuing, declare his assent, & subscribe to all the articles of Religion, which only concerne the confessiō of the true Christian faith, & the doctrine of the Sacraments, compriſed in a booke imprinted, intituled, Articles whereupon it was agreed by the Archbishops & Bishops of both prouinces, and the whole Clergie in the conuocatiō holden at London, in the yere of our Lord God, a thousand fiue hundreth sixtie and two, according to the computation of the Church of England, for the auoiding of diuersities of opinions, and for the establishing of consent touching true religion, put fourth by the Queenes authoritie: And shall bring from such Bishop or Gardian of spiritualties in writing vnder his Seale autentike a testimonial, of such assēt & subscription, & openly on some Sunday in ỳ time of the publike seruice afore noone, in euery Church where by reason of any Ecclesiasticall liuing he ought to attend, reade both the said testimoniall, & the saide articles, vpon paine that euery such person which shal not before the said feast doe as is above appointed, shalbe (ipso facto) deprined, & all his Ecclesiasticall promotion shalbe void, as if he then were naturally dead.

Priest

Bishop

Assent Subscribe

Testimoniall

Reade

Deprine

And that if any person Ecclesiastical, or which shal haue Ecclesiastical liuing, shal aduisedly maintaine or affirm any doctrin directly contrarie or repugnant to any of

Maintaine doctrine

Bishop Ordinary Commissioners

the saide Articles, and being conuented before the Bishop of the Dioceſſe, or the Ordinarie, or before the Quenes highneſſe commissioners in causes Eccleſiaſtical, shal perſiſt therein, or not reuoke his error, or after such reuocation, eftsoones affirme such vntrue doctrine: such maintaining or affirming & perſiſting, or such eftsoones affirming shalbee iuſt cause to

Reuoke

Deprive

depriue such person of his Eccleſiaſticall promotions: And it shalbe lawfull to the Bishop of the Dioceſſe, or the Ordinary, or the said commiſſioners, to deprive such person so perſiſting or lawfully conuicted of such eftsoones affirming, and vpon such

Sentence

sentence of deprivation pronounced, hee shalbe in deede deprived. And that no person shal hereafter bee admitted to any benefice with cure, except he then be of the

23. yeres old

age of 23. yeres, at the leaſt, & a Deacon, & shal firſt haue subſcribed to the said Articles in preſence of the Ordinary, & publikely read the same in ỳ Pariſh Church of that benefice, with declaration of his vnfained aſſent to the same. And that euery person after the ende of this Seſſion of Parliament, to be admitted to a benefice with cure, except that within two moneths after his induction, he do publikely

Read

read the saide articles in the same church whereof he shall haue cure, in the time of Common prayer there, with declaration of his vnfeined aſſent thereto, & be admitted to miniſter the Sacramentes within

Admitted

One yere

one yere after his induction, if he be not so admitted before, shalbe vpon euery such default, Ipſo facto, immediatly deprived. And that no person now permitted by any diſpenſation, or otherwiſe, shal retaine any benefice with cure being vnder ỳ age of 21. yéres, or not being Deacon at the

21. yeres Deacon

leaſt, or which shall not be admitted, as is aforeſaid, within one yére next after the making of this act, or within vi moneths after hee shall accomplish the age of 24.

24. yeres olde

yeres, on paine that such his diſpenſation shalbe meerely void.

Miniſter Preach 24. yeres old

And that none shalbee made Miniſter, or admitted to preach, or miniſter ỳ Sacramentes, being vnder the age of 24. yéres, nor vnleſſe he firſt bring to the biſhop of that Dioceſſe from men knowen to the Biſhop, to be of ſound Religion, a

Teſtimoniall

teſtimoniall both of his honeſt life, and of his profeſſing the doctrin expreſſed in the said articles: nor vnleſſe he be able to anſwere and render to the Ordinarie an accompt of his faith in latine, according to

Latin

the said articles, or haue ſpeciall gift and habilitie to be a Preacher: nor shalbe admitted to the order of Deacon or miniſterie, vnleſſe he shall firſt ſubſcribe to the saide articles.

Deacon Subſcribe

And that none hereafter shalbee admitted to any benefice with cure, of or aboue the value of xxx. li. yeerely in the Quenes bookes, vnleſſe he shall then be a Bachelour of Diuinitie, or a Preacher lawfully allowed by ſome Biſhop within this Realme, or by one of the Vniverſities of Cambridge or Oxford.

33 li. yerely Bachelour of Diuinity Preacher

And that al admiſſions to benefices, inſtitutions, & inductions to be made of any perſon contrary to the forme or any proviſion of this act, and all tolerations, diſpenſations, qualifications, and licences whatſoeuer to bee made to the contrary hereof, shalbe meerely voide in law, as if they neuer were.

Toleration Diſpenſatiõ Qualifications Licence Void

Prouided alway, that no title to conferre or preſent by lapſe, shall accrue vpõ any deprivation, Ipſo facto, but after ſixe moneths after notice of ſuch deprivation giuen by the Ordinarie to the Patrone. Anno decimo tertio Eliz. cap. 12.

Lapſe

¶ Spiritualtie.

THe ſtatutes made in the 25. yere of king Edwarde Grandfather to our Soueraigne Lorde the king that now is, touching the Clergie of England, be entirely holden & kept, & put in due execution. An. 4. H. 4. ca. 2.

Clergie

2 ¶ All the eſtatutes, ordinances and grants, made or granted by his noble progenitors or predeceſſors kings of England, to the Clergie of Englande, for the conſeruation of their liberties & priuiledges, & for the conſeruation of the liberties & muniments of holy Church not reuoked, be firmly holden, obſerued & kept, and put in due execution according to their forme & effect. An. 4. H. 4. ca. 3.

Clergie Liberties

¶ Stanes.

ANno 1. H. 8. ca. 9. is an Act concerning the maintaining of a Bridge and Cauſey of Stanes, and for the gathering of the toll there, & the letters patents made of that toll to be voide.

Bridge Cauſey Toll Voide

¶ Staple.

THe Staples beyond the ſea and on this ſide, ordeined by Kings in times paſt, and

the paines therupon prouided, shal cease: And that all Merchants strangers & priuie may goe & come with their merchandises into England, after the tenure of the great Charter, & that Writs be therupon sent to all Shirifes of England, and to Maiors & Bailifes of good townes where nede shal require. Anno secundo Edwardi tertij, capitulo nono.

Merchants strangers

Writs

2 ¶ The Staple of Wools, Leather, woolfels and lead, growing and coming forth within our saide Realme and lands, shall bee perpetually holden at the places vnder written, that is to say, for England at Newcastle vpon Tine, Yorke, Lincolne, Norwich, Westminster, Canterburie, Chichester, Wincheſter, Exceter and Brikstowe. For Wales at Barmardine: and for Ireland at Dewelin, Waterforde, Corke and Droghda, and not elsewhere. And that al the said wools as well olde as new, woolfels, leather & lead, which shalbe brought out of the said Realme and land, shalbee first brought to the said Staples, And there the said wool and lead betwixt Merchant & Merchant, and Marchant and others, to be lawfully weighed by the Standard. And that euery Sacke and Sarpler of the same wools so weighed, be sealed vnder ỳ seale of the Maior of the Staple. And that the wools so weighed and sealed at the Staple of Yorke, Lincolne, Norwich, Westminster, Canterburie and Wincheſter: And also leather, woolfels, & lead which shal come there (the customes of the Staple thereof payed) shalbe witnessed by bil. sealed with the seale of the Maior of the Staple, and brought to the Portes vnder written, that is to say, frō Yorke to Hull, from Lincolne to Saint Botolfe, from Norwich to great Yermouth, frō Westminster to London, from Canterbury to Sandwich, from Wincheſter to Southampton: And there the said Wools and lead shalbe another time weighed by our customers assigned in the same parties. And all the Wools and lead brought to the said ports of Newcastle, Chichester, Exceter, Brikstow, Barmardin, Dewelin, Waterford, Corke and Droghda, where the other Staples be holden, shalbe but once weighed by the Standarde betwixt merchant and merchant, or merchant & other, in presence of our customers there: And an Indenture shalbee made betwixt Maior of the Staple being in the port of the Sea, and our customers there, of all the wools and lead so weighed, and also of all the leather and woolfels which shall come to the said Staples to passe there, & the same wools and lead, and also the leather and woolfels customed and cocketed, and the customes therof due, payed to our said customers in al the said ports, that is to say, of Denizens for the time that they haue passed, halfe a marke of a sacke of wooll, halfe a marke of CCC. wolfels, a marke of a last of leather. And of Aliens. x. shillings of a sacke of woll, x.s. of CCC woolfels, and xx.s. of a last of leather, and three pence of euery sow of lead, then the said merchādises shalbe brought by merchants strangers, which haue bought the same, and not by Englishmen, Welshmen, nor Irishmen, to the parties beyond the Sea out of our said Realme & landes, to what parties it shall please the saide merchants strangers.

Wools Leather Woolfels Lead

England

Wales Ireland

Sacke

Seale

Maior

Customers

Indenture Maior Customr

Denizens

Aliens

Strangers

And that the saide Maior & Customers shal delay no man willingly for gain, nor for such cause, nor in other maner shal any thing take of any person to doe that that pertaineth to their office, vpon paine of imprisonment, and to paye to the partie the double of that that they haue so take, and also of that that the partie shalbe endammaged because of such taking or delay, and moreouer to be ransomed at our will, but shall holde them content of that that they take in certaine to do their office. And that the Maior of the staple and the Customers take an oth of all the merchants, which so shall passe with wools, leather, woolfels and lead, that they shall hold no Staple beyond the Sea of ỳ same Merchandises. Anno 27. E. 3. cap. 1. statut Staple.

Impriſon 2. damages

Maior Merchants Othe

3 ¶ Forasmuch as no Staple may be profitable for vs and for our said Realme & lands, vnlesse it be free, we will & grant for vs and for our heires, for the maintenance of the said staple, that all maner of people may come with their carriage and goods to the Staple, & from the same returne freely without beeing disturbed by prises of vs or of any other. Saning to vs & to our heires all maner of prises royal, of all manner of carriages and victuals throughout al our said Realme and lands of old times due and vsed of right, as haue beene made by vs and by our anceſtors in times past. And euery carrier returning from the staple, shal haue a bill vnder the seale of the Maior of the Staple, wherby it may bee knowen that hee serueth the

Free staple

Prises royal

Carrier

Seale

Staple, conteining the iournies that him nedeth for his returne to ỳ house, which bil shalbe graunted to him. And the same Maior shalbee sworne that he shall make no such bil for none other then which serueth the Staple: And if any such carrier, cart, ships, beastes or other thing, which serueth for carriage of that that pertaineth to the Staple, be taken, & be within the vierge out of the Staple, Hue & Crie shalbe leuyed vpon the takers, & the takers shalbe foorthwith taken by people of the Towne, where the prise was made, or by people of another Towne, if they bee lacking, and brought before the Steward and Marshall of our house:

Maior

Vierge
Hue & cry

Steward
Marshall

And there readie punishment shalbee made of them, according as the deede requireth. And if any such prise be made out of the veirge, hue & crie shalbe leuyed, & the takers shalbee taken and arrested by the town, where such prises shalbe made, or by other townes nere if they be lacking, and brought to the nert gaole, & there to be done of them as of theues, if ỳ deede ỳ same require. And in case that the people of such Townes bee negligent & will not pursue and arrest such takers, as before is saide, the foure townes nert shall answere of the dammages that may bee found before them whom we shall thereto assigne, that the plaintifes haue incurred by their default, if they cannot reasonably excuse themselues thereof.

Punish

Arrest

Gaole

Felony

Negligent

And if such prises bee made in a place, where that the staple is, the takers shalbe arrested by the Maiors & ministers of the Staple, and right done to the plaintifes by the said Maiors and ministers.

Arrest

So alwaies that if such prise be made at the Staple, and the Staple be within the Vierge, and the takers arrested be of our house, then the right shalbe done of them by the Maiors & ministers of the Staple. And the Steward & marshal of our house, or the Stewardes Lieutenant shall bee thereto called, if they will be there, to see that right be done of the saide takers according to the Law of the Staple. And in case they come not, the Maior & ministers of the Staple shal proceede in the proceste and do iustice according to the law of the Staple, notwithstanding the not comming of the Stewarde or Marshall, or Lieutenant aforesaid. Anno 27. Edw. 3. cap. 4. Stat. Staple.

Clierge

Steward

4 ¶ In case that our bench or comon Bench, or Justices in Eyre, or Justices of Assise, or the place of the Marshalsey, or any other Justices come to the places, where the said staples be, the saide Justices, nor Stewards, nor Marshals, nor other the saide places shall haue no cognisance there of that thing that pertaineth to the cognisance of ỳ Maior & ministers of the Staple. Anno 27. E. 3. capitulo 4. stat. Staple. cap. 5.

Justices

5 ¶ We will and defend that no Marshall, nor other minister of our house, nor of others, shal make liuery nor meddle in the places where the Staple shalbe holdē and kept of the houses where the saide merchants or their meiny, or wools or other merchandises of the staple be lodged, nor enter into the same, to doe their office there, nor take any thing thereof to spare any, vpon the paine to make grē to the partie at whose sute he shalbe attainted of the quatreble of that that ỳ plaintife shal be indāmaged, & further shalbe grieuously punished against vs. An. 27. E. 3. cap.

Marshal

Liuerie

Wools

Punish

6 ¶ We will and graunt that no licence nor priuiledge to make passage by Englishmen, Irishmen, or Welshmen of wools, leather, woolfels or lead out of ỳ same realme & lands, shalbe graunted by vs nor our heires against this ordināce. And if any be granted to ỳ contrary, they shal be holdē for none. And they shall giue no warrant, nor excuse to them, which shal do to be passed the said merchandises, that they shal not incurre the paines and forfaitures contained in the saide article. An. 27. Ed. 3. ca. 7. stat. Staple.

Licence

Wools
Leather
Woolfels
Lead

7 ¶ We haue ordeined & established, that the Maiors & Constables of the staples shal haue iurisdiction and cognisance within the Townes where the staples shalbe, of people & of al manner of things touching ỳ staple. And that al Merchants comming to the staple, their seruaunts & meinie in the Staple, shalbe ruled by the Law merchant, of al things touching the Staple, and not by the common Law of the land, nor by vsage of cities, boroughs, nor other townes, and that they shall not implead nor be impleaded before ỳ Justices of the said places in plea of debt, couenant & trespas touching the Staple, but shal implease all persons, of whome they wil complain, aswel such as be not of the staple, as those that be of the staple, which shall bee there founde. And in the same maner they shalbee impleaded onely before the Maior and Justices of the Staple, which shalbee thereto deputed of al maner

Maior
Constable

Merchants

Law

Implead

maner of pleas and of actions, wherof the cognisance pertaineth to the ministers of the Staple. Do alwaies, that, all maner of contractes & couenants made betwixt merchant and merchant or other, wherof the one partie is a merchant or minister of the staple, whether the contract or couenant made, be within ỳ staple or without, & also of tresp̃alles done within the staple to merchants or to ministers of ỳ staple by other, or by any of them to other: the partie plaintife shal chose, whether he will sue his action or quarrell before the Justices of the staple by the law of the staple, or in other place of the common law: And he shalbe thereto receiued. Do alwaies that in the pleas touching any of our house, the steward or his lieutenant, & the Marshals of our house shalbe with the Maior of the staple, to sæ that right be done to the parties, as before is said, if they wil be there. But pleas of lãd & of fræhold shalbee at the common law. And if merchants or their people being in the staple, because of the same do felony or be slaine, robbed, or maymed by any persons, the Maior of the staple & other couenable shalbe alligned Justices, to heare & determine the said felonies & maihemes within ỳ Staple without delay according to the common law. And if any such felon or tresp̃aller bee taken & detained within any Franchise to whome soeuer the same be, because of suth felony or maihem done within the Staple, it shalbee forthwith commanded by writ, to make the saide felon or him that did the maiheme, to come before the said Justices, to do right of him in forme aforesaid. And if they that haue such p̃isoners in warde, will not deliuer them, they shall incurre the paine of an hundred pound towards vs. And neuertheless they shall deliuer the bodie in the forme aforesaid. And in case that any indictment be made out of the Staple of felonies or tresp̃asses done by people of the Staple, or by other of them within ỳ Staple, the same indictment shalbee sent before the said Maior, and then which shalbe alligned Justices with him, to do right in this partie. And if the plea or debate be made before the Maior of the Staple betwixt the Merchants or ministers of the same, and thereupon to trie thereof the truth, an enquest or p̃oofe is to be taken: we will that if the one partie and the other bee a stranger, it shall bee tryed by strangers. And if ỳ one partie & the other be Denizens, it shalbe tried by Denizẽs. And if the one partie be Denizens & the other an Alien, the one halfe of the enquest of the p̃oofe shalbe of denizens, & the other halfe of aliens. Anno. 27. E. 3. statut Staple. cap. 6.

Couenants — Steward — Pleas of land — Felony — Writ — Retait — Fayt. — Indittmẽt — Enquest — Triall strangers — Denizens — halfe the Enquest

8 ¶ To the intent that the contractes made within the Staple shalbe the better holden & the paiments readily made: wee haue ordeined and established, that euery Maior of ỳ said Staples shal haue power to take recognisances of debtes, which a man wil make before him, in the p̃esence of the Constables of the Staple, or one of them. And that in euery of the saide Staples be a seale ordained, remaining in the custodie of the saide Maior of the staple, vnder the seales of the same Constables. And that al obligatiõs which shalbe made vpon such recognisances, be sealed with ỳ said seale, paying for euery obligation of an C.li. and within, of euery pound an ob. And of euery obligation aboue an C.li. of euery pound a farthing. And that the Maior of the Staple, by vertue of the same letters so sealed, may take and holde in p̃ison the bodies of the debtors after the terme incurred, if he be found within the staple, til they haue made agrée to ỳ Creditor of the debt and damages:

Contracts — Maior — Recognisance — Constable — Seale — Pay — Imprisõm

And also arrest the goods of the said debtors found within the said staple, and deliuer the saide goods to the creditors by the estimation, or to sell them at the best that a man may, and deliuer the money to the creditors til the summe due. And in case that the debtors be not founde within the Staple, nor their goods to the summe of the debt, the same shalbee certified in the Chancery vnder the saide seale, by which certification a writ shalbe sent to take the bodies of ỳ said debtors, without putting to mainp̃rise, And to seale their lands and tenements, goods and cattels.

Arrest goods — Chauncery — Writ Mainprise

And the Writte shalbe returned in our Chancerie, with the certification of ỳ value of the said lands & tenements, goods & cattels. And thereupon due execution to be made from day to day in maner as it is contained in the statute Merchant, so that he, to whom the debt is due, haue estate of fræholde in the lands & tenements which shalbee deliuered to him by vertue of the same p̃oceste, & recouery by writ of Nouel disseisin, in case if he be out. And that ỳ debtor haue no aduantage of the quarter of a yere that is contained in the said statute merchãt. And in case that no creditor

Nouel diss.

will haue letters of the said seale, but wil be at the faith of the saide debtor, if after ẏ terme incurred hee demaund the debt, the debtor shall be vpon the faith. An. 27. Ed. 3. stat. Staple cap 9.

Wools Leather Felles Lead

9 ¶ They that haue woolles, leather, fels, & leade in the Countrey, betwixt the places where the Staples be and the sea, and the same wil do carrie to the staple by fresh waters, or by armes of the sea, shall make Indentures betwixt them and the bailifs of the townes where they put them in ship, testifying howe much wools, leather, fels, & lead is so put in ship. And the bailifes of the places shall take an othe & sufficient suretie, for which they will answere, of them & the mariners, which shal goe with the same wools, leather, fels, and leade, to the staple, & no partie elsewhere: And there shal discharge before that they doe enter the Sea.

Indentures

Bailifes Othe Suretie

Mariners

And that the bailifs send forthwith the one part of the Indēture, containing the surety and the quantity of the wolls, leather, woolfels, & leade, to the Maior of the staple, at their costes that owe the goods, by some man for whom they wil answer.

Maior

And if any Maior, bailife, or other minister of the places where such marchandises shalbe charged, suffer ẏ said marchandises to passe in other manner, aswell the Maiors, & bailifes, & ministers alor elsaide, as the Merchantes, which the same shall charge, shall incurre the paines & forfaitures cōtained in the same third article. An. 27. E. 3. cap. 15. Stat. Staple.

Maior Bailifes

10 ¶ That in euery Towne, where the staple shalbe holden, shall be ordained certaine rowes & places where the wools and other marchandises shall be put. And because that the Lords or wardens of the houses and places, (seeing the necessity of merchants) do set percase their houses at too high ferme: wee haue ordeined, that the houses, which be to bee leased in such maner, shal bee set at a reasonable ferme, according to the ordinance of the Maior, and constables of the staple, & of foure discrete men of the best of the town, where the staple is, which shalbe sworn in ẏ presence of ẏ said Maior & constable, to make a lawfull tare, so that for ẏ default of houses, the staple shall not be impeached. And that no man that bringeth his wools or other marchandise there, bee disturbed to lodge the same wools & marchandises in the houses, which they haue so hired. An. 27. E. 3. cap. 16. stat. Staple.

Wools

Reasonable rent

Othe

11 ¶ Because we do wel perceiue that Merchants Strangers doe not come so commonly into Ireland nor into Wales, for merchandise, as they do into Englād, we wil of our special grace, that it shal be lawful to the people of Ireland & Wales, which may not deliuer their wools, leather, woolfels and lead in Ireland and in Wales to the merchants straungers, to come with the saide merchandises. after that they bee customed and cocketted in Ireland and in Wales, to any of our staples in England, which them shal please, bringing their cockets. witnessing their Merchandises, which they shal discharge at the Staples in England: so that they, whē they shal come to the staple in Englande, or they that bought their said merchandises of them, shall not paye another time Custome nor Subsidie for the saide merchandises so customed in our saide lands of Ireland & Wales. And our treasorer, & the Barons of our Exchequer of England, shalbe certified two times by the yere at the least, that is to say, at Easter & Michaelmas, how much wools, leather, woolfels, and lead shall passe out of the said land of Ireland, and the Custome thereof payed. And in case that the Merchants, or other people of Irelande, or of Wales, after that they be in the Sea with their saide Marchandises do passe to any place, other then to ẏ staples in Englande, they shall incurre the paines and forfaitures in the said third Article, Anno 27. Ed. tertij capit. 18. Statut. Staple 9.

Ireland Wales

Custome

Treasorer Barons

Wools Leather Lead

Marchants

12 ¶ That no merchant nor other, of what condition that hee bee, shall lose or forfait his goods or marchandises for the trespas and forfaiture of his seruant, vnlesse hee doe it by the commaundement or procurement of his maister, or that hee hath offended in the office, in which his master hath set him, or in other manner, that the master be holden to aunswere for the deed of his seruant by the lawe merchant, as elsewhere is vsed. And because that merchants may not often tarry long in one place for leuying of their marchandise: wee will & graunt that speedie right bee to them done from daye to daye, and from howre to howre, according to the lawes vsed in such staples before this time holden elsewhere at all times, when they wil them complaine of any, or that ante will complaine of them, so that the merchāts be not by malice delayed for defaut of speedy remedie. Anno 27. Edwardi tertij

Seruant

Lawe merchant

Speedie right

cap.

cap.16.ſtat.Staple 34.

Marchant ſtrangers

13 ¶ Becauſe wee haue taken all the marchants ſtrangers in our ſaid realme & lands in our ſpecial protection, and moreouer granted to do to them ſpedy remedy of the grieuãces, if any be to them done: We haue ordeined and eſtabliſhed, that if any outrage or grieuance be done to them in the Country out of the Staple, the Juſtices of the place where ſuch outrages ſhalbe done, ſhall do ſpedy iuſtice to them after the law marchant from day to day, & from howre to howre, without ſparing any man, or to put them to ſue at the cõmon law. And if any man be conuict, that he hath grieued the marchantes ſo taken into our protection, he ſhal be puniſhed againſt vs for the contempt done to vs, in as much as ſhal be iudged to ẏ marchãts for their dammages, & to the ſaide Marchants ſtrangers their double damages ſhalbe iudged. Anno 27 Edwardi tertij capitulo 20.ſtat.Staple 34.

Juſtices

Law marchant

Punish Contempt

2. damages

14 ¶ Becauſe that the ſtaples may not long hold, nor the ordinances thereof made and to be made, bee kept, if good executors and Juſtices bee not eſtabliſhed to make thereof good and ready execution: We haue ordeined & eſtabliſhed, that in euery towne, where the ſtaple is ordeined, a Maior, good, lawful & ſufficient ſhal bee made & eſtabliſhed, hauing knowledge of the law marchant, to gouerne the ſtaple, & to do right to euery man, after the lawes aforeſaid, without fauor, ſparing, or grief doing to any. And in euery place where the ſtaple is, ſhalbee two conenable Conſtables, nowe at his beginning put by vs, to doe that pertaineth to their office, as in other ſtaples is accuſtomed, and when they ſhall be dead, or changed, then other ſhal be choſen by the Comminaltie of the marchants of the ſaid places. And that no Maior hold the office ouer the yere, vnles he bee newly choſen by the Communaltie of the marchants, aſwell of ſtrangers as of Denizens. And that the ſaid Maior and Cõſtables haue power to keepe the peace, and to arreſt offendors in the ſtaples for debt, treſpaſſe, or other contract, and them to put in priſon and puniſh after the lawe of ẏ Staple. And a priſon ſhalbe ordayned for the ſafe keeping of them that ſo ſhall be impriſoned. And the Maiors, Sherifs, and Baylifes of the townes where the Staple is, or ioyning to the ſtaple, ſhalbee attending to the Maior and miniſters of the Staple, to doe execution of their commaundements, vpon paine of grieuous forfaiture: and one Lorde or other of the moſt ſufficient in the Countrey, where the ſtaple is, ſhalbe aſſigned, to be ayde to the Maior & miniſters of the ſtaple, to iuſtifie the rebels, which by the ſaid Maior and miniſters can not bee iuſtified, and to maintaine and counſell them when nede ſhalbe, to good gouernance of the ſtaple, & to redreſſe at euery mans complaint that thet ſhal be done amiſſe by the ſaid Maior or miniſters, or other, & to doe right to the complainants in this behalf. And that the ſame Maior and Cõſtables do not nor ordaine any thing cõtrary to this ordinãce, nor make interpretation nor exception to them otherwiſe then the wordes doe purport, but if there bee any thing ẏ is doubted, it ſhall be ſhewed to our Counſel, and there declared by good aduice. An.27. E.3.cap.21.ſtatut.Staple.

Maior

Law marchant

Right

Conſtables

Maior One yere

Strangers

Peace Arreſt

Impriſon

Maiors Sherifes Bailifes

Forf. Lord

15 ¶ In euery place, where the ſtaple ſhall be holden, there ſhall bee a certaine number of Correctors, aſwel of ſtrangers as of priuies, good people, ſufficient, and learned of ſuch miſtery, lawfully to make and record the bargaines betwixt the buiers and the ſellers as haue bene vſed in other Staples holden in other places, and that they finde ſufficient Wainparnours, before the Maior and Conſtables of the Staple, lawfully to do that pertaineth to their office: and if they be found in default they ſhall paye to him that is endammaged, aſmuch as his loſſe ſhall amount to, ſo that they meddle them not of any maner of marchandiſe for the time that they ſhall abide in the office. And that no man be conſtrayned to haue Corrector, vnleſſe he will of his gree, nor to pay any thing to any corrector, vnles he meddle of his bargaine at his requeſt. Anno 27.Ed.3.cap. 22.ſtat.Staple.

Correctors

Wainparnours

16 ¶ Certaine number of porters, packers, winders, workers, and other labourers of wools, & all other marchandiſes be ſufficiently ordained for ẏ place where the ſtaple is. and they & the Correctors, and al maner of officers of the ſtaple, beſides the conſtables, ſhalbe ſworne before ẏ Maior of ẏ ſtaple, that they lawfully ſhal do their office, without fraud or male engine. Alſo al marchants Aliens and Denizens, comming to the ſaide ſtaples because of marchandiſe, ſhall bee ſworne before the ſame Maior & Conſtables, that they ſhalbe iuſtified by the ſame Maior and Conſtables, according to the law & vſage of the ſtaple and

Porters Packers Labourers

Correctors

Othe

Marchants Aliens

Othe

and shal maintaine asmuch as in them is, the Staple & the lawes and vsages of the same without fraude or male engine. And the Maior and Constables shalbe sworne in the Chancery, to do lawfully that that pertaineth to them. An. 27. Ed. 3. cap. 23.

Marchants Aliens

17 ¶ The marchants strangers shall chuse two marchants strangers, whereof the one towards the South, and the other towards the North, shal be assigned to sit

Maior

with the Maior & Constables of the Staples, where some of those persons chosen shall come, to heare the plaints touching marchãts aliẽs, that shalbe moued before the said Maior & Constables, at all times that any of the said persons chosen wil be there, & to sée that plaine right be done to the said marchants aliens, so that the said Maior & Constables shall not cease to goe forth in their proces, in case that those persõs chosen come not there. And in case that

Debate

debate rise betwixt them, vpon the discussing of any plea or quarrell: the tenor of ỳ same plea or quarrel shall bee sent before the Chauncellor, and other of our Counsaile, to bee determined there without delay. And also fiue persons shalbe chosen, ỳ is to say foure Aliẽs, whereof two shalbe of Almaine, and two of Lombardie, and two of England, which shall bee discrete men, and worthy of faith, and shal sweare that they shall well and lawfully do their office, that is to say, that when & at what time any question or debate shall rise or come amongst marchants of any vnreasonable woll or vndue packing, according to the couenãts made betwirt the sellers & the buyers, that the said persõs or foure of them, may before the Maior of the staple and the officers, by their othe, say & amend as reason will, and thereupon credence shal be giuen to them without any contradiction. An. 27. Edw. 3. cap. 24. Statute Staple.

Chancellor

Fiue persõs

Othe

Conspire

18 ¶ No marchãt, nor other, shal make cõfederacy, conspiracy, couin, imaginatiõ or murmour, or male engine in any point that may turne in impeachment, disturbance, defeisance, or distresse of ỳ said staples, or of any thing that to them pertayneth or may pertaine, & if any do, & therof be attainted before the Maior & ministers of the Staples, or other whome wee shall thereto assigne, shall incurre the paines & forfaitures contained in the said third article. An. 27. Ed. 3. cap. 25.

19 ¶ That al the said things be firmely kept and holden in all points, notwithstanding franchise, custome, priuiledge, exemption, iudgements, or other graunts made to cities, boroughs, townes, Comminalties, people of the fiue Ports, and other Portes, or any other singuler persons. And in case that any thing be to be amended, added, changed, or withdrawen of any of the saide pointes in time to come by a true cause, wee wil, that the same be done by deliberation & aduise of the great men, and other of our Counsel in the parliament. Sauing in other things to the Prelats, Dukes, Earles, barons, & other Lords, their Faires, Markets, Hundreds, Wapentake, Leets, Iurisdictiõs, courts, franchises, & priuiledges & al other things to them pertaining, in the places where the Staples be and shalbe, and elswhere, as farre forth as they had them before that the Staples were ordeined. An. 27. E. 3. cap. 28. stat. Staple.

Cities Townes & Ports

Faires Markets Iurisdictions

20 ¶ Forasmuch as the Staple is now of late ordeined, to abide perpetually in Englãd, and at the beginning there was no euidence in certaine, by which a man might assigne or limite in certayne that, that Maiors and Constables in the places where the staples be ordeined, ought to take by yéere in certaine for their trauaile, but it was then assented by the Lords and Commons, that of euery sacke should bee leuied viii. d. for the first yeere, & deliuered to the said Maior & Constables in the places where the said Staples be assigned, which first yére passed out at the gule of August last past, and nowe commeth as much wools or well nigh as much to the Port of London, as doe in all the other Staples through the Realme, and to some of other Staples commeth as much of wolles, as to two or thrée of the other Staples, so that to one Staple commeth more, & to another lesse, so that the Maior & constables of some place take too much, and in some places to little, and the people be very much charged to paye 8. d. a sacke, (as is aforesaid) hauing regard to the sum of the wolls, that passeth ouer the Sea: And all the time that the sayde Staple was abiding beyond the Sea, bee that is chosen Maior by the marchants of England, dit take a certaine by yere: And also it were reason that it should bee so in Englãd, and that in a reasonable maner, euery man according to his trauaile, and that ỳ people should not bee so much charged: Wherefore it is ordeined by the king and the great men, and by the aduise of al the

the Counsell, that no more shalbee leuied
4.d. the sacke of a sacke but iiii. d. in no parte from the
guile of August last past hitherto, nor
from henceforth. And that the iiii. d. of the
sacke in euery place where the Staple is,
shal bee put in a bore, and sealed with the
seales of the Maior and Constable, to
the intent that the saide Maior & Consta-
bles may be therof paied of their certaine
that they should take. And if at the end of
the yeere more be found in the bore, then
the fees of the said Maior and Constables
Fees shall amount vnto, it shal be safely kept,
to paye and performe the fees of the Ma-
iors and Constables in other Staples,
where the foure pence will not thereto
suffice. And if any thing remaine in the
said bores, after the fees payed, the same
Common profite summe residue, shall bee saued to the com-
mon profit of the marchants of the staple
for the yeere to come, & for to pay for the
weights made of new, & also for paymēts
and other things necessarie touching the
Staple. And almuch as is leuied in al the
places, where the staples be, ouer the said
summe of iiii. d. of the sacke, after the said
Fees guile of August last past, shalbe rebated
and restored to the vses aforesaid. And the
fees of the Maior & Constable be ordeined
& limited in the forme as followeth, that
is to say, the Maior of ỳ Staple of West.
shall take C. li. and euery of the Consta-
bles their tenne Markes. The Maior of
Yorke, Kinlton vpon Hull, Norwich, &
Winchester, euery of them xx. li. and eue-
ry of the Constables of the said places C.
s. the Maiors of Newcastle vpon Tine,
Chichester, & of Exceter x. li. and euery of
the Constables of those places v. Marks.
Refuls And if any of the Maiors and Consta-
bles aboue named refuse the office, he shal
pay to the company almuch as his fee shal
amount to. And proclamation of the same
was made through England the first day
&c. Anno 28. E. 3.

21 All the ordinances made in the
great Counsaile holden at Westminster
the Sunday next after ỳ feast of S. Mat-
hew the Apostle last past, together with
certaine declarations & additions made in
this present Parliament, be firmely kept
& holden for a statute to endure for euer,
which declarations & additions follow in
this maner: Whereas it is contained in
Marchant the said ordinances, that euery marchant,
that selleth his wolls at the staple, shalbe
Woolles holden to warrant the packing of ỳ same
Warrant wolls, or if plea or debate be moued be-
Plea fore the Maior of the staple, betwixt the
marchants or ministers of the same, and
thereupon to trie the trueth thereof ap-
proued, enquest shalbe taken, & if the one Enquest
partie and the other be Denizen, it shalbe
tried by Denizens, or if the one party bee
Denizen & the other Alien, the half of the
enquest or of the prowe shall bee of Deni-
zens. and the other halfe of Aliens. And Half aliens
also that no marchant, priuy nor stran-
ger, nor other of what condition that he be,
shall goe by lande nor by water against
such ships charged with wines, wares, or
other marchandises cōming into ỳ realm
of England, nor other lands of the kings,
in the Sea nor elsewhere, for to forestall, Forestall
buy, or in other manner giuing them ear-
nest before that they come to the staple, or
to the port where they shalbe discharged,
nor enter the ships for such cause, till the
marchandises bee set to land for to sell. It
is accorded & stablished, that the warran-
ty of packing of wools for diuers mischiefs Warrant voyde
which the commons haue thereof perceiu-
ed, shall wholy be out. And that no man
be holden to make such warrantie, vnlesse Couenant
it be by couenant made by dāde ensealed.
Also that no man, other then a marchant Marchant
Denizen or Alien, that knoweth not the
Lawes & vsages of the staple, vsed before
that the said ordinances of the Staple bee
made, shalbe charged by the same lawes &
vsages, till they be declared in the parlia-
ment. And that in all maner of enquests & Enquests
proofes, which be to bee taken or made a-
mongst Aliens and Denizens, bee they
marchants or other, as well before the
Maior of the staple, as before any other
Iustices or ministers, although the King
be partie, the one halfe of the Enquest or
proofe shall bee Denizens. and the other
halfe of Aliens, if so many Aliens be in the
Towne or place where such enquest or Halfe Deni-
proofe is to bee taken, that be not parties, zens
nor with the parties in contracts, pleas,
or other quarrels, whereof such enquests
or proofes ought to bee taken, and if there
be not so many Aliens, then shall there be
put in such enquests or proofes as manie
aliens as shalbe found in the same towns
or places, which bee not thereto partyes,
nor with the parties, as is aforesaide, and
the remnant of Denizens, which be good
men and not suspicious to the one partie
nor to the other. And that no maner ship
which is freight towardes England, or Ship
elsewhere, bee compelled to anie porte of
England, not here to bide against ỳ wil of

the

the maſters and mariners of the ſame, or of the marchants, to whom the goods, bee, and if ſuch come of their gree, or be driuen by tempeſt or other miſfortũe or miſchiefe to any port in England, and the maſters, mariners, or marchants of the ſame ſhips will ſell or deliuer part of their marchandiſes with their good will, it ſhall be lawfull for euery man to buy ſuch marchandiſes freely without impeachment, in the port where ſuch ſhips ſhall come, albeit the ſaid marchandiſes be not put to lande for to ſell, ſo alwaies that no marchant nor other ſhall goe by land nor by water againſt ſuch ſhips charged of marchandiſes, to foreſtall the ſame marchandiſes, or to giue them earneſt by waye of foreſtalling, vpon the paines contained in the third article of the ſaid ordinances, ſo that the maſters, mariners, and marchants, after that they haue ſo ſold that that pleaſeth them of their ſaide goods, and payed thereof ỹ cuſtome, may freely depart and go with their ſhips, and all the remnãt of their goods where as pleaſeth them, without cuſtome thereof to bee paied. And that none, of what condition that he be, by act nor engin make nor ſet diſturbance to any ſhip charged with marchandiſes, to come to any port of England, but to the porte where the maſters, mariners, & marchãts will firſt of their free wil arriue, nor after that they haue arriued, ſhal meddle with the ſale of the ſame marchandiſes, nor diſturbe the marchants nor their ſeruants, that they may not the ſame by their own hands, according as to thẽ beſt ſhal ſeeme for their profit, ſel & deliuer their marchãdiſes, at what time, & to whom ſhall them beſt pleaſe. And if any ſet diſturbance, hee ſhal incurre a grieuous forfaiture againſt the king, according to the quantity of the treſpaſſe. An. 28. E. 3. cap. 13.

Tempeſt

Sell

Foreſtall

Cuſtome

Diſturbe Forf.

22 ¶ It is accorded & eſtabliſhed, that ſhewing of woolles ſhalbe made of the ſtaple euery day of the weeke, except ỹ Sunday and ſolemne feaſts of the yeere. And that no ſhewing nor ſale of wools be made within three miles about the ſtaple, but only at the ſtaple, vpon the paine contained in the third article of the ordinance of the ſtaple. Sauing alwaies that euerie Lorde & other man then a marchant, maie freely lodge, ſhew & ſel his wooles, which be of his owne growing, in his own houſe or other place where pleaſeth him. An. 28 Ed. 3. cap. 14.

Woolles Sunday Holy dayes

Lord

23 ¶ The ſtaple of Weſtminſter, ſhal beginne his bound at Temple barre, & extend to Tuthill. And alſo in other cities & townes, where ſtaples be, the bounds of ỹ ſame Staples ſhal be within the walles, where the cities and towns be walled or enclоſed, & in the cities or townes, which be not walled nor enclоſed, the bounds of the ſaid ſtaples ſhal not be through all the citie or towne. An. 28. E. 3. cap. 15.

Boundes

24 ¶ An. 34. E. 3. cap. 21. the King by Parliament confirmed his grant before made by his Letters patents to Engliſhmen for carrying of marchandiſe of the ſtaple ouer the ſea contrary to the ſtatute of An. E. 3. cap.

25 ¶ Though it be ordained by the ſtatutes of the ſtaple, that the Maiors, & conſtables of ỹ ſaid ſtaples ſhal haue iuriſdiction & conſiſance within the towns where the ſtaples be, of the people & of all maner of things touching ỹ ſtaple, & of felonies, mayhems, & treſpaſſe done within the ſtaple: It is accorded & aſſented, that the ſaid Maiors, & Conſtables ſhal haue conſiſance onely of debts, conenants, and contracts, and all other pleas touching marchandiſe and ſuretie of marchandiſe betwirt marchants, which bee marchants knowne, & proces of felonies, and all other plaints as wel within the ſtaple as without, ſhalbe at the cõmon law as they were before the making of the ſtaple, & notwithſtanding the ſaid ſtatute. Sauing alwaies that the marchants aliens (be they plaintifs or defendants) may ſue their plaints and quarrels as well of treſpaſſe as of other what they will, before the Maior of the ſtaple, by the law of the Staple, or elſewhere at the common law, as is conteined in ỹ ſaid ſtatute of the Staple. And that the king & all other Lordes within their ſeigniories haue & enioy their franchiſes, iuriſdictiõs, & priuiledges, as they had before the ſame ſtatute made, ſo alwaies that the Maior of the ſtaple haue power to take recogniſances of debts of euery perſõ (be he marchant or other) in the ſame maner as is cõtained in the ſame ſtatute of the Staple. An. 36. E. 3. cap. 7.

Maiors Conſtables

Conſiſance

Fees

Felonies

Suit

Stat. of ſtaple

Franchiſe

Maior

Recogniſans

26 ¶ The ſtaple ſhall bee in England. And that the ſtatute of the ſtaple made ỹ ſaid xxvii. yere with the declaratiõs, additions & modification thereof made, be holden & kept, notwithſtanding any graunt, licence, or other ſtatute or ordinãce made afterward. 38. E. 3. cap. 7.

Englands

27 ¶ That the ſtaple be removed from Middleborough to Caleis, ſo that it ſhalbe

Caleis

At

at Caleis the firſt day of December next comming. An.12.R.2.cap.18.

England

28 ¶That the Staple bee remoued from Caleis into England, ſo that it be in England, the munday next after the feaſt of the Epiphany, at the furtheſt. And that it be holden in the places contained in the ſtatute of the Staple, made in the xxvii. yere of the kings grandfather that nowe is, & in none other place. And that the ſaid ſtatute be firmely and ſurely holden, and duly executed in al points, with the additiõs vnderwritten, notwithſtanding any declaratiõ or ſtatute made hereafter to ỹ contrary, that is to ſay, that euery perſon alien, of what degrée or condition ỹ be be, that bringeth any marchãdiſes into England, ſhall finde ſufficient ſureties before the cuſtomers in the port where the marchandiſes ſhall bee brought, to buy other marchandiſes to ỹ valour of halfe the ſaid marchandiſes ſo brought at the leaſt, as wolles, leather, woolfelles, leade, tinne, butter, cheeſe, clothes, or other commodities of the land. An.14.R.2.cap.1.

Alien

Sureties

Woolles
Leather
Lead
Tinne
Butter
Cheeſe
Cloth

29 ¶In euery port and place where the ſtaple ſhalbe, the Maiors, conſtables, brokers, and all other officers and miniſters of the ſtaple ſhall bee ſworne firſt to the king, and after to the Staple: Anno 14. R.2.cap 3.

Maiors
Conſtables
Brokers
Othe

30 ¶The ſaide ſtatute, that is to ſay, An.27.E.3.cap.9. (before 8.) bee firmely kept & holden. And that no Maior of the ſtaple take or receiue any recogniſance of debt, contrary to the forme of the ſaid ſtatute, vpon paine to paye to the king the moity of ỹ ſumme recogniſed before him. An.15.R.2 cap.17.

Maior
Recogniſance

31 ¶An.21.R.2.ca.17. it was enacted, that the ſtatute concerning marchants of the ſtaple ſhould be kept, and the licences contrary thereunto ſhould bee voyde, but this parliament of Anno 21.R.2. was repealed by 1.H.4.cap.3.

Parliament repealed

32 ¶All the ſtatutes (S. concerning the ſtaple of Caleis.) thereof made and not repealed, be holden and kept, & put in due execution, and that the whole repaire of wolles, woolfelles, leather, lead, whole tinne and ſhotten tinne, & all other marchandiſes pertaining to the ſtaple, paſſing out of the Realme of England, and of the countries of Wales and Ireland, bee at the ſaid place of Caleis, and at none other place beyond the ſeas, as long as the ſaide ſtaple ſhalbe at Caleis, vpon paine of forfaitur of the very valour of the marchandiſes which ſhall paſſe elſewhere, but to the parties towards the Weſt, named in the ſaide ſtatutes thereof made. And that no licence from henceforth be granted to the contrary, except for wolles, felles, & leather of Northumberlande, Weſtmerland, Cumberland, and the biſhoprike of Durham, ſauing the kings prerogatiue. Prouided alwaies, that if any marchants vnder colour of any licẽce ſhip any wolls of the growing of any party of Yorkſhire, or of any other countrey of the realme, except of the growing of the ſame partes of Northumberland, Weſtmerland, Cũberland, and the biſhoprike of Durham, they ſhal forfait to the king the valour of all the wolles ſo ſhipped, & alſo they ſhall loſe the benefite of the ſame licence. And be that the ſame eſpieth, and therof giueth knowledge to the Treaſorer of England for the time being, ſhall haue the fourth parte of the forfeiture ſo by him notified, An.2.H.6.cap.4.

Woolles
Felles
Leather
Lead
Tinne
Marchandiſe

Caleis
Fort.

Licence
Woolles
Felles
Leather

Prerogatiue

Woolles

Fort.

Fourth part

33 ¶An.8.H.6.ca.18. an act was made that an ordinance made for wolls & marchandiſes of the ſtaple, ſhould endure for three yeres, which ordinance was that the prices ſhould be enchanſed, that ready paimẽt ſhould be made, that Bullion ſhould be brought to the mint, that egal partitiõ ſhould be made, & that acquitances ſhould be made. This ſtatute is cõfirmed by An. 11.H.6.cap.13. as it ſéemeth. Tamen quære, and ſée both the ſtatutes.

Woolles

Bullion

34 ¶An.8.H.6.cap.15. it was enacted that the Maior of the Staple then ſhould continue Maior for a certaine time, notwithſtanding any ſtatute or ordinances.

Maior

35 ¶All the recogniſances of debts before the ſaid Maior and Cõſtables of Caleis, may not be made by any perſons beyond the ſea, ſhalbe as effectuall and executorie, & of ſuch force in al points within the realme & in the ſame forme executory, as the ſaid recogniſances made before the ſaide Maior and Conſtables of the ſtaple of Weſtm. or before any other Maior or conſtables of the Staple within the ſaide realme be. An.10.H.6.cap.1.

Recog. Maior

36 ¶An.20.H.6.ca.2. an act was made to endure for ſeuen yéres, to anoyd an ordinance of a partition made vpon woll & felles in the ſtaple of Caleis & concerning the ſale of wolls and felles there and tinnage of Bullion there.

Woolles
Felles
Bullion

37 ¶An.27.H.6.ca.2. an act was made to endure for fiue yéres for confirmation of the liberties of the Staple, and againſt

Liberties

licences

Licences

licences for carying of wooll, felles, or tinne to any other place then the staple of Caleis.

Factors

38 ¶ Anno 4. H. 7. was an act (not printed) made, that none inhabitant of Caleis should be factor or atturney to any marchant of the staple there dwelling in England, but that act was repealed, An. 19. H. 7. cap. 12.

Repealed

¶ Steele.

WHere diuers persons of late haue deceitfully forged and made of certaine yron called Bilbow yron like to the fashion and manner of gaddes of steele, and haue solde the same so forged to diuers of the kings subiects for steele, whereby the greatest part of edge tooles, weapons, and other necessarie things hauing edges, are of little or no value or goodnesse, to the great hurt of the kings louing subiects: For reformation whereof, Bee it &c. that if any person after the first day of Maie next comming, do forge or make any such gaddes of yron, or doe vtter or put to sale any such gaddes of any yron, shall forfeit for euery gadde so forged or vttered, or put to sale, iiii. d. The moitie &c. In the which action &c. An. 2. E. 6. ca. 27.

Gads of yron forf.

Moitie

¶ Stillyard.

FOr marchants of the same house in Almaine, hauing the house in the City of London cõmonly called Guildhall Theutonicorum, That by authority of this said Parliament, euery acte, statute, or ordinance, acts, statutes, or ordinances heretofore made not cõcerning marchants marchandises, or other wares, extende not to the preiudice, hurt, or charge of the saide marchants of the Hanse, contrary to the ancient liberties, priuiledges, free vsages, & customes of old time granted to the saide marchãts of the Hanse, aswel by ỳ kings noble progenitors, & ratified & confirmed by the kings grace, as by authority of diuers parliaments. But that all such acte, statute, and ordinance, acts, statutes, and ordinances so made or to be made in derogation of the saide liberties & priuiledges, free vsages & customes, stand & be against the said marchants & their successors, and euery of them. void, repealed, annulled, and of none effect, any act, statute, or ordinance, actes, statutes or ordinances to the contrary made, or to bee made, notwithstanding. Prouided alway, that this acte, or any thing therin contained, extend not, or be in any wise preiudicial or hurtful to the Maior, shirifes, cittizens, or communaltie of the citie of London, or any of them, or to the successors of any of them, of or for any interest, liberty, priuiledges, franchises, or other thing to them or anie of them giuen or granted by the Kings most noble progenitors or predecessours kings of this realme, or by authority of Parliament, or otherwise: This present acte, or any thing therin contained notwithstanding. An. 19. H. 7. cap. 23.

Maior Sheriffs London

¶ Steward of the Queenes household.

A Statute was made Anno 23. H. 8 cap. 39. concerning the great Master of the kings household, but it is repealed by 1. M. 2. parl. ca. 4. and the office of the lord Steward of the kings household is reuyued, and diuers things at large bee in this statute concerning that office.

L. Steward

¶ Stile.

ANno 35. Henrici 8. cap. 3. an acte was made concerning the Kings Style, wherein the Supremacie was. But it is repealed by 1. and 2. P. and M. capitulo 8. as appeareth in Rome 4.

Supremacy

¶ Strode.

ANno 4. H. 8. capitulo 8. an acte was made for one Richard Strode that was condemned in the Courts of the Stanerie in Deuonshire.

¶ Surueyors.

FIrst it is to bee inquired of the Castels, and also of other buildings ditched about, what the walles, buildings, timber, stone, lead, and other maner of couering is worth, and howe they may bee solde according to the very value of the same walles and building. And for how much the buildings without the ditch may be solde, and what they be worth with the gardeins, courtilages, doue houses, and all other issues of the courtyards by the yere. It is to be inquired also, how many fields are of demeanes, and how many acres are in the fielde, and what euery acre is worth by the yere. And how manie acres of medowe are of the demeanes, and how much

Enquire Castels

Demeans

Medow

much euery acre by it selfe is worth by the yeere to be let out. Also how many acres of pasture there be, & for what beasts or cattels the same pasture is most necessary, & how many it wil finde, & of what maner, & what the pasture of euery beast is worth to be let out by ỳ yere. Also forreigne pasture, that is comon, how many and what beasts and cattell the lord may haue in the same, and howe much the pasture of euery beast is worth by the yere to let. Also it is to be enquired of parkes, & demeane woods, which ỳ lorde may assert and improue at his pleasure, & how many acres they containe, and how much the vesture of an acre is worth, & howe much the land is worth after the wood is felled, and how many acres it containeth, & how much euery acre is worth by yere. Also it is to bee inquired of forreine woods, where other men haue common, & how much the lord may improue to him selfe of the same woods, and how many acres, and for how much the vesture of euery acre may bee sold, and how much the grounde is worth yerely after that the wood is felled, and how many acres it containeth, and what euery acre is worth by the yere. Also it is to bee enquired, whether the Lorde may giue or sell any thing of the residue of the foresaid woods, & what such giftes or sales are worth by the yere. Also it is to be enquired of pawnage & herbage of ỳ towne, and all other profits of forests, woods, ryuers, moores, heathes, & wast, & how much it is worth by the yere. Also of milles, fish ponds, seuerall and common, what they be worth by the yeere. Also it is to bee inquired of freholders, the which dwell without as wel as within, that is to saye, howe many freholders there be, & what maner lands and tenements, and what fées they hold, and by what seruices, whether it bee by socage or knights seruice, or otherwise, And what they pay yerely of rent assise, and who holde by charter, and who not, & who by olde tenure, & who by newe feoffement. And it is to bee inquired of the saide free tenants, which shall follow the court of the County, and which not, & what and how much falleth to the Lorde after the death of such free tenants. It is to be inquired also of customary tenants, that is to witte, howe many there bee, and howe much land euery of them holdeth, & what workes and customes hee doth, and what the workes and customes of euery tenant be worth yerely, and how much rent of assise be payed yerely besides the workes and customes, and which of them may be tared at the will of the Lorde, and which not. It is also to bee inquired of cotages, that is to say, what cotages, and courtilages they hold, and by what seruice, & how much they do pay by the yere for al their cotages and courtilages. It is also to bee enquired of pléas and perquisites of the counties of the courts of the forests, with lawing of dogges, and how much they be worth in the yere in all issues. It is also to be inquired of Churches that belong to the lords gift, how many there be, & what and where, and how much euery Church is worth by the yere after the true estimation of the same. It is also to bee inquired, what bee the value of heriots, faires, markets, escheates, customes, seruices & forreine workes and customes, and what the pleas and perquisites of courts fines, reliefes, and al other casualties are worth by the yere, that may fall in any of these things. Anno 4. E. 1.

Pasture

Common

Parkes Woods

Pawnage Herbage

Riuers Wast

Milles

Freeholders

Seruices

Rent

Cotage

Pleas Perquisites

Churches

Heriots Fayres Markets

Courts Reliefes

Suite.

FOr doing suites vnto the Courtes of great Lordes, or of meaner persons, from henceforth this order shal bee obserued, that none that is infeoffed by déede, from henceforth shalbe distrained to doe such suit in the court of his lorde, without he be specially bound thereto by the forme of his déed. these only being except, whose ancestors or they themselues, haue vsed to doe such suite before the first voyage of the saide king Henry into Britaine, sithence which rrrix. yéres and a halfe are passed vnto the time that these Statutes were enacted. Likewise from henceforth none that is infeoffed without déed from the time of the conquest, or anie other ancient feoffement, shal be distrained to doe such suites, vnles that he or his auncestors vsed to do it before the saide voyage. And they that are infeoffed by déede, to doe a certaine seruice, as for seruice of so manie shillings by yéere, to be acquited of all seruice from henceforth, shall not be bounden to such suites or other like, contrarie vnto the forme of their feoffement. And if any inheritance (whereof but one suite is due) discend vnto manie heires, as to parceners, who so that hath the eldest part of the inheritance shal do that one suit for himselfe and his fellowes, and the other coheires shal be contributaries according

Feoffement Distreine

Without deeds

Seruice

to

to the portion for doing such suit. And if many feoffées be seised of any inheritãce, (whereof but one suite is due) the lord of the fée shall haue but that one suit, & shall not exact of the saide inheritance but that one suite, as hath bẽn vsed to be done before. And if those feoffées haue no warrant or meane which ought to acquit thẽ, then al the feoffées according to their portion, shal be contributaries for doing the suite of them. And if it chaunce that the lords of the fée do distraine their tenants, for such suites, contrary to this acte: then at the complaint of the tenants, the lords shall be attached to appeare in the Kings court at a short daye, to make aunswere thereto, & shall haue but one essoine therein (if they be within the realme.) And immediatly the beasts or other distresses taken by this occasion, shall be deliuered to the plaintifs, and so shall remayne vntill the plée betwixt them be determined. And if the lordes of the courts, which take distresses, come not at the daye that they were attached, or do not kéepe the day giuen to them by essoine: then the Sherifes shalbe commanded to cause them to come at another day, at which day if they come not, then he shalbe cõmanded to distraine them by all the goods & cattels that they haue in the shire, so that the shirife shall answere to the king of the issues of ẏ saide inheritãce. And that he haue their bodies before our Iusticers at a certaine day limitted, so that if they come not at that day, the party plaintife shall go without day, & his beastes or other distresses taken by that colour, shal remaine deliuered vntill the same lords haue recouered ẏ same suite by award of the kings court, and in the meane time such distresses shal cease. Sauing to the Lordes of the court their right to recouer those suites in forme of law, when they will plead therefore. And when the Lordes of the courts come in to answere ẏ plaintifs of such trespasses, & be conuict thereupon, then by awarde of the kings court the plaintifs shall recouer against them the damages, that they haue sustained by occasion of the saide distresse. Likewise if the tenaunts after this acte withdraw from their lordes such suits, as they were wont to doe, & which they did before the time of the saide voyage, and hitherto vsed to do, then by like speedines of iustice as be to limitting of dayes, and awarding of distresses, the Lordes of the courts shal obtaine iustice to recouer their suites with the damages, in like maner as the tenantes should recouer theirs. And this recouering of dammages must be vnderstood of withdrawing from themselues and not of withdrawing from their auncestours, neuertheles the Lordes of the courts shal not recouer seisin of such suites against their tenants by default, as they were wont to doe. And touching suites withdrawen before the time afore mentioned, let the common Lawe runne as it was wont before time. Marlb. cap. 9. Anno 52. Henr. 3.

Distraine Lordes attached

Sherifes

Distraine

Conuict

Dammages

Tenant

Damages

¶ Swannes.

NO person of what estate, degrée, or condition he be, other then the sonne of our soueraigne lorde the king, from the feast of S. Michael next comming, shall haue or possesse any such marke or game of his owne, or any other to his vse shall haue or possesse any such marke or game, except he haue landes & tenements of the estate of fréehold to the yeerely value of v. markes aboue all yéerely charges. And moreouer that euery person or persons nowe hauing any such marke or game, shall sell or giue the same betwixt this & the feast of S. Michael next comming to the vse of them to whom they shall bee so sold or giuen. And if it happen any person or persons, not hauing lands or tenemẽts to the said yéerely value, to haue or possẽd any such marke or game after the saide feast: that then it shalbe lawfull to any of the kings subiects, hauing landes or tenements to the saide value, to seaze the saide Swannes as forfait. Whereof the King shall haue the one halfe, and he that shal so seaze, the other halfe. An. 22. Ed. 4. cap. 6.

Game

v. marks

Seaze Forf. Moitie

¶ Tayle.

COncerning lands that meny times are giuen vpon condition, that is to witte, where any giueth his land vnto any man and his wife, & to the heires begotten of the bodies of the same man and his wife, with such condition expressed, that if the same man, & his wife die without heires of their bodies betwéene them begotten, the land so giuen should reuert to the giuer or his heire. In case also where one giueth landes in frée mariage, which gift hath a cõdition annexed, though it be not expressed in the deede of gift, which is this; That if the same husband and wife dye without heire

Condition

Franke mariage

heire of their bodies begotten, the land so giuē shall reuert to the giuer or his heire. In case also where one giueth land to another, and to the heirs of his body issuing, it seemeth very harde, and it seemeth vnto the giuers and their heires, that their will being expressed in the gift, was not heretofore, nor yet is obserued. In all the cases aforesaid, after issue begottē & borne bet wéene them (to whom the lands were giuen vnder such conditiō) heretofore such feffées had power to alien the lande so giuen, and to disherite their issue contrarie to the minds of the giuers, and contrarie to the forme expressed in the gift. And further, where the issue of such feffée is failing, the land so giuen ought to returne to the giuer or his heire, by forme of the gift expressed in the déed, though the issue (if any were) had died: yet by the déed and feoffement of them, (to whom land was so giuen vpon condition) the donors haue heretofore bene barred of their reuersion, which was directly repugnāt to the forme of the gift: wherefore our soueraigne lord the King, perceiuing how necessary and expedient it should be to prouide remedie in the aforesaid cases, hath ordained, that the will of the giuer, according vnto the forme in ỳ déed of gift manifestly expressed, shall be from henceforth obserued, so that they, to whom the land was giuē vnder such condition, shall haue no power to alien the land so giuē, but it shal remaine vnto their issue after the death, or shal reuert vnto the giuer or his heires (if issue faile) where as there is no issue at all, or if any issue be, and faile by death, or heire of the body of such issue failing: Neither shal the second husbād of any such woman, frō henceforth haue any thing in the land so giuen vpon cōdition after the death of his wife by the law of England, nor the issue of the second husband & wife shall succéed in the inheritance, but immediatly after the death of the husband & wife (to whom the land was so giuen) it shall returne to their issue, or to the giuer, or his heire, as before is said. And forasmuch as in a new case new remedie must be prouided, this maner of writ shal be granted to the partie that will purchase it.

Disherite

Alien

Second husband

Præcipe A. quod iuste &c. redd. B. manerium de F. cum suis pertinētijs qd. C. dedit tali viro, & tali mulieri, & hæredibus de ipsis viro & muliere exeuntibus. Or thus, Quod C. dedit tali viro in liberum maritagium cum tali muliere, &c. & qd post mortem prædictorum, viri & mulieris, prædicto B. filio eorūdem viri & mulieris, descendere debeat per formam donationis prędictæ, vt dicit. &c. vel quod C. dedit tali & hæredibus de corpore suo exeūtibus, & qd. post mortem illius talis, prædicto B. filio prædicti talis descendere debeat per formam &c.

The writ whereby the giuer shal recouer (when issue faileth) is commō ynough in the Chācerie. And it is to wit, that this statute shall hold place touching alienation of land contrarie to the forme of the gift hereafter to be made, and shal not extend to gifts made before. And if a fine be leuied hereafter vpon such landes, it shall be void in the lawe. Neither shall their heires, or such as the reuersion belongeth vnto, though they be of full age, within England, and out of prison, nēde to make their claime. W. 2. cap. 1.

Fine

¶ Taxes, Tenths, Fifteenes, Subsidies, reliefes, contributions, and beneuolences.

AN. 25. Edw. 1. it is ordayned that the tares taken shall not be taken in custome, nor but by the cōmon assent of this realme, except the auncient aides & tares. And the tares of woolles of xl. shillings of a sacke was released.

2 ¶ No Tallage or ayde by vs or our heires in our Realme be put or leuied without the wil and assent of the Archbishops, bishops, Earles, Barons, Knights, Burgesses, and other frée commōs of our Realme, nothing bee taken from henceforth, in the name or by occasion of maletout of a sacke of wooll. Stat. de tallagio nō concedendo.

3 ¶ Because the Commons haue felt great griefe where as they graunted any aide to the King of their goods, and certaine were assigned to tare their goods, and the tarers haue leuied the same tare, and yéelded their account for the same at the Eschequer, and there payed money: Iustices haue bene assigned afterward to enquire vpon their doings, which Iustices haue taken raunsomes and fines of the tarers and other by colour of their cōmissions, to the great oppression and empouerishing of them, the King will that from henceforth, they shall be tared after the old maner, and not otherwise. An. 1. Edw. 3. stat. 2. cap. 6.

Tare

4 ¶ An. 14. Edw. 3. cap. 20. & An. 14.

Tare ir. part

Edw. 3. ſtat. Prelatorum capitulo 1. It appeareth that a tare was graũted to ỹ king for two yeres, of the ir. ſheafe, ir. fleece and ir. lambe, & of citizens and burgeſſes the ir. part of their gwds, & of other that lined not by game, the fiftenth parte of their gwds, and it was there enacted that that graunt ſhould not be drawen in example and preiudice in time comming.

rb. part

5 ¶ An. 14. Edward. 3. cap. 21 & An. 14. Edw. 3. ſtat. prelatorum cap. 4. it appeareth that a tare was graunted to the king vpon woolles and felles, and other marchandiſe for a time.

Tare Woolles Felles.

6 ¶ An. 18. Edw. 3. a ſtatute cõtaining ſeuen chapters cõcerning a tare of wools, fleece, and lambe graunted to the king.

Woolles Fleeſe Lambe

7 ¶ Anno 18. Ed. 3. cap. 1. the temporaltie graunted to the king certaine diſmes and fiftenes.

Diſmes Fifteenes

8 ¶ Anno 18. Edw. 3. pro clero cap. 1. the Clergie graunted to the king a diſme for three yeres.

Clergie Diſme

9 ¶ Anno 25. Edw. 3. ſtat. de forma leuationis quindecim, fines, iſſues, amerciaments, and diuers other forfaitures were graunted to the cõmons in aide of a tenth and fiftene graunted to the king.

10 ¶ An. 36. Edw. 3. cap. 14. it was enacted that certaine fines & amerciaments ſhould be leuied to the payment of the fiftene graunted for three yeres.

Fifteenes

Subſidie

10 ¶ An. 5. R. 2. ſtat. 2. cap. 3. a Subſidie was graunted for two yeres.

Charge Woolles Felles

11 ¶ Item that no impoſition nor charge bee put vpon woolles, leather, or wolfelles, other then the cuſtome & Subſidie graunted to the king in this preſent parliament, and if any be, the ſame ſhall be repealed and annulled as it was an other time ordeined by Statute ſauing alway to the king his auncient right. Anno 11. Rich. 2. cap. 9.

Foreines

Collectors

Tare

12 ¶ All maner forreins, hauing lãds or tenements, gwds, and cattels, within any townes at the day of the graunt of any diſme or quinzime, or any other tare, although they leade away their beaſtes, or carie away their gwds and cattels out of the ſame towne after the day of the ſaid graunt, that the ſame forreines and euery of them, ſhall bee contributorie with the inhabitants of ſuch townes to ſuch diſme, rb. or tare, and that the collectours of the ſame diſme, quinzime or tare for the time being, within ſuch townes, ſhall haue power by authority of their office, to tare and aſſeſſe ſuch forraines according to the quantitie of their gwds, cattels, & poſſeſſions being in the ſaid townes at the day of the graũt of the ſaid diſmes, quinzime, or tar, & for the ſame ſummes, whereto they be aſſeſſed or tared, to diſtraine in euerie place within the coũtie, aſwel before that our ſaid Soueraigne Lord the King be anſwered of the whole ſummes that attaineth to the ſaid townes, as after.

Diſtraine

Prouided alwaies, that no man or woman bee two times charged for any ſuch beaſtes, gwds, nor cattels in any wiſe by occaſion thereof. An. 9. H. 4. cap. 7.

Pondage Wooll

13 ¶ An 31. H. 6. a Subſidie of Pondage and a Subſidie of woll was graunted to the King for his life. And after the ſame yeres, Anno 31. Henr. 6. cap. 8. part of thoſe Subſidies were diſcharged for certaine yeeres.

Tonnage Pondage

14 ¶ An. 12. E. 4. cap. 3. a Subſidie of Tonnage and Pondage was gruẽ to the King for his life, for certaine wares expreſſed in the act.

Beneuolẽce

15 ¶ The ſubiectes and cõminaltie of this his realme frõ henceforth ſhall in no wiſe be charged by any ſuch charges or impoſition, called a benevolence, nor by ſuch like charge. And that ſuch exactions, called a Benevolence before this time taken, ſhall be taken for no exãple, to make ſuch or any like charge, of any of his ſaide ſubiects of this realme hereafter, but ſhall bee damned and annulled for euer. Anno 1. R. 3. cap. 2.

Void

16 ¶ An. 11. H. 7. cap. 10. an acte was made for the leuying of a Benevolence granted to the king.

Benevolẽce

Maior Shirike Bailike Diſtreint

17 ¶ If any Maior, Shirike, Bailike, or other Officer in anie Citie, Borough, or Towne within this realme, diſtraine, take and leuie anie cuſtome called Scauage other wiſe called Shewage, of any Marchant denizen, or of any other the kings ſubiects denizens, of or for any maner of marchandiſe to our ſoueraigne lord the King before truly cuſtomed, that is brought or conueyed by land or by water to be vttered and ſolde in any Citie, Borough & towne in this land: Or if that any Maior, ſhirike, bailike, or other officer in any Citie, Borough, and Towne for nonpaiment of ỹ ſaid Scauage, let or diſturbe any marchant, or any other perſon or perſons being denizens, to ſell & vtter their marchãdiſe by thẽ brought into any citie, borough, or towne: that thẽ euery Maior, ſhirike, bailike, or other officer diſtreining, leuying, or taking any ſuch Scauage, or

Scauage Marchant

Maior Shirike Bailike Diſturbe

other-

Fine. Moitie

other wise offending in any thing cõtrarie to this present act, shall forfeite for euery time that he so offended xx. pound, the one moitie thereof to the King, and the other moitie thereof to the partie in that behalf grieued, or to any other that first sueth in that part by action of debt, in any Shire within this Realme to be sued, and that the defendants in any such action be not admitted to wage or do their Law &c.

Maior Shirifes London

Prouided alway that ỳ Maior, shirifes and comminaltie of the citie of London, & euery of them shall haue and take all such summes of money for the saide Scanage, & of euery person denizens, as by our Soueraigne Lord the king and his honorable counsell shal be determined to be the right title of the Maior, Shirifes, and Comminaltie of the said citie of London, or of any of them, this act in any wise not withstãding. An. 19. H. 7. cap. 8.

Tonnage Pondage

18 ¶ An. 6. H. 8. cap. 14. the Subsidie of Tonnage & Pondage granted to king Edw. 4. An. 12. Edw. 4. ca. 3. during his life was enacted to stande good and effectuall during the life of Henr. 8.

Englishmẽ

19 ¶ See Englishmen &c. that Englishmen sworne to forraine Princes, shall paie Subsidies and impositions as strangers.

Subsidie iiij. s. Clergie

20 ¶ An. 32. H. 8. ca. 23. an act is made cõcerning a Subsidie of iiij. s. of the pound graunted by the Clergie of the prouince of Canterburie to the king.

Temporaltie Subsidie

21 ¶ An. 32. H. 8. cap. 50. the temporaltie by parliament, granted a great Subsidie to the king with many articles and clauses concerning the same.

Subsidie Temporaltie

22 ¶ An. 34. H. 8. capit. 16. an act was made concerning a great Subsidie graũted of the temporaltie, with many articles and clauses concerning the same.

Clergie

23 ¶ An. 34. H. 8. cap. 27. an acte was made for the confirmation of a Subsidie graunted by the Clergie.

Clergie

24 ¶ An. 37. H. 8. cap. 24. an acte was made for the confirmation of a Subsidie graunted by the clergie.

Subsidie Temporaltie

25 ¶ An. 37. H. 8. cap. 25. an acte was made cõcerning a great Subsidie graunted of his temporaltie with many articles and clauses concerning the same.

Tonnage Pondage Woolfelles Hides Stillyard

26 ¶ An. 1. Edw. 6. cap. 13. was graũted by the parliamẽt to Edw. 6. during his life a Subsidie of Tonnage & Pondage, & an other subsidie for wolfels and hides, with a prouiso for the confirmation of the priuiledges of the Marchants of the Stillyard

for euer, which prouiso to endure to the end of the next parliament.

Subsidie Clergie

27 ¶ An. 2. Edw. 6. capit. 35. an act was made for the confirmation of a Subsidie graunted by the Clergie of fiue shillings of the pound.

Relefe xij. d.

28 ¶ An. 2. Edw. 6. ca. 36 a relefe was graunted to the king for three yeres, and yerely twelue pẽce of the pound of goods of the naturall subiects and corporations, and of aliens two shillings of the pound, & a certaine summe for sheepe, & for wollen clothes, & there be many long articles for the leuying of the same. And after An. 3. Edw. 6. cap. 23. an acte was made for the releafe of the breaches in the saide acte of relefe, for the paymẽt of sheepe & clothes, and a graunt of a Subsidie to be paied in one yere.

Aliens Sheepe Clothes Releafe

Temporaltie 2. Dismes 2. Fifteenes A subsidie

29 ¶ An. 7. Edw. 6. cap. 12. there was graunted to the king by the Temporaltie two dismes, two fiftenes, and a Subsidie of viij. s. of the pound vpon landes, and two shillings and eight pence vpon goods. And there be many long articles for the leuying thereof. And after Queene Mary by her letters patẽts, dated 1. Septembris, Anno 1. M. did pardon and remit the saide Subsidie of viij. s. and ij. s. viij. d. And after Anno 1. M. 1. parliament. cap. 17. shee did acquite and discharge the said Subsidie of foure shillings, and two shillings eight pence, sauing the two fiftenes and dismes &c.

Parden

Subsidie Clergie

30 ¶ An. 7. Edw. 6. cap. 13. a Subsidie of vj. s. of the pound graunted to the king by the clergie, was confirmed by Parliamẽt. And in that acte be diuers articles for the leuying of the same.

Pondage Tonnage

31 ¶ An 1. M. was a Subsidie graunted her of Pondage and Tonnage during her life.

Subsidie Clergie

32 ¶ An. 2. & 3. P. & M. cap. 22. a Subsidie of fiue shillings of the pound then grãted by the clergie was confirmed by parliament. And in the same parliament cap. 3. a Subsidie was granted by the temporaltie of iiij. s. of the pound for lands, and ij. s. viij. d. of the pound for goods.

Temporaltie

33 ¶ An. 4. & 5. P. & M. a Subsidie of viij. s. in the pound, graunted by the clergie, was confirmed, & a Subsidie graunted by the temporaltie of foure shillings of the pound for landes, and two shillings eight pence goods. And the like Subsidie was graunted. An. 1. Elizab.

34 ¶ We giue and graunt to you our supreme liege Lady and Soueraigne, one

Tonnage Wine

subsidie called tonnage, that is to say, of euery tunne of wine cõming, or that shall or is come into this your realme, by way of marchandise, the summe of iij.s. and so after the rate. And of euery tunne of sweet wine as wel malmesey as other, that shal or is come into the same your realme, by euery or any marchant alien, as well by the marchants of Hamse, & Almaine, as by any the Marchant straunger of what nation soeuer he be, iij.s. And so after the rate ouer and aboue the three shillings afore granted. And of euery anme of Rennish wine, cõming, or that shal or is come into this your realme, by way of merchãdise, by euery or any Marchant denizen or alien, of what nation soeuer he be xij.d.

Rennish wine

Pondage

And also one other subsidie called põdage, that is to say, of all maner of goods & merchandises of euery Marchant denizen & alien whatsoeuer he be, caried & to be caried out of this your said realme, or brought or to bee brought into the same by way of Merchandise, of the value of euerie xx.s. of the same goods and merchandise xij.d. and so after the rate. And of euery xx. shillings value of tinne and pewter vessell, caried out of this your realme by any and euery Marchant alien, xij.d. ouer and aboue the xij. pence aforesaid. Except and alwaies foreprised out of this graunt of

Subsidie Woollen clothes

subsidie of Pondage, all maner of woollen cloth made or wrought or that shall bee made or wrought within this your realm of England, & by euerie or anie merchant

Denizen

Denizen, & not borne alien, carried or to be carried out of this your saide Realme.

Woolles Felles Leather Wines Freth fish

And all maner of woolles, woolfels, and hides, and backs of leather also carried or to be carried out of this your realme. And all wines and all maner of fresh fish, and bestiall, comming, or that is or shall come into the same your realme.

And further wee your sayd poore commons by the aduise, assent, and authoritie aforesaide, giue and graunt vnto you our said Soueraigne liege Lady & soueraigne,

Subsidie Wooll Leather

for the causes aforesaid, one other Subsidie of all maner of woll, woolfelles and leather, caried or to be caried out of this your realme, in maner and forme following (that is to say) of euery merchant

Denizen

Denizen, of and for euerie sacke of woll three and twentie shillings and foure pence, & for euery CC. xl. woolfels xxxiij.s. iij.d. and of and for euery last of hides & backes of euerie such marchant Denizen xl vj. s. viij.d. And of euery marchant straunger, not borne your liege man, as well those that be made denizens, as hereafter shal be made by letters patents, or otherwise, as all other marchant strangers, of & for

Marchant strangers

euery sacke of wool iij.li. vj.s. viij.d and of & for euery CCxl. woolfels iij.li. vi.s. viij.d & also for euery last of hides & backes three pound thirteene shillings and foure pence. And so of all the said woolles, woolfelles, hides, and backs, and euery of them, after the rate, that so is or shall be caried, to haue, take, enioy and receiue the Subsidies aforesaid, and euery of them, & euery part and parcel of them to your highnes. from the xiij. day of November last past, during your life naturall.

And further wee your said poore Commõs most hũbly desire your maiestie, that it may be enacted by your highnes, by the aduise and assent of the Lordes aforesaid, and vs your said Commons, & by the foresaid authoritie of this present parliament assembled, that the giftes and graunts aforesaid, shall be good and effectual, according to the true meaning of the same.

And that it may be further enacted by

Wines Marchãdise

authoritie aforesaid, that if any wines, goods, marchandise, woolles, woolfelles, hides, & backs of leather aforesaid, or other things afore specified, whereof the Subsidies aforesaid, or anie of them is or shall be hereafter due, shal at any time hereafter during the time aforesaid, bee shipped

Shipped

or put into any boate, crayer, ship or vessell, to the intẽt to be caried into the parts of beyond the seas, or else be brought from the partes of beyond the Seas, into anie port, hauen, creke, or other place of this your realme by way of marchandise, and there laid on lande, (the Subsidies aforesaid of the premisses due or to be due, by the reason of this graunt not paid, or the

Collectors

collector of that same subsidie, or his deputie, with & by the consent, knowledge and agreement of the comptroller & surueiour or one of them at the least, not agreed for the same in the custome house, according to the true meaning & intẽt of these aforesaid graũts, and euery of them) that then from the said xiij. day of November last past, and not before, al the said wines,

Wines Marchãdise

goods, marchandise, woolles, woolfels, hides & backes, and other the premisses aforesaid, and euery part & parcell thereof so shipped, or els put into any boates, crayer, or other vessell aforesaid, to the intent aforesaid, or brought into this realme, & there laied on lãd, as is also aforesaid, shal

be

Fork. be & remaine forfait to your highnesse du-
Moitie ringthe time aforesaid, the one moitie of
the value thereof to your highnes, and the
other moitie to him or thē, that shall sease
the same, or sue for the same. And that it
Marchants may please your highnes, ỳ all marchāts,
aswel denizens as strangers cōming into
this your realme, be wel and honestly en-
treated and demeaned, for such things as
subsidie by this act is graūted for, as they
were in the time of your said noble proge-
nitors, without oppression to them to be
done, paying the subsidies aforesaid.

Marchan-dises And further that it be enacted by the au-
thoritie aforesaid, that if anie goods, mar-
chandises, wools, woolfels, or leather a-
foresaid, or anie part thereof, of anie mar-
chāt denizen, naturally borne your liege
man, which hath or shall passe out of this
your said realme, after the said 16. day of
Nouember last past, during the terme of
this gift & graunt, hath or shall happen to
Pirates be taken with enemies, or pirates vpon
ỳ sea, or perished by infortune in anie ship
or ships that shal happē to be taken or pe-
rished within the time of the said graunt.
whereof the Subsidies aforesaid, or any of
them to your highnes due, or to be due, is
or shall be in forme aforesaid duely paied
or agreed for, without fraud or collusion. & Treasurer Chiefe Baron
such losse or losses as bene before rehear-
sed, be found & prowed before the Treasu-
rer of Englād, or the chiefe baron of your
Eschequer for the time being, by the exa-
mination of the same marchāts if they be
alive, or of their executors or administra-
tors if they be dead, or two true credible
persons sworne, or other reasonable wit-
nes, & prowes sworne, witnessing ỳ same
marchādises so to be lost or perished, that
then the same marchants Denizens that
were or shall be owners of the aforesaid
Marchan-dises lost gods, marchandises, woll, woolfelles,
hides or other merchandises aforesaide as
shall be so perished, or lost, if they be on
live, their executors & administrators, if
they be dead, & euery of them, by force and
vertue of this acte, when them liketh, du-
Newly ship ring the saide terme, shall or may newly
ship as much wooll, woolfels, hides, or o-
ther goods & marchādises in the same port
or ports, in the which the same wool, wol-
fels, hides, or other goods & marchandises
aforesaid so lost & perished were or shal be
Without subsidie shipped, wout any of ỳ subsidies aforesaid,
now granted, to be had or paied therefore
to your highnesse in any wise. And that al
such profites of the premisses so to be lost
or perished, be certified into your Chaun-
cerie by your said Treasurer or chiefe ba-
ron, there to remaine of record. And after Certified Chancery
such certificate made, the Chancellour of
Englād, or the Lord keeper of your great
seale for the time being, shall make and
deliuer vnto the said marchāts, their exe-
cutors, or administrators, or anie of thē,
or to their atturney or atturneis in the
behalfe of anie of them, as manie and Writs
such writs and warrantes to bee directed
aswell to the collectors of the Subsidies
aforesaid, or anie or euery of them for the
time being, as to the Treasurer and Ba-
rons of your Eschequer for the time be-
ing, shall be thought requisite and needful
for the said marchants, their executors or
administrators, or their atturney or at-
turneies, or anie of thē, or the saide collec-
tors or anie of them, to haue, for the obtei-
ning as well of the shipping, as of the
allowance thereof. And further that eue-
rie marchant denizen, that shal ship here- Denizen Wooll Felles Hides
after anie woll, woolfels, hides, or anie o-
ther good and marchandise in anie carrike
or galley, shall paie to your Maiestie du-
ring the time aforesaide, all maner of cu-
stomes, and all the Subsidies aforesaid, as
an alien borne out of this your realme.
An. 1. Eliz. cap. 19.

35 ¶ An. 5. Eliz. cap. 29. A Subsidie of
six shillings the poūd was graūted by the
clergie, and a Subsidie, two fiftēnes and
tenths graunted by the temporaltie. The
like graunted. 8. Eliz. cap. 17. & 18.

36 ¶ An. 13. El. cap. 26. A subsidie of six
shillings the pound graunted by the spiri-
tualtie was confirmed, & two fiftēnes &
tenths granted by the temporaltie, and a
subsidie of eight groates the pound of cat-
tels &c. & for lands iiij. s. to be paid at two
seuerall paiments, with many long arti-
cles for the collection of the same.

37 ¶ An. 18. El. cap. 22. A subsidie of six
shillings in the pound was graunted by
the clergie. And two fiftēnes & tenths by
the temporaltie, and one subsidie of iiij. s.
the pound lands, and ỳ. s. viij d. goods.

38 ¶ An. 23. El. cap. 15. A Subsidie and
two fiftēnes and tenthes was graunted
by the temporaltie.

39 ¶ An. 27. El. cap. 28. A subsidie of six
shillinges in the pound was graunted by
the clergie, & two fiftēnes and tenths by
the temporaltie, and a subsidie of iiij. s. the
pound lands, and ij. s. viij d. goods.

40 ¶ An. 29. El. A subsidie of fiue shil-
lings in ỳ pound was granted by the cler-

gie, and two fiftænes and tenthes, by the tempozaltie, and a Subsidie of iij. s. the pound lands, and ij. s. viij. d. gods.

41 ¶ An. 31. El. Two Subsidies of six shillings in the pound were graunted by the clergie, and foure fiftænes and tenths by the tempozaltie, and two Subsidies of foure shillings the pound lands, and two shillings eight pence gods.

42 ¶ An. 35. El. Two subsidies of iij. s. in the poūd were graunted by the clergie, & thzæ subsidies & sixe fiftænes and tenths graunted by the tēpozaltie. The subsidies by the tempozaltie being of iij. s. the poūd lands, and ij. s. viij. d. gods.

¶ Templers.

AN. 17. Edw. 2. It was enacted, that neither the King noz the Lozdes should haue by escheate the landes that were the Tēplers (which ozder was thē dissolued.) But ỳ these lands should remaine to the pzioz & bzethzen of the ozder of the hospitall of S. Johns of Ierusalem, which ozder was then ercated foz the defence of Chzistendome. S. Johns Ierusalem

¶ Tenure.

NO man shall be distreined to do mozе seruice foz a knights fēe, noz foz any fræhold, then thereof is due. Magna charta 10. Distreine

2 ¶ If any man hold of any eschеat as of the honour of Wallingfozd, Nottingham, Boloine, oz of any other escheates which be in our hands, and are baronies, and die, his heire shall giue none other reliefe noz do none other seruice to vs, then he should to the baron, if it were in the barons hand. And we in the same wise shall hold it as the barō held it, neither shall we haue by occasion of any such baronie oz escheat, anie eschеate oz kæping of anie of our men, vnlesse they doe hold of vs other where in chiefe, oz els he that held the baronie oz escheat other where, held of vs in chiefe. Magna charta cap. 31. Escheate Relieke Seruice

3 ¶ Nofræ man from henceforth shal giue noz sel any mozе of his lād. but so that of the residue of the lāds the lozd of the fēe may haue the seruices due to him which belōgeth to the fēe. Magna charta cap. 32. Free man Seruice

4 ¶ From henceforth it shal be lawful to euery fræ man to sell at his owne pleasure, his landes and tenements, oz part of them, so that the feoffee shall holde the same land oz tenement of the chiefe Lozd of the fee, by such seruice and customes as his feoffour held before. Free man Feoffee

And if he sell any part of such landes oz tenements to anie, the feoffee shal immediatly hold it of the chiefe Lozd, and shall be forthwith charged with the seruices, foz so much as perteineth oz ought to perteine to the said chiefe Lozd foz the same parcell according to the quantitie of the land oz tenement so sold. And so in this case the same part of the seruice shall remaine to the Lozde to bee taken by the hāds of the feoffee, foz the which he ought to bee attendant and answerable to the same chiefe Lozd, according to the quantitie of the lande oz tenement sold foz the parcell of the seruice so due. Seruices

And it is to be vnderstāded, that by the said sales oz purchases of landes oz tenemēts, oz any parcels of thē, such lands oz tenemēts shal in no wise come into mozt maine, either in part oz in whole, neither in policie, ne craft, cōtrary to the fozme of the statute made thereupō of late. And it is to wit, that this statute extendeth but onely to lands holden in fee simple. An. 28. Ed. 1. called Quia emptores terrarum. Mozтmaine Fee simple

5 ¶ Whereas diuers people of the realme cōplaine themselues to be grieued by that that lands & tenements, which be holden of the King in chiefe, and aliened without licence, haue bene sealed heretofoze in the kings hāds, and holden as fozfeite: The king shal not hold them as fozfeite in such case, but wil and graunt, frō henceforth of such landes and tenements, so aliened, there shall bee reasonable fine taken in the Chauncerie by due pzocesse. An. 1. Edw. 3. cap. 12. Chiefe Fine

6 ¶ Whereas diuers haue cōplained that they be grieued by reason of purchasing of lands and tenements, which haue bene holden of the kings pzogenitozs that now is, as of honozs, and the same landes and tenements haue bene taken into the kings hands, as though they had bin holden in chief of the king, as of his crowne: The king will that from henceforth no mā be grieued by any such purchase. An. 1. Edw. 3. cap. 13. Chiefe

7 ¶ Itē it is accozded, that the alienations of lands & tenements, made by people, which hold of king Hēry, great grād father to the king that now is, oz of other kings before him to hold of themselfe, that the alienations shall stand in their fozce, sauing alwaies to our Soueraigne Lozd Alienation

the

the king his prerogatiue of the time of his graundfather, his father, and of his owne time. An. 34 Edw. 3. cap. 15.

8 ¶ All landes, tenements, hereditaments, & other possessions, which the first daie of March next before the iiij. daie of March, the first yere of the kings reigne, were holde by fealtie, & rent, or other seruices, of anie person or persons not attainted, which landes, tenements, hereditaments, or other possessions, the iiij. day of March in ỹ first yere of the kings reigne, or anie time after came into the Kinges hãds or possession by reason of any attainder of treason, & after passed from the king by any of his letters patents, to anie person or persons, or hereafter shall passe frõ the king by any of his letters patents, to any person or persons, that the same person or persons, & euery of them, and euery their heire & heires, assignée and assignées, successor & successors, shall haue, perceiue and take such rent and rents, as to any of them were due, and ought to be due of the same lands, tenemẽts, hereditaments, or other possessions, or anie of them, being in the hands of any other person or persons then the king, as if the said attainders had not bin had. And that it shal be lawfull to euerie person or persons not attainted, & to euerie of them, & to euerie of their heire or heirs, assignée & assignées, successor and successors, in the same lands, tenements, hereditaments or other possessions, being in the hãds of any other person or persons then of the king, for the said rent or rentes to distreine after such maner & forme, as they & euerie of them might haue done if the same attainders had not bin had. This acte to be in force the first day of this said Parliament. An. 7. Edw. 4. cap. 5.

Fealtie
Attainder
Letters p.
Rent
Distraine

9 ¶ From and after the xxiij. day of Aprill in the xxij. yere of your most noble reigne, that your said highnes, your heirs or successors, shal or may at your will and pleasure, vpon your letters patents, of anie manors, lands, tenements, reuersiõs, rents, seruices, tithes, pensions, portions, aduowsons, patronages or other hereditaments, not exceding the cleere yerely value of xl. s. which were belonging to any of the said houses comprised in the said acte, whereby anie estate of inheritance doth or shall passe frõ your said highnesse, your heires, successors (houses, tenemẽts, cotages and gardens, whereunto no lãds, tenements, or hereditaments doe appertaine, onely excepted) reserued vnto your said highnesse, your heires & successors, either a tenure by knights seruice in capite, or els a tenure in socage or frée burgage, & not in capite, at your frée will and pleasure, with the yerely rent of the tẽth part of the said landes & tenementes to be comprised in euerie such letters patents, according to such rate & value, as the same manors, lands, and tenements shal be eprelles & rated to be of the yerely value in the same letters patents, the said rent to be paied to the Officers of your highnesse said court of the augmentations of the reuenues of your crowne, to your said highnesse vse, according as other reuenues there, be & shall be paied by the authoritie of the said acte. And that of houses, tenements, cotages, and gardens whereunto no lands, tenements, or hereditaments do appertaine, not beyng anie of the Kings princely houses, reserued & kept by a képer thereof to the Kings vse, which were belonging to anie of the said houses comprised in the said act, vpõ euery the letters patents of anie the said houses, tenemẽts, cotages & gardens, to the which no lands doe apperteine, whereby anie estate of inheritance doth or shall passe therein from your said highnesse, your heires or successors, to reserue vnto the same your highnesse, your heires and successors at your owne will & pleasure, either a tenure by knights seruice in capite, or els a tenure in socage, or frée burgage, & not in capite, with that yerely rent of the tenth part as is afore said: anie law, statute, custome, vsage or anie other thing or things heretofore to the contrarie thereof in anie wise not withstanding. An. 36. H. 8. cap. 14.

Knights seruice
Capite
Socage
Tenth
Houses
Letters p.
Knights seruice
Capite
Socage
Tenth

10 ¶ All manors, lands, tenements, rẽts, reuenues, parsonages, tiths, & other hereditamẽts, not being at the time of the making of any such letters patẽts heretofore made sithen the said 24 day of Aprill (S. mẽtioned in the acte of 35. H. 8. cap. 14. before 9.) aboue the cleere yerely value of xl s. & al houses, mesuages, cotages, curtilages, orchards, yardes & gardẽs whereunto no other lands, tenemẽts, or hereditaments were belõging or apperteining, not being anie of the kings princely houses, reserued & kept by a képer thereof to his graces vse, by whatsoeuer title or titles they or anie of thẽ came vnto his maiesties hands, heretofore given or granted by his maiestie, to any person or persõs, or bodies politike, sithen the said 24. day of Aprill, in the said 25. yere of his reigne, by

Lands
Fortie shillings by yeere
Lands
Fortie shillings by yeere

Letters p. his letters patents, whereby any estate of inheritance hath passed frō his highnesse, to hold the same of his highnes, his heires & successors by fealtie onely, or by fealtie onely and not in capite, or in socage or frē burgage, or by fealtie onely in frē & common socage, & not in capite, or by anie maner of such like words in effect: Or to hold the same by fealtie, as of any of his graces honors, manors, or lāds, or by fealtie onely, as of any of his graces honors, manors or landes, and not in capite, or by any like words in effect: shall frō the date of euery such letters patents, be adiudged, taken & dēmed, to all intents and purposes to be holden in socage or burgage, & not in capite, according to the very expresse & plaine wordes conteined in anie such letters patents, without any further implicatiō, cōstruction or explanation of the law, therof to be made or had by any person or persōs against the same, & in no maner of wise to be deemed, adiudged or taken to be holden in capite: Any ambiguitie, doubt, or other thing heretofore risen or moued, or hereafter to be moued, stirred, or set forth to the contrarie thereof notwithstanding.

Fealtie

Socage Burgage

King And be it &c. that the kings highnes, his heires or successours at any time or times within fiue yeres next after ỳ first day of Nouēber last past, shall and may at his or their owne wils & pleasures vpō any letters patēts made, or hereafter to be made of any manors, landes, tenements, rents, reuersions, seruices, parsonages, tithes, portions, pensions, & other hereditamēts, not being rated or valued at the time of the making of any such letters patents aboue the summe of xl.s. by yere, whereby any estate of inheritāce hath or shal passe from his highnes, his heires or successors, (houses, mesuages, cotages, orchardes, yardes and gardens, whereunto no other lands, tenements, or hereditamēts do appertein, onely except.) And also shal and may vpon any like letters patents hereafter to be made within ỳ said v. yeres, of any houses, mesuages, cotages, orchards, yards, courtlages or gardēs, whereunto no other lāds, tenemēts, or hereditamēts do appertaine, not being any of the kings princely houses, reserued & kept by a kēper thereof to his graces vse, by whatsoeuer title or titles the said manors, lands, tenements, rents, reuersiōs, seruices, parsonages, tithes, portions, pensiōs, houses, tenements, cotages, gardens, & other the premisses, or any of them so to be giuē or granted, be come, or hereafter shall come to his graces handes, his heires or successors, reserue either a tenure by Knights seruice in capite, or els a tenure by fealty, or in socage, or burgage, and not in capite.

Letters p.

Fortie shillings by yeere

Letters p.

Tenure

And that all & singuler the said seuerall tenures, aswel heretofore reserued & made sithen ỳ said 24. day of Aprill, in the said 35 yere of our said soueraigne lord the kings raigne, as hereafter within ỳ said 5. yeres next after following to bee reserued or made, & hauing these words, & nō in capite, shall frō the date of euery such letters P. be deemed, adiudged, & taken to be tenurs in socage or burgage, & not in capite.

Socage Burgage

And ỳ the patētees of the same manors, lands, tenemēts, & other the premisses, or part thereof, their heires & assignes, & euery other person or persons, hauing ỳ same or any part thereof, shal hold the same manors, lāds, tenements, houses, cotages, & other hereditaments, cōprised in any such letters patēts of our said soueraigne lord the king, his heires & successors, & hauing the said words, & nō in capite, by the seruice of fealtie in socage or burgage, according to ỳ expresse words cōteined in anie such letters patents, and shal not hold the same or any part thereof, of our said soueraigne lord, his heirs or successors in chief or in capite, nor shalbe cōpelled by reason onely of the same, to sue anie liuery, make fine for alienatiō, or sue any licēce or pardon for alienation onely thereof. And the heire & heires of euery such patētees, or of their heirs or assignes, or of any other hauing any estate, right or title of, in, or to ỳ same manors, lāds, tenements or hereditaments, and hauing no other lāds, tenementes, or hereditamentes holden of the kings highnes in capite, shall & may frely & lawfully after the death of any such patentee, their heires or assignes, or other person or persons hauing any such estate, right, or title, enter into the said manors, lands, tenements, houses, cotages, and other hereditaments comprised, or to bee cōprised in any such letters patents, without suing of liuerie, ouster le maine, or any fine or fēe to be paied for any liuerie onely thereof, to our soueraigne Lord the King, his heires or successors for the same by reason onely of such tenure in socage or burgage expressed or to be expressed in any of the said letters patents, any lawe, custome or vsage heretofore had or vsed to the contrary thereof in any wise notwithstanding. An. 37, H. 8. cap. 20.

Fealtie in socage

Liuery Licence

Heires

Enter

Ouster le maine

Liuery

11 Where before this time ambiguities, questions, & doubts haue bin moued & stirred in diuers & sundry the K. courts of record, whether such honors, castles, manors, lãds, tenemẽts, & other hereditamẽts, are holdẽ of ẏ K. in capite, which any of his louing subiects doe hold by knights seruice, socage, or other seruices of the K. as of his duchies, earldoms, baronies, honors, castles, manors, lands, tenements, fées, & seigniories, which haue come to the hands & possessiõ of diuers of his Ꝟ. most noble progenitors, by attainder of treasõ, misprisiõ of treason, attainders of præmunire & prouision, had & done by act of parliament, by verdict, cõfession, conuiction or vtlagarie, & offices or no offices therupon found, or by the dissolution, surrender or giuing vp to the K. or to any of his noble progenitors of any religious or ecclesiastical houses or places, or of any manors, lands, tenemẽts, or other hereditaments, to any of ẏ same religious or ecclesiastical houses or places in any wise appertaining or belõging or no, by reasõ of which doubt so moued, his said humble & obedient subiects & tenãts haue bin heretofore much vnquieted, molested and grieued: Wherfore the K. our soueraign lord minding, & intirely desiring ẏ quietnes of his said subiects, and that the certainty of his lawes in ẏ behalfe might be knowen and declared to his saide louing subiects, for a plain declaration & resolution to be had of, for, or cõcerning the premisses, at the hũble petition & suit of the lords & commons in this present Parl. assembled doth ordain, &c. that all such honors, castles, manors, lands, tenements, & other hereditaments, & euery of them, which now be, or at any time hereafter shalbe holdẽ of ẏ K. or of any of his heirs or successors, or by any of his said subiects by knights seruice, socage or otherwise as of any his or their dukedomes, earldomes, baronies, castles, manors, lands, tenements, fées, or seignories which be come to the K. or his most noble progenitors, or hereafter shal come to the king, his heires or successours, by meanes of any such attainder, conuiction, vtlagary, or of any such dissolution, surrẽder, or giuing vp of any religious, or Ecclesiastical houses or places, or of any manors, lands, tenements, or hereditamẽts, to any of the said religious or ecclesiastical houses or places in any wise belõging or appertaining, shal not from henceforth be adiudged, deemed, takẽ, or construed to any intent, construction or purpose, to be holdẽ in capite, or as tenure in capite, any ambiguity, question or doubt heretofore moued to the contrary notwithstanding.

Capite
Knights seruice
Attainder
Misprision
Præmunire
Vtlagary
Lands
Knights seruice
Socage
Lands

Prouided alwaies, & be it &c. that this act or any thing therin contained, shal not in any wise be prejudicial ne hurtfull to ẏ K. his heirs or successors, to, for, or cõcerning any wardship, liuery, primer seasen, fine for alienation, or to, or for any other profit or aduantage, which now is come, or hereafter shall or may come, fall or grow to the K. his heires or successors, by or from any person or persons which now doth, or hereafter shall hold any honours, seignories, castles, manors, landes, tenements, or other hereditaments, of the K. in chiefe, as of his person, or of anie other his ancient possessions, & being not come to the king by any such attainder, confession, conuiction, vtlagary, dissolution, giuing vp or surrender, as be aboue said.

Wardship
Fine
Primer seasen
Chiefe

Prouided also, & be it &c. that this present act, or any thing therin cõtained, or specified, shal not in any wise or by any means giue any aduãtage, liberty or profit to any tenaunt or owner in fée simple, of any honors, manors, lands, tenemẽts or other hereditamẽts, which haue heretofore sued any special or general liuery, or ouster le maine, out of ẏ hands of the K. or of any of his noble progemtors, of any honors, manors, lands, tenemẽts, or other hereditaments, by what tenure or seruice they were or be holdẽ, or ẏ haue, or shal cõfesse by any matter of record, any tenure in chiefe of the K. but ẏ they, their heirs & assignes shal haue & hold the same manors, lands, tenements & other hereditaments, in like maner & forme as they did before ẏ making of this present act, and as though this present act had neuer bin had ne made, any thing aboue declared & enacted to the contrary notwithstanding. An. 1. E. 6. cap. 4.

Tenant
Liuerie
Ouster le maine
Confesse Tenure

¶ Tiles.

FOr the harme that hath growen for default of true and sufficient making, whiting, & anealing of plainetile, roftile, cornertile, and guttertile: Be it &c. that all & euery person or persons which hereafter shal vse the occupatiõ of making of any such tile, as before is said, shall make it good, reasonable, & very sufficient, and throughly whited and anealed. And that the ground whereof any such tile shall be made, shall bee digged and cast vp before the first day of Nouẽber next before that they shalbe made, and that the same earth

Anealed

be

be sheared & turned before the first day of Februarie, then next following, and not wrought before the first day of March the next following, and that the same ground before it be put to making of tile, be truly wrought and tried from stones. And also that the vaines called maline or marle, & chalke, lying commonly in the ground, neere to the earth, conuenient to make tile after the digging of the said grounde, wherof any such tile shal be made, shalbe wel, lawfully & truely seuered & cast from ỹ earth wherof any such tile shalbe made. And that euerie such plaine tile so to bee made, shal containe in length ten inches and a halfe, & in breadth fiue inches and a quarter of an inch, & in thicknes, halfe an inch and halfe a quarter at the least: And that euery such roftile or crease tile so to bee made, shall containe in length 13. inches, & the thicknes of halfe an inch and halfe a quarter at the least, with conuenient deepnes according. And ỹ euery gutter tile and couer tile to be made, shal containe in length ten inches & a halfe, with conuenient thicknes, bredth and deepnes according. And if anie person or persons set to sale to any person or persõs, any such tile aboue spertified, made or to be made against the said ordinance: then the seller thereof shall forfaite to the buyer of the same, the double value of the same tile, & besides that, shal make fine and ransome to the K. at his will. And that euery person that feeleth himselfe grieued, and will sue in this behalfe, shall haue an action of debt against the offenders, wherin shalbe made and had like processe, recouerie and execution, as is or may bee at this day, in any other actiõs of debt pursued at the cõmon law. And that the plaintife in euerie such action (if it be found with him) maie recouer against the defendant in the same action his reasonable costs & expences of his suite. And that the defendant in anie such action, shal not be admitted to wage his law, or to haue any essoine or protection allowed, nor no aduantage by fourching by essoine or distresse. And also that the Justices of peace for the time being, within any countie of this realme, & euery of thẽ shal haue full power to inquire, heare & determine, by their discretions, aswel by examination or other wise, the defaults, offences & trespasses, which shall happen to be done against this ordinance, aswel at the K. suit, as at ỹ parties which shal faile himself agrieued in that behalf.

Maline Marle Chalke

Plaine tile Length Bredth

Rooftile

Gutter tile

Forf.

Double value Fine

Costes

Any Iust. of p.

Enquire Diet & ter.

And if it bee found, or may appeare to the Justices of peace, or any of them by examination, or otherwise by their discretiõ, that any person or persons haue offended contrarie to this ordinance, that then the same Justices before whom it shalbe found or appeare, shall assesse vpon the offender in this behalfe no lesse fine, then for euery thousand of plain tile set to sale contrarie to this ordinance v.s. And euery hundred of roftile vj.s.viij.d And for euerie hundred corner tile or gutter tile v.s. sold contrarie to this ordinance. And that lesse fine be made after the rate of the same by the discretion of the said Justices, or any of them. And that the same Justices shall haue full power to cal before them or any of them, at anie time and place requisite, such and so manie persons, as by their discretion haue or shall haue best experience & knowledge, in the occupatiõ of making of tile, to search and examine the digging, tasting, turning, departing, making, whiting, and aneling aforesaid. And that the same person or persons which so shall be assigned searchers shall haue full power to make such search. And ỹ no person put no such tile to sale, before ỹ it be searched by the said searchers, vpon pain of forfaiture of the same tile. And if the same searchers or anie of them doe find ỹ anie person or persons, exercising the occupation of tile making, do offend contrary to this ordinance, that then the same searchers shall present such defaults before the Justices of P. at their next sessions. And that euery such presentment be as strong & effectuall in the law, as the presentment of xij. men. And that such searchers so to bee ordained, assigned & deputed, shal haue of euery such tilemaker for his labour of the said search, for euery thousand plaine tile searched j.d. of euerie hundred roftile i.d. ob. and euery hundred cornertile and gutter tile q. And that the same searchers shall doe and execute their effectuall deuoir and diligence in this behalfe, according to this ordinance, vpon paine of forfaiture to our Soueraigne Lord the king for euerie default in this behalfe ten shillings. And that the Justices of peace shal haue power to examine, inquire and determine the faults of such searchers in the premisses, in like forme as aboue is ordained for the defaults of Tile makers. This ordinance to begin to take effect at the feast of Saint Michael next cõming, and not before. Anno 17.E.4.cap.4.

Fine

One Iust. of P.

Examine

Search Forf.

Iust. of P. Sessions

Forf.

Iust. of P.

¶ Tindale

¶ Tindale, Riddesdale, and Exhamshire.

IF anie person of the saide franchises of Tindale and Erhamshire, resiant or dwelling in the same, of what estate or condition that hee bee, doe any murders, treasons, manslaughters or robberies, or consent to doe them out of the said franchises of Tindale and Erhamshire, proceſſe shal be made against him by the cõmon law, vntil he be outlawed. And that after such outlagarie pronounced and returned, the Justices before whome such outlagarie is returned, shal make thereof certification to such minister or ministers of the said franchises, as to them best shall seem in this behalfe according to their discretion, & such felons shalbe takẽ by such minister or ministers, and his lands and tenements, goods & cattels being within the same franchise seised into the hands of the lords of the same franchises of Tindale & Erhamshire for the time being as forfait. And that the other landes & tenements, goods & cattels of such felon, being out of the same franchises, shall wholly remaine to the king and to other lordes, hauing therof frãchise as forfait. Sauing alwaies to the K. the forfaitures of such murderers, traitors, manslears, robbers, and other offenders, and of other things which to him doe belong, as of the right of his crowne. Anno 2. H. 5. cap. 5.

Murder
Treason
Felonie
Proces
Seise lands
King

2 ¶ Such proces, certification and execution shall be made from henceforth against such murderers, manslears, robbers, consenters & offenders, abiding or resiãt within the said franchise of Riddesdale, because of their offences done out of the said franchise of Riddesdale. And also such manner forfaiture shall runne in all points, aswell towards our Soueraigne lord the king, as against al other persons, as it was ordained for the said offenders of Tindale and Erhamshire, by the saide statute made at Leicester, and according to the forme and equitie of the same statute. Sauing alwaies to the King that that pertaineth in this behalfe, as of the right of his crowne. An. 9. H. 5. cap. 7.

3 ¶ The saide lordship and bounds of North and South Tindale now being in his hands, and al lands & tenemẽts within the same, in whose possessiõ soeuer they be, and euery part thereof stand & be from henceforth gildable, & part of the shire of Northumberland aforesaid, and no franchise ne franchises: but that all maner of the kings writs shal run, and all his officers, aswel the warden or wardens of the East and middle marches of England towards Scotland, the lieutenant or lieutenants, the Justices of the peace, shirife, escheator, cozoner, bailifes, & other officers and their deputies, & euerie of them, of, & within the Countie of Northumberland aforesaid, and al their warrants and precepts shalbe obeied, & of as great authoritie in the law, by reason of this act, within the said lordship and bounds of North and South Tindale, & euerie part thereof, as in any other partie of the saide Shire of Northumberland. And ouer this, that no person or persons, of what estate, degree, or condition he or they bẽ of, that nowe haue, or that hereafter shal haue authoritie or power in his or their owen right, or any other mans, to dimit or let to farme for yere or yeres, terme of life or at wil, anie landes or tenements within the lordship & bounds of North and South Tindale aforesaid. But that the leasee or leasees before hee or they take or occupy by force of any such lease, any such landes or tenements, find good & sufficient suertie, at the least two persons hauing lands and tenements within the said shire of Northumberland, not being within the saide lordship & bounds of North & South Tindale, to the full yerely value of fortie shillings, ouer & aboue al maner charges and reprises, by recognisance to the king our soueraigne lord in twentie pound, before two at the least of the Justices of the P. of the saide Shire of Northumberland for the time being, whereof one shall be of the Quorum vpon this condition, that if the said leasee or leasees within eight daies warning to them or anie of them personally or openly, at his or their owne houses, or in his or their Parish Church giuen, by any of the saide Justices of the peace, the Shirife of the saide countie of Northumberland, and Warden of the East & middle marches for against Scotland, or his lieutenant, personally appear not before the same Justices of the peace, warden or lieutenant, at any session or sessions, gaole deliuerie, warden court, at such place and day within the said shire of Northumberland, or day, or daies of truce wheresoeuer it shal fortune them to be assigned, & as they or any of thẽ shalbe thereunto as before is rehearsed, warned

Northumberland
Writs
Wardens
Iust. of p.
Shirife
Eschetors
Cozoners
Bailife
Warrants
Landes
Lease
Suertie
fl. s. land
Recog.
Iust. of P.
Quorum
Conditions

there

there and thē to answere al such treasons, felonies, murders & trespasse, or attēpts contrarie to the truce from henceforth by them, or any of them to be done, then the said summe of twentie pounds shalbe forfait, the one halfe thereof to the King &c. and the other halfe to him or them that will sue therefore, giuing thereof to the Justice, before whom the recognisance is or shalbe taken after the execution therof to be had of his said part is recouered, fortie shillings. Forf. Portie

And that the said Justices of whom the said recognisance is or shall bee taken, as before is rehearsed, and all other Justices of the peace within the said shire of Northumberland for the time being, shal by reason of this acte haue full authoritie to enquire therof, and to take presentments and information therupon, and to award proces and execution of and for the same summe vpon anie presentments or information made thereon, in like and as ample forme as the kinges Justices of his bench shal or may do, of, or for any recognisance taken afore them, forfaited for the keeping of the kings peace. Just. of p.

And if anie person or persons after the feast of Easter next comming, taking vpon him or them to let or dimit as before is rehearsed, any lands or tenements within the said lordship or bounds of North & South Tindale, where no such suretie is before had and found, as before is rehearsed, that the person or persons that so letten or dimitten, shal by the same act for euerie acre of ground, and euery mese and mansion, or dwelling place within ỳ said lordship and bounds aforesaid, by him or them so letten or dimitted, forfaite xl.s. the one halfe to the king, and the other to him or them that will sue therefore. Forf. Portie

And that the Justices of the peace of the said Shire of Northumberland for the time being, shal haue like authoritie in al things concerning this forfeiture, as by this act or ordinance is giuen them in the recognisance afore expressed, and that all maner of leases, dimissions, made or to be made of any lands, or tenements within the said lordship and boundes of North & South Tindale, for the which no such suertie shall be had and found at the saide feast of Easter, and so forth as tofore is rehearsed, bee and stand from thence forward void, and of none effect. Just. of P. Leases Suertie Uoyd

And if anie person or persons, of what estate, degrée, or condition he or they be of, take vpon him or them after the said feast of Easter, to enter, occupie, dwell, hold, or inhabite any lands, tenemēts, or ground within the said lordshippe and bounds of North and South Tindale, not being his owne inheritance in fee simple or in fée taile, without lawful or sufficient suertie Suertie by him or them found as before is rehearsed, except he be a lord spiritual or temporall of this realme, that he and they so doing, haue imprisonment by the space of a Lord whole yere without baile or mainprise, & so for to continue till he haue found sufficient suertie vnto our soueraigne lord the king, by recognisance before the Justices Imprison Mainpeit of the said countie, to be of good abearing Just. of P. Good abearing against the king and all his liege people. An. 11. H. 7. cap. 9.

¶ Tinne.

ANno 14. R. 2. cap. 7. It was enacted that the passage for tinne to be caried out of the realme, should be at the port of Dertmouth and no where els. And after An. 15. R. 2. cap. 8. that statute was repealed, & that to the feast of S. John next comming, tinne to be caried out, might be charged in anie port in England. Dertmouth Repealed

2 ¶ After the said feast they shall repaire to Calice for the time that the resort of woll shall be there, paying alway the customes, subsidies, and deuoyers there due before the passage of the saide tinne. Anno 15. R. 2. cap. 8. Calice

¶ Tithes.

VVhere as writs of Scire facias haue been granted, to warne prelates religious and other clerkes, to answere of dismes in our Chancerie, and to shewe if they haue any thing, or can any thing say, wherefore such dismes ought not to bee restored to the said demaundants, and to answere aswell to vs, as to the partie of such dismes, that such writs from henceforth be not graunted. And the processe hanging vpon such writs, be annulled and repealed. And that the parties be dismissed from the secular iudges of such maner of pleas. Sauing to vs our right, such as we and our auncestors haue had, and were wont to haue of reason. Anno 18. Ed. 3. cap. 7. pro clero. & cap. 14. Scire facias Chancerie Dismes Repealed

2 ¶ At what time ỳ anie person of holy church be drawen in plea, in the Secular court for his own tithes taken by the Secular court

name

name of goods taken away, and he which is so drawen in plea maketh an exception, or alledgeth that the substãce and suit of the businesse is onely vpon tithes, due of right and of possession to his Church, and to another his benefice, that in such case the generall auerment shall not bee takẽ without shewing specially, how the same was his lay cattell. Anno 1. R. 2. cap. 14.

Church
Auerment

3 ¶ The farmers and all maner occupiers of the manors, lands, tenements, & other possessions of Aliens, shall pay & bee bound to pay all maner of dismes thereof due to parsons & vicars of holy church, in whose parishes the same manors, landes, tenements, and possessions be so assessed & due, as the law of holy Church requireth, notwithstanding that the said manours, lands, tenements, or other possessions be seised into the kings handes, or notwithstanding anie prohibition made, or to bee made to the contrarie. An. 5. H. 4. cap. 11.

Farmers
Aliens
Seised
Prohibition

4 ¶ See prouision 17. and 18. against them that obtaine bulles from Rome to be discharged of tithes.

Bulles Rome

5 ¶ Forasmuch as manie euil disposed persons haue attẽpted to withholde their tithes, aswell prediall as personal, & haue also contemned and disobeyed the proces and decrées of the ecclesiasticall courts of this Realme: Be it &c. that euerie of the subiects of this Realme of England, Ireland, Wales, and Calice, and marches of the same, according to the Ecclesiasticall lawes & ordinance of this church of England, and after the laudable vsages & customes of the parish or other place where he dwelleth or occupieth, shall yeeld & pay his tithes, offerings and other dueties of holie church, and that for such subtractiõs of any of the said tithes, offerings or other duties, the parson, vicar, curate, or other party in that behalfe grieued, may by due proces of the kings ecclesiastical lawes of the church of England, conuent the person or persons so offending before his ordinary, or other competent Iudge of this realme, hauing authoritie to heare & determine the right of tithes, & also to compel the same person or persons offending, to do & yeeld their said dueties in that behalfe. And in case the Ordinary of the diocesse, or his commissary, or the Archdeacon or his official, or any other competent iudge aforesaid, for any contempt, contumacie, disobediẽce, or other misdemeanor of the party defendant, make informatiõ & request to any of the K. most honourable coũsell, or to the Iustices of P. of y shire, where such offender dwelleth, to assist or aide the same ordinarie, commissarie, archdeacon, officiall or iudge, to order or reforme anie such person in anie cause before rehearsed, that thẽ he or the kings said honorable counsell, or such two Iustices of peace, whereof one to be of the Quorum, to whom such informatiõ or request shalbe made, shal haue full power and authoritie by vertue of this act to attach, or cause to be attached, the person or persons against whom such informatiõ or request shalbe made, and to commit the same person or persons to ward, & there to remain without baile or mainprise, till that he or they shal haue found sufficient suertie, to be bound by Recognisance or otherwise, before the kings said Counsellor, or Iust. of peace, or anie other such like Counsellor or Iust. of peace, to the vse of our said Soueraigne Lord the King, to giue due obedience to the proceese, proceedings, decrees and sentences of the Ecclesiasticall court of this realme, wherin such suite or matter for the premisses shall depende or be. And that euery of the kings said counsellers, or two Iustices of peace, whereof one to be of the Quorum, as is aforesaid, shall haue full power and authority by vertue of this act, to take, receiue & record recognisances and obligations in anie of the causes aboue written.

K. Counsel
2. Iust. of p.
Quorum
Authoritie
Attach
Imprison
Mainprise
Suertie
Recog.
Vse
Obedience
Proces
Decrees
K. counsel
2. Iust. of p.
Record
Recog.
Obligation

Prouided alway that this acte or any thing therin contained, shal not extend to any inhabitant of the citie of Londõ for or cõcerning any maner of tithe, offering, or other ecclesiastical dutie growen & due to be pated or yelden within the same citie, because there is another order made for the paiment of tithes and other dueties within the said citie.

London

Prouided also that euerie person & persons, being partie or parties to anie such suit, shall & may make & haue his or their lawful action, demand or prosecution, appeales, prohibitions, & al other their lawfull defences and remedies in euerie such suit, according to the saide Ecclesiasticall lawes & statutes of this realme, in as ample and liberal maner & forme, as they or any of them might haue had if this act had neuer been made, any thing in this act aboue written notwithstanding.

Parties
Action
Appeales
Prohibitiõs
Ecclesiastical lawes

Prouided alwaies and be it &c. that this acte for recouering of tithes, ne any thing therin contained, shal take force or effect, but

Cõmissary
Archdeacon
Officiall
Contempt
Informatiõ
Calkomes
Offerings
Subtractions
Processe Ecclesiastical lawes
Ordinarie

but onely vntil such times as the K. highnesse, and such other xxxii. persons, which his highnes shall name and appoint for ỹ making and establishing of such lawes as his highnes shall affirme and ratifie to be called the Ecclesiasticall lawes of his Church of England. And after the saide lawes so ratified and confirmed, as is aforesaid, that thẽ the said tithes to be paid to euery Ecclesiastical person, according to such lawes and none other wise. Anno 27. H. 8. cap. 20.

Ratifie

* 6 Be it &c. that all and euery the citizens & inhabitants of the Citie of London & suburbs within the liberties of the same, shall at this present time of Easter next comming, pay vnto the curats of the said Citie and suburbs, all such and like summes of money, for tithes, oblations & other dueties, as the said citizens and inhabitants by the order of my L. Chancelour and other of the kings most honorable counsel, and the kings proclamation, paid or ought to haue paid by force and vertue of the said order, at Easter, that was in the yere of our Lord God, 1535. And the same paiments so to continue frõ time to time, vntill such time as any other order or law shalbe made, published, ratified and confirmed by the kings highnesse, and the 32. persons by his grace to be named, aswell for the ful establishmẽt concerning the paiment of all tithes, oblations & other dueties of the inhabitants within the said citie, and suburbs within the liberties of the same, as for the making of other ecclesiasticall lawes of this realme of England. And that euerie person denying to pay as is aforesaid, shal by the commandement of the Maior of London for the time being, bee committed to prison, there to remaine vntill such time as he or they haue agreed with the curate and curates for the said tithes, oblations and other dueties as is aforesaid. An. 27. H. 8. cap. 21.

London Suburbes
Oblations
Chancelor
Proclamation
Order
Denie
Maior
Imprison
Agree

7 Forasmuch as in the statute of the paiment vnto the K. Maiestie, his heires & successors of the first fruits of the spiritual promotions, offices, benefices & dignities within this realme, and other the kings dominions, expresse mention & declaration is not had ne made, from what time the yere shalbe accompted, in which the first fruites shalbe due and payable to his highnes, that is to wit, whether immediatly from the death, resignation or deprivation of euery incumbent, or from the time of admission or actue taking of possession in euerie such promotion.

An. 26. H 8 cap. 3. First fruits

And also by reason that in the same statute, it is not declared who shall haue the fruits, tithes, and other profits of the said benefices, offices, promotions and dignities spiritual, during the time of vacation thereof, diuers of the Archbishops & Bishops of this realme, haue not only whẽ the time of perceiuing & taking of tithes (that is to say, woll, lambe, cotne, & hay, and tithes vsually paid at the holie time of Easter) hath approched, deferred the collation of such benefices as haue bẽ of their owne patronage, but also haue vpon presentations of Clerkes made vnto them by the iust patrons, protracted and deferred to institute, induct and admit the same clerkes, to the intent ỹ they might haue and perceiue to their owne vse the same tithes growing, during the vacation: So that through such delaies (ouer & abone the first fruits, which be iustly due to the kings highnes) they haue been constrained also to lose all or the most part of one yeres profites of their benefices and promotions, and to serue the cure at their & their friends proper costes and charges, or vtterly to forsake & giue ouer their benefices & promotions to their great losse and hinderance: For reformation wherof it is &c. that the said yeere, in which the first fruits shall be paid to the K. grace, shal begin and be accompted immediatly after the auoydance or vacatiõ of any such benefice or promotion spiritual afore rehearsed. And that the tithes, fruits, oblations, obuentions, emoluments, commodities, aduantages, rents & al other whatsoeuer reuenues, casualties or profits certain & uncertain, afferring or belonging to ane Archdeaconrie, deanrie, prebend, parsonage, vicarage, hospital, wardẽship, prouostship or other spiritual promotion, benefice, dignitie or office, (Chãtries only except) within this realm, or other the K. Dominions, growing, riling or comming, during the time of vacation of the same promotion spirituall, shall belong, and after to such person, as shallbe thereunto next preseted, promoted, instituted, inducted or admitted, & to his executors, towards the payment of the first fruites to the kings highnes, his heires and successors: any vsage, custome, liberte, priuiledge or prescription to the contrarie had, vsed or being, in ane wise notwithstanding.

Tithes
Tithe
Woll
Lambe
Cotne
Hay
Vacation
Archbishops
Bishops
Begynne
Auoydance
Vacation
Executors
First fruits
Custome

And

Archbishop Bishop Ordinarie

And it is also &c. that if any Archbishop Bishop, Archdeacon, Ordinarie, or any other person or persons to their vse and behoofe, at anie time heretofore sith the first daie of May last past, haue perceiued, receiued or taken, or at any time hereafter doe perceiue, receiue or take the fruites, tithes, obuẽtions, oblations, emolumẽts, commodities, reuenues, rents, aduantages, profits, or casualties, cõming, growing or belonging, or which hereafter shal come, grow, accr or belong to any Archdeacõrie, Deanry, Prebend, Parsonage, Vicarage, Hospitall, Wardenship, Pronostship or other spirituall promotion, benefice, dignitie or office. (Chantries onely excepted) within this Realme or other the kings dominions, during the vacation of such Archdeaconrie, Deanrie, Prebẽd, Parsonage, Vicarage, Hospitall, Wardenship, Pronostship, or other spirituall promotion, benefice, dignitie, or office (Chantries onely excepted) And the same vpon reasonable request from henceforth to be made, doth not render, restore, satisfie, content and pay to the next incũbent, being lawfully instituted, inducted or admitted to such Archdeaconry, Deanrie, Prebend, Parsonage or Vicarage, or other promotion, benefice, dignitie or office spirituall, except before excepted, or doe let or interrupt the said incumbent to haue the same: that then euerie Archbishop, Bishop, Archdeacon, Ordinarie, or other person so doing, shal forfait and lose the treble value of so much as he shal then haue receiued of the fruits of euerie Prebend, Parsonage, Vicarage, Hospitall, Wardenship, Pronostship, or other spirituall promotion whereof he so shall perceiue, receiue or detaine, let or interrupt the incumbent to perceiue, receiue, and haue the fruits, tithes, obuentions, oblations, emoluments, commodities, reuenues, rents, aduantages, profits or casualties, the one moitie of which forfaiture shalbe to the King, &c. and the other moitie thereof to the incumbent of the same Prebend, Parsonage or Vicarage, or other spiritual promotion, to be recouered in any of the kings courts, by action, bill, plaint, information or other wise, in which action or suite the defendant shall not be admitted to wage his law, &c.

Recciue

Vacation

Pay Incumbent Instituted

Interrupt

Forf. 3. value

Moitie

Action Bill

Prouided alway, that it shalbe lawfull to euerie Archbishop, Bishop, Archdeacõ and Ordinaries, their officers, and ministers, to retaine in his or their custodie, so much of the tithes, fruits, obuentions, oblations, emoluments, commodities, aduantages, rentes, reuenues, casualties, & profits as shal amount to pay vnto such person or persons, as hath or shal serue to keepe the cure of such archdeacõrie, deanrie, prebend, parsonage or vicarage, or other spirituall promotion, during the vacation of his or their reasonable stipend or salarie. And also for the collection, gathering & leuying of such tithes, fruites, emoluments, rents and other profits, rising & growing, during the vacation aforesaide, any thing in this act contained to the cõtrarie in anie wise notwithstanding.

Retaine

Vacation

Collection

Prouided also and be it &c. that in case any of the incumbents aforesaide happen to die, & before his death hath caused anie of his glebe lands to be manured & sowen at his proper costs and charges with any corne or graine, that then in that case all and euerie of the same incumbents may make and declare their testaments of all the profits of the corne growing vpon the same glebe lands so manured and sowen: Anie thing contained in this present acte in anie wise notwithstanding. Prouided alway, that if the fruites of the vacation of the saide spirituall promotion bee not sufficient to pay the curates stipend and wages for seruing the cure the vacation time, that then the same be borne & paide by the next incumbent within fourteene daies next after that he hath the possessiõ of any the said promotions spirituall. An. 28. H. 8. cap. 11.

Incumbẽts

Glebe lands

Testamẽts

Corne

Wages

8 Where diuers and many persons inhabiting in sundrie counties & places of this realme & other the K. dominions, not regarding their dueties to almighty God, & to the king our soueraigne Lord, but in fewe yeres past more contemptuously & commõly presuming to offend & infringe the good & holesome lawes of this realme & gracious commandements of our saide soueraigne Lord, then in times past hath bin seen or knowẽ, haue not letted to subtract and withdraw the lawfull & accustomed tithes of corne, hay, passurages & other sorte of tithes and oblations, commonly due to the owners, proprietaries & possessors of the parsonages, vicarages & other ecclesiasticall places, of and within the saide Realme and Dominions, being the more encouraged thereunto, for that that diuers of ẏ kings subiects being lay persons, hauing parsonages, vicarages and tithes to them & to their heires, or to them

Subtract

Corne Hay Passurage

them and to their heires of their bodies lawfully begotten, or for terme of life or yeres, cannot by the order & course of the Ecclesiasticall lawes of this realme, sue in any ecclesiasticall court, for the wrongful withholding and detaining of the said tithes or other duties, nor cannot by the order of the common lawes of this realm haue any due remedie against any person or persons, their heires or assignes that wrongfully detaineth or withholdeth the same, by occasiõ wherof much controuersie, suite, variance & discord is like to ensurge, and ensue among the kings subiects, to the great detriment, damages & decaie of many of them, if conuenient and spædie remedie therefore bee not had and prouided. Wherefore it is &c. that all and singuler persons of this said Realme and other his dominions, of what estate, degrée or condition soeuer he or they be, shal fully, truely, & effectually deuide, set out, yælde or pay all and singuler tithes & offerings aforesaid, according to the lawful customs & vsages of the parishes & places where such tithes or duties shal grow, arise, come or bee due. And in case that it shal happen anie person or persons of his or their vngodly & peruerse wil & mind, to detaine or withhold any of the said tithes or offerings, or part, or parcel therof: thẽ the person or partie being ecclesiasticall or lay person, hauing cause to demand or haue ẏ said tithes or offrings, being therby wronged or grieued, shall and may cõuent the person or persons so offending before the Ordinarie, his Commissary, or other cõpetent minister or lawful Judge of ẏ place where such wrong shalbe done, according to ẏ ecclesiasticall lawes: And in euery such cause or matter of suit, the same Ordinarie, Commissarie, or other competent minister or lawful Judge hauing the parties or their lawful procurators before him or them, shall and may by vertue of this act proceed to the examination, hearing, & determination of euery such cause or matter, ordinarily or summarily, according to the course & proces of the said ecclesiastical lawes, & thereupon may giue sentence accordingly. And in case that anie of the parties, for any cause or matter concerning that suite, doe appeale from the sentence, order, and definitiue iudgement of the said Ordinarie, or other competent Judge, as is aforesaide: Then the same Judge by vertue of this act, forthwith vpõ such appellatiõ made, shal adiudge to the other party ẏ reasonable costs of his suite therein before erpended, & shal compel the same partie appellant to satisfie and pay the same costes so adiudged by compulsorie proces and censures of the said lawes Ecclesiasticall, taking suertie of the other partie, to whom such costs shalbe adiudged and paid, to restore the same costs to ẏ partie appellãt, if after, the principall cause of that suit of appeale shall be adiudged against ẏ same partie, to whom the said costs shalbe yælden: And so euerie Ordinarie or other cõpetent Judge ecclesiasticall, by vertue of this Acte, shal adiudge costes to the other partie vpon euery appeale to bee made in any suite or cause of subtraction or detention of anie tithes, offerings, or in anie other suite to bee made for or concerning the duetie of such tithes or offerings.

And further be it, &c. that if any person or persons after such sentence definitiue giuen against them, obstinatly and wilfully refuse for to pay their tithes or duties, or such sums of money so adiudged, wherein they be condemned for the same: that then two Justices of the peace of the same shire, whereof one to be of the Quorum, shall haue authoritie by this act vpon information, certificate, or complaint to them made in writing by the said ecclesiasticall Judge that gaue the same sentence, to cause the same party so refusing, to be attached and committed to the next gaole, and there to remain without baile or mainprise, till hee or they shall haue found sufficient sureties to bee bounde by recognisance or otherwise before the same Justices to the vse of our soueraigne lord the king, to performe the saide definitiue sentence and iudgment.

Prouided alwaies and be it &c. that no person or persons shall bee sued or otherwise compelled to yæld, giue or pay, anie maner of tithes for anie manors, landes, tenements or hereditaments, which by the lawes or statutes of this Realme are discharged or not chargeable with the paiment of any such tithes. Prouided also and be it &c. that this acte or anie thing therein contained, shall not in anie wise bind the inhabitants of the citie of Londõ & suburbes of the same, for to paye their tithes & offerings within the same Citie, and suburbes, otherwise then they ought or should haue done before the making of this act, any thing in this act contained to the contrarie notwithstanding.

Ecclesiasticall lawes

Common lawes

Deuide Set out

Customes

Deteine

Ordinary Cõmissary

Procurators

Sentence

Appeale

Judgement

Costes

Processe Censures Suertie

Appeale

Detention

Sentence

Refuse

2. Iust. of p. Quorum

Complaint

Attach Imprison

Mainprise

Recog.

Alie

Not charged

London Suburbes

And be it &c. that in al cases, where any person or persons, which now haue, or which hereafter shall haue any estate of inheritance, freehold, terme, right or interest, of, in, or to any parsonage, vicarage, portion, pension, tithes, oblatiõs, or other ecclesiasticall or spirituall profite, which now be, or which hereafter shalbee made temporal, or admitted to be, abide & go to or in temporal hands, or lay vses & profits by the lawes or statutes of this Realme, shal hereafter fortune to bee disseised, deforced, wronged, or otherwise kept or put from their lawful inheritance, estate, seison, possession, occupation, terme, right or interest of, in or to the same, or of, in, or to any parcel therof by any person or persons, claiming or pretẽding to haue interest or title in, or to the same, that then in al & euery such case or cases, the person or persons so disseised, deforced, or wrongfully kept or put frõ his or their right or possessiõ as is afore rehearsed, their heires wiues & such other to whome such iniury or wrong shalbe done or cõmitted, shall & may haue their remedie in the kings tẽporal courts, or other temporal court, as the case shal require for the recouery, getting or obteining of such inheritance, estate, freehold, seison, possession, terme, right, or interest, by writs originall of Præcipe quod redd', Assise of Nouel diss. Mordauncester, Quod ei deforceat, writs of dower, or other writs originall, as the case shal require, to be deuised & graunted in the Kings Court of Chancery, of euery such Parsonage, Vicarage, portion, pension or other profit called ecclesiastical or spiritual, so to be demaunded according to the nature & cause of the suite thereof, in like maner & formis as they should, ought or might haue had of or for landes, tenements, or other hereditamẽts, in such maner to be demaunded. And that writs of conenant & other writs for fines to be leuied, & al other assurances, to be had, made or conueyed of any such Parsonage, Vicarage, portion, pension or other profite called ecclesiasticall or spirituall, as is aforesaid, shalbe hereafter deuised & granted in the saide Chauncery, according as hath bin vsed for fines to be leuied, & assurance to be had made or conueied of lãds, tenements or other hereditaments. And that al iudgements to be giuen vpon any of the said writs originall, so to be deuised & graunted of or for any the premisses, or any of them, and all fines to be leuied and knowledged in any of ỹ kings said courts thereof, shalbe of like force and effect in ỹ law to all intents & purposes, as iudgements giuen & fines leuied of lands, tenementes and hereditamentes in the saide courts vpon writtes originall therefore duely pursued & prosecuted, albeit no such forme of writes originall out of the saide Court of Chancery haue heretofore proceeded or beene awarded. Prouided alwaies, that this last acte shall not extend nor bee expounded, to giue any remedy, cause of action or suite in the courtes temporal against any person or persõs which shall refuse or denie to set out his or their tithes, or which shal deceiue, withhold or refuse to pay his tithes or offerings, or any parcell therof, but that in al such cases the person or partie, being ecclesiastical or lay person, hauing cause to demaunde or to haue the saide tithes or offerings, and thereby wronged or grieued, shall take & haue the remedy for their said tithes or offerings in euery such case in the spirituall courts, according to the ordinance in the first part of this act mentioned, and not otherwise: any thing herein expressed to the contrary thereof notwithstanding. Anno 32. H. 8. cap. 7.

Freehold
Lay vses
Disseised
Heires Wiues
Recouery
Præcipe quod reddat
Mordauncester
Quod ei deforceat
Chancery
Writs
Assurances
Chancery Fines
Iudgements
Force
Writs originall
Refuse
Remedy
Spiritual courts
Compromitted
Arbitrators

9 Sithen which act (s. Anno. 27. H. 8. cap. 21. before 6.) diuers variances, contentions and strifes, are newly risen and growen betweene the said Parsons, Vicars & Curats, and the saide citizens & inhabitants, (S. of London) touching the paiments of their tithes, oblations and other dueties by reason of certaine wordes & termes specified in the said order, which are not so plainely and fully set forth, as is thought conuenient and méete to bee: for appeasing whereof aswell the saide Parsons, Vicars and Curats, as the saide citizens & inhabitants haue compromitted and put themselues to stande to such order and decrée touching the premisses, as shalbe made by the said right reuerend father in God, Thomas Archbishop of Canterbury, Metropolitan & Primate of Englande, the right honorable sir Thomas Wriothesly knight, lord Wriothesly and lord Chancellor of Englãd, the right honorable Thomas Duke of Norfolke, the lord Treasorer of England, the right honorable sir William Pawlet knight, lord S. John, lord Presidẽt of the Counsell, and Lord great master of the Kings most honorable houshold, the right honorable sir John Russel knight lord Russel,

and Lord prime seale, the right honorable Edward Earle of Hertford, Lorde great Chamberlaine of England, the right honorable John Vicount Lisle, high Admirall of England, sir Richard Lister chief Justice of England, sir Edward Montague knight, chiefe Justice of the common Bench at Westminster, and sir Roger Cholmeley knight, chiefe Baron of the Eschequer, for a finall end & conclusion to be had & made touching the premisses for euer. And to the intent to haue a ful peace & perfect end betweene the saide parties, their heires & successors, touching the said tithes, oblations, & other dueties for euer: Be it &c. that such end, order & direction, as shalbe made, decreed and concluded by the forenamed Archbishop, Lords & knights, or any fiue of them before the first day of March next ensuing, of, or for and concerning the paymentes of the tithes, oblations and other dueties within the said citie and the liberties of the same, and enrolled in the kings high Court of Chancerie of Record, shall stand, remaine, and be as an act of Parliament, and shal bind aswell all citizens and inhabitants of the saide Citie and liberties for the time being, as the saide Parsons, Vicars, Curates and their successours for euer, according to the effect, purport and intent of the saide order and decree, so to be made and enrolled. And that euery person denying to pay any of his or their tithes, oblations, or other dueties, contrarie to the saide decree so to be made, shall by the cõmaundement of the Maior of London for the time being, and in his default or negligence, by the Lord Chancellor of England for the time being, be committed to prison, there to remaine till such time as he or they haue agreed with the Curat or Curates for his or their said tithes, oblations & other duties as is aforesaid. An. 37. H. 8. cap. 12.

Refusers

Maior

L. Chancellour Imprison

The Decree.

London

As touching the payments of tithes in the Citie of London and the liberties of the same: It is fully ordered and decreed by the most reuerend Father in God, Thomas Archbishop of Canterburie, Primat and Metropolitane of all England, Thomas Lorde Wriothesley, Lorde Chancellor of England, William Lord Saint John, President of the kings Maiesties Counsel, and Lord great Maister of his Highnes house-hold, John lord Russell, Lord priuie seale, Edward Earle of Hertford, Lorde great Chamberlaine of Englande, John Vicount Lisle, high Admirall of England, Richard Lister knight, chiefe Justice of England, and Roger Cholmeley knight chiefe Baron of his Graces Eschequer, this present twentie & fourth day of Februarie, Anno Domini secundum cursum & computationem Ecclesiæ Anglicanæ, millesimo, quingentesimo, quadragesimo quinto, according to ỳ statute in such case lately prouided: That the citizens & inhabitants of the said citie of London and liberties of ỳ same, for the time being, shal yéerely without fraud or couine for euer, pay their tithes to the Parsons, Vicars, & Curates of the saide Citie & their successors for the time being, after ỳ rate hereafter following: that is to wit, of euery x.s. rent by the yere of all and euery house and houses, shops, warehouses, cellers, & stables, and euery of them within the said city and libertie of the same x d. ob. And of euery xx.s. rent by yere of al and euery such house & houses, shops, warehouses, cellers, & stables, & euery of them within the saide Citie and liberties ii.s. ix.d. And so aboue the rent of xx.s. by yeere ascending from x.s. to x.s. according to the rate aforesaide.

Parsons Vicars Curates

Tithes

Item that where any lease is or shalbe made of any dwelling house or houses, shops, warehouses, cellers or stables, or of any of them by fraude or couine, reseruing lesse rent then hath beene accustomed, or is, or that any such lease shall bee made without any rent reserued vpõ the same, by reason of any fine or income paid before hand, or by any fraud or couin: that then in euery such case the tenant or farmor, tenants or farmors thereof shall pay for his or their tithes of the same, after the rate aforesaid, according to the quantitie of such rent or rents, as the same house or houses, shops, warehouses, cellers or stables, or any of them were last letten for, without fraud or couine, before the making of such lease.

Item, that euery owner or owners, inheritour or inheritours of any dwelling house or houses, shops, warehouses, cellers or stables, or any of them within the said citie & libertie, inhabiting or occupying ỳ same himselfe or themselues, shal pay after such rate or tithe as is aboue said after ỳ quãtity of such yerely rent as ỳ same was last letté for, wout fraud or couin.

Item

Leases

Item if any person or persons haue taken or hereafter shall take any mease or mansion place by lease, & the taker or takers thereof, his or their executors or assignes doth or shal inhabite in part thereof, & haue or hath within viii. yeeres last past before this order, or hereafter wil or shal let out the residue of the same: That then in such case the principal farmour or farmours, or first taker or takers therof, his or their executors or assignes shal pay his or their tithes after the rate aforesaid, according to his or their quantitie therin, & that his or their executors, assignée or assignæs shall pate his or their tithes after the rate abouesaide, according to the quantitie of his or their rent by yere. And that if any person or persons haue or shall take diuers mansion houses, shops, warehouses, cellers or stables in one lease, and letteth or shall let out one or more of the said houses, & kæpeth or shal kæpe one or more in his or their owne hands, & inhabiteth or inhabite in the same: That then the said taker or takers, & his or their executors or assignes shall pay his or their tithes after the rate abouesaid according to the quantitie of the yerely rent of such mansion house or houses, reteined in his or their hands. And that his assignée or assignees of the residue of the saide mansion house or houses, shal pay his or their tithes after the rate abouesaid, according to the quantitie of their yerely rents.

Item if such farmer or farmers, or his or their assignées of any mansion house or houses, warehouses, shops, cellers or stables, hath at any time within viii. yéres last past, or shall hereafter let ouer all the said mansion house or houses conteined in his or their lease, to one person or to diuers persons: that then the inhabitants, lessées or occupiers of them and euery of them, shall pay their tithes after the rate of such rents, as the inhabitants, lessees or occupiers, and their assignée or assignées béene or shalbee discharged withall, without fraude or coutne.

Item if any dwelling house within viii. yeeres last past was, or hereafter shalbee conuerted into a warehouse, storehouse, or such like, or if a warehouse, storehouse, or such like within ỳ said viii. yeeres was or hereafter shalbe cõuerted into a dwelling house: that then the occupier or occupiers thereof shal pay tithes for the same, after the rate aboue declared of mansion house rents.

Item that where any persõ shal demise any dyehouse or brewhouse, with implements conuenièt and necessary for dying or brewing, reseruing a rent vpon ỳ same aswel in respect of such implements, as in respect of such dyehouse or brewhouse: That then the tenant shall pay his tithes after such rate as is abouesaide, the third peny abated. And that euery principall house or houses with key or wharfe, hauing any crane or gibet belonging to the same, shall pay after the like rate of their rents, as is aforesaide, the third peny abated. And that other wharfes belonging to houses hauing no crane or gibet, shall pay for his tithes as shall be paide for mansion houses in forme afore saide.

Item, that where any mansion house with a shop, stable, warehouses, wharf wt crane, timberyard, teinteryard, or garde belõging to ỳ same, or as parcel of ỳ same, is or shalbe occupied togither, that if the same be hereafter seuered or diuided, or at any time within viii. yeres last past were seuered or diuided: That then the farmer or farmers, occupier or occupiers thereof shall pay such tithes as is abouesaide. for such shops, stable, warehouses, wharfe wt crane, timberyard, teinteryard, or garden aforesaid, so seuered or diuided after ỳ rate of their seuerall rents therupon reserued.

Item that the said citizens and inhabitants shal pay their tithes quarterly, that is to say, at ỳ feast of Easter, the Natiuity of S. John Baptist, the feast of S. Michael the Archangel, and the Natiuity of our Lord, by euen portions.

Item, that euery houlholder, paying x. shillings rent or aboue, shal for him or her selfe be discharged of their foure offering dayes, but his wife, children, seruant, or others of their family, taking their rights of the Church at Easter, shal pay ii. pence for their foure offering dayes yerely.

Prouided alwaies, & it is decreed, that if any house or houses, which hath bẽn or hereafter shalbee letten for x. s. rent by yere or more, be or hathat any time within viii. yeres last passed, or hereafter shall be diuided & leased into small parcels or members, yelding lesse yeerely rent then x. shillings by yere: That then the owner or owners, if he or they dwell in any part of such house, or els the principall leasée & leasées, if the owner or owners doe not dwel in some part of the same, shall from henceforth pay for his or their tithes after such rate of rent, as the same house

was accuſtomed to bee letten for, before ſuch diuiſion or diuiding into parts or mẽbers: And the vnderfarmer or farmers, leaſe & leaſes, to be diſcharged of al tithes for ſuch ſmall parcels, parts or members rented at leſſe yerely rent then tenne ſhillings by yeere without fraud or couine, paying two pence a piece yerely for their foure offering dayes.

Prouided alway, & it is decreed, that for ſuch gardens as appertaine not to any manſion houſe, and which any perſon or perſons holdeth or ſhal hold in his or their hands for pleaſure, or to his own vſe, that then the perſon ſo holding the ſame, ſhall pay no tithe for the ſame. But if any perſon or perſons, which holdeth or ſhal hold any ſuch garden, conteining halfe an acre or more, doeth or ſhall make any yerely profite thereof by way of ſale: that then he or they ſhal paie tithes for the ſame after ſuch rate of his rent as is herein firſt aboue ſpecified.

Prouided alſo, that if any ſuch gardens nowe being of the quantitie of halfe an acre or more, bee hereafter by fraud or couine diuided into any leſſe quantitie or quantities, then to pay tithe according to the rate aboueſaid.

Prouided alway, that this decree ſhall not extend to the houſes of great men or noble men, or noble women, kept in their owne hands, and not letten for any rent, which in time paſt hath paied no tithes, ſo long as they ſhall ſo continue vnletten, nor to any halles of crafts or companies, ſo long as they be kept vnletten, ſo that the ſame halles in time paſt haue not vſed to pay any tithes.

Prouided alwaies, and it is decreed, that this preſent order & decree, ſhall not in any wiſe extend to binde or charge any theddes, ſtables, cellers, timberyards, ne teinteryards, which were neuer parcel of any dwelling houſe, ne appertaining or belonging to any dwelling houſe, ne haue accuſtomed to pay any tithes: but that the ſaid citizens & inhabitants ſhall theer of be quite of paiment of any tithes, as it hath bene vſed and accuſtomed.

Prouided alſo and it is decreed, that where leſſe ſumme then after xvi. pence halfe peny in the tenne ſhillings rent, or leſſe ſume then two ſhillings nine pence in the xx.s. rent, hath bene accuſtomed to be payed for tithes: that then in ſuch places the ſaid citizens and inhabitants ſhal paye but onely after ſuch rate as hath bene accuſtomed.

Item it is alſo decreed, that if any variance, controuerſie, or ſtrife, doe or ſhall hereafter ariſe in ỳ ſaid citie for non payment of any tithes: or if any variance or doubt ariſe vpõ the true knowledge or diuiſion of any rent or tithes within the liberties of the ſaide Citie, or of any extent or aſſeſſement therof, or if any doubt ariſe vpõ any other thing cõteined within this decree: that then vpon complaint made by the partie grieued to the Maior of the citie of London for the time being, the ſaide Maior by the aduiſe of counſel, ſhall call the ſaid parties before him, & make a final end in the ſame with coſtes to be awarded by the diſcretion of the ſaide Maior & his aſſiſtants, according to the intent & purport of this preſent decree.

And if the ſaid Maior make not an ende thereof within two monethes after complaint to him made, or if any of the ſaide parties finde themſelues agreeued: That then the Lord Chancellor of England for the time being, vpon complaint to him made within three monethe then next following, ſhal make an end in ỳ ſame with ſuch coſtes to bee awarded as ſhall bee thought conuenient, according to the intent & purport of the ſaid decree.

Prouided alwaies, that if any perſon or perſons take any tenemẽt for a leſſe rent then it was accuſtomed to be letten for, by reaſon of any great ruine or decay, burning or ſuch like occaſions or miſfortunes: That then ſuch perſon or perſons, his executors or aſſignes, ſhal pay tithes only after the rate of the rent reſerued in his or their leaſe, & none otherwiſe, as lõg as the ſame leaſe ſhal endure.

10 ¶ Not onely the ſaide actes made in the ſaid xxvii. & xxviii. yeres of the reigne of the ſaid late king Henry the eight (before 5. and 8.) concerning true payment of tithes, and euery article & branch therein contained, ſhall abide & ſtand in their full ſtrength & vertue: but alſo be it ec. that euery of the kings ſubiectes, ſhal frõ hẽceforth truely and iuſtly without fraud or guile, diuide, ſet out, yeeld & pay all maner of their prædial tithes in their proper kinde as they riſe & happen in ſuch manner and forme, as hath bene of right yeelded and payed within fourtie yeeres next before ỳ making of this act, or of right or cuſtom ought to haue bene paied. And that no perſon ſhal from henceforth take or cary away any ſuch or like tithes which haue bene

Diuide
Set out
Prædiall
tithes

Cary away

bin yelded or paied within the saide xl. yeres, or of right ought to haue bin paied in the place or places tythable in ỳ same, before he hath iustly diuided or set foorth for the tithe thereof the tenth part of the same, or otherwise agréed for ỳ same tithe with ỳ Parson, Vicars, or other owner, proprietarie, or farmer of the same tithes, vnder the paine of forfaiture of treble value of the tithes so taken or caried away. And be it &c. that at al times whensoeuer & as often as the said predial tithes shalbe due at the tithing time of the same, it to be lawful to euery party, to whom any of ỳ said tithes ought to be paied, or his deputie or seruant, to view and see their saide tithes, to be iustly & truely set foorth & severed frō the nine parts, & ỳ same quietly to take & carie away. And if any persō cary away his corne or hay, or his other predial tithes, before the tithe thereof be set foorth, or willingly withdraw his tithes of the same, or of such other things wherof predial tithes ought to be paied, or doe stop or let the Parsō, Vicar, proprietary, owner, or other their deputies or farmors, to view, take, and cary away their tithes, as is abouesaid, by reason whereof the saide tithe or tenth is lost, impaired or hurt: ỳ then vpō due proofe thereof made before the spirituall Judge, or any other Judge, to whō heretofore he might haue made cōplaint, ỳ party so carying away, withdrawing, letting, or stopping, shall pay the double value of the tenth or tithe so taken, lost, withdrawē, or caried away, ouer & besides the costs, charges & expēces of the suite in the same, the same to be recouered before the ecclesiastical Judge according to the kings ecclesiastical lawes. And be it &c. that all & euery person which hath or shal haue any beasts or other cattel tithable, going, fæding, or depasturing in any wast or cōmon ground, wherof the parish is not certainly knowen, shall pay their tithes for the increase of ỳ said cattel so going in the said wast or common, to the Parson, Vicar, proprietary, portionary, owner or other their farmers or deputies of the parish, hamlet, towne or other place, where the owner of ỳ said cattel inhabiteth or dwelleth. Prouided alwayes & be it &c. ỳ no person shalbe sued or otherwise compelled to yelde, giue, or pay any maner of tithes for any manors, lāds, tenements or hereditamētes, which by the lawes & statutes of this realm, or by any priuiledge or prescription, are not chargeable with the paimēt of any such tithes, or that bee discharged by any composition real. Prouided alwaies & be it &c. that all such barren heath or waste ground, other then such as be discharged for the paymēt of tithes by act of Parliament, which before this time haue lien barren, and payed no tithes by reason of ỳ same barrennes, & now be or hereafter shalbe improued & conuerted into arable ground or medow, shal from henceforth after the end & term of vii. yeres next after such improuement iustly ended & determined, pay tithe for ỳ corne & hay, growing vpon the same, any thing in this acte to the contrary in any wise notwithstanding. Prouided alwaies & be it &c. that if any such barren, wast, or heath grounde hath before this time bene charged with the paiment of any tithes, & that the same be hereafter emproued & cōuerted into arrable grounde or medow, ỳ then the owner or owners therof shal during vii. yeres next following, from & after the same improuement, pay such kind of tithe as was paide for the same before the saide improuement, any thing in this act to the contrary in any wise notwithstanding. And bee it &c. that euery person exercising marchandises, bargaining and selling, clothing, handicraft, or other arte or faculty, being such kind of persons and in such places as heretofore vōn these xl yeres haue accustomably vsed to pay such personall tithes, or of right ought to pay, other then such as be cōmon daylabourers, shal yerely at or before the feast of Easter pay for his personal tithes, ỳ tenth part of his cleare gaines, his charges & expences according to his estate, condition, or degree, to bee therein abated, allowed, & deducted. Prouided alway and be it &c. that in all such places where handicrafts men haue vsed to paie their tithes within these xl. yeeres, the same custome of paiment of tithes to be obserued, and to continue, anie thing in this acte to the contrarie notwithstanding. And be it &c. that if any person refuse to paie his personall tithes in forme aforesaide, that then it shalbee lawfull to the Ordinarie of the same diocesse where the partie that so ought to pay the said tithes is dwelling, to cal the same partie before him, and by his discretion to examine him by all lawfull and reasonable meanes, other then by the parties owne corporall othe, concerning the true paiment of the said personall tithes. Prouided allwaies & be it &c. that al and euery

Tenth part
View
Distурbe
Spirituall Judge
2. Value
Costs
Beastes
Waste
Lands not charged
Priuiledge
Heath Waste ground
vii. yeres
Barren
vii. yeres
Marchāts
Artificers
Labourers
Tenth
xl. yeres
Refuse
Ordinary
Examine

person and persons, which by the lawes and customes of this Realme, ought to make or pay their offerings, shall yerely from henceforth well and truely content and pay his or their offerings to the Parson, Vicar, proprietarie, or their deputies, or their farmers of the Parish, or Parishes, where it shall fortune or happen him or them to dwell or abide. And that at such foure offring dayes, as at any time heretofore within the space of foure yeeres last past, hath beene vsed and accustomed for the payment of the same, and in default thereof to pay for their said offerings at Easter then next following. Prouided also and be it &c. that this Acte or any thing therein conteined, shall not extend to any parish which standes vpon and towards the Sea costes, the commodities and occupying whereof consisteth chiefly in fishing, & haue by reason thereof vsed to satisfie their tithes by fish, but that all and euery such parish and parishes, shall hereafter pay their tithes according to the laudable customes as they haue heretofore of auncient time within this xl. yeeres vsed and accustomed, and shall paie their offerings, as is aforesaid. Prouided alwaies and be it &c. that this acte or any thing therein contained, shall not extend in any wise to the inhabitants of the Citie of London and Canterbury, and the suburbes of the same, ne to any other town or place that hath vsed to paie their tithes by their houses, otherwise then they ought or should haue done before the making of this act, any thing cõteined in this acte to the contrarie in any wise notwithstanding. And be it further enacted, that if any person do subtract or withdraw any maner of tithes, obuentions, profites commodities, or other duties before mentioned, or any parte of them, contrarie to ẏ true meaning of this act, or of any other acte heretofore made: that then ẏ partie so subtracting or withdrawing the same, may or shalbe conuented and sued in the Kings Ecclesiasticall Court, by the partie from whome ẏ same shalbe subtracted or withdrawen, to the intent the kinges Judge Ecclesiasticall, shall and may then and there heare & determine the same, according to the kings Ecclesiasticall lawes. And that it shall not be lawfull vnto the Parson, Vicar, proprietarie, owner, or other their farmers or deputies, contrarie to this act, to conuent or sue such withholder of tithes, obuentions, or other dueties aforesaid before any other Judge then Ecclesiastical. And if any Archbishop, Bishop, Chancellor, or other Judge Ecclesiasticall, giue any sentẽce in the foresaid causes of tithes, obuentions, profits, emoluments, & other dueties afore said, or in any of them, (and no appeale ne prohibition hanging) the party condemned doe not obey the saide sentence, that then it shall bee lawfull to euery such Judge Ecclesiasticall, to excommunicate the saide partie, so as afore condemned, and disobeying, in which sentence of excommunication, if the said party excommunicate wilfully stand and endure still excommunicate by the space of fourtie daies next after, vpon denuntiation and publication thereof in the parish Church of the place or parish where the party so excommunicate is dwelling, or most abiding, the saide Judge Ecclesiastical may then at his pleasure signifie to the King in his court of Chancery of the state & condition of the said partie so excommunicate, & thereupon to require proces De excommunicato capiendo, to be awarded against euery such person as hath beene so excommunicate. Be it &c. that if any partie at any time hereafter, for anie matter or cause before rehearsed, limitted or appointed by this act, to be sued or determined in the Kings Ecclesiasticall Court, or before the Ecclesiasticall Judge, doe sue for anie prohibition in anie of the Kings Courts where prohibitions before this time haue bin vsed to be granted: That then in euery such case, the same party before anie prohibition shalbee graunted to him or them, shal bring and deliuer to the hands of some of the Justices or Judges of the same Court where such party demanded prohibition, the verie true copie of the libel depending in ẏ Ecclesiastical court, concerning the matter wherfore the partie demandeth the prohibition, subscribed or marked with the hand of the same partie. And vnder the copie of the saide libell shalbe written the suggestion wherefore the partie so demandeth ẏ said prohibitiõ, & in case the said suggestion by two honest & sufficient witnesses at the least, be not proued true in the Court, where the saide prohibition shalbe so granted, within sixe moneths next following, after the saide prohibition shall bee so graunted and awarded: that then the partie that is letted or hindred of his or their suit in ẏ Ecclesiastical Court, by such prohibitiõ, shal vpon

Offrings

4. Offring dayes

Sea coasts.

Fish

xl. yeres

London Caterburye

Withhold

Diers ter.

None other Judge Archbishop Bishop Chancellor

Disobey

Excommunicate

xl. dayes

Chancery

Excommunicato capiendo.

Prohibitiõ

Copy

Suggestiõ

Consultation

2. costs and dammages

vpon his or their request & suite, without delay haue a consultation granted in the same case in the Court where the saide prohibition was granted, & shal also recouer double costes & dãmages against the party that so pursued the said prohibitiõ, the said costes & dammages to be assigned or assented by the Court where the saide consultation shalbe so granted: for which costes & dammages, the partie to whome they shalbe awarded, may haue an action of debt by bill, plaint, or information in any of the kings Courts of Record, wherin ỳ defendant shal not wage his or their lawe, nor haue any essoine or protection allowed or admitted. Prouided alwayes & be it enacted by the authoritie aforesaid, that this act, or any thyng therein conteined, shall not extend to giue any minister or iudge ecclesiasticall, any iurisdiction to hold plea of any matter, cause, or thing being contrary or repugnãt to or against the effect, intent or meaning of the statut of W.2.ca.5. the statutes of Articuli cleri, Circumspecte agatis, Sylua cædua, the treatise de regia prohibitione, ne against the statute of An.1.Ed.3.ca.10. or any of them, ne yet holde plea in any matter whereof the kings Court of right ought to haue iurisdiction, any thing herein cõteined to the contrary in any wise notwithstanding. Prouided neuertheles, where heretofore such a custome hath bin in many partes of Wales, that of such cattell & other goods as hath beene giuen with the marriage of any person, their tithes haue bin exacted & leuied by ỳ Parsons & Curates in those parties, which custome being dissonant from any parte of this Realm, as it seemed when the said Countrey of Wales was through ciuill dissention vnciuilled, for want of other sufficiẽt profits that might otherwise grow to the Curats & Ministers there, to haue been for that time tollerable, so that now the Countrey being wel manured & husbanded, & that tithe is duely payed therof corne, hay, wood, & chese, & of other increase of al maner of cattell, as it is commonly in all other partes of this Realm, the same custome seemes to be grieuous & vnreasonable, specially where the benefice were els sufficient for the finding of the said Ministers and Curates: That if the therefore enacted by the authoritie aforesaid, that from & after ỳ first day of May next comming, no such tithes of marriage goods bee exacted or required of any person within the said dominions of Wales, or Marches of ỳ same: Any thing in this Act contained, or any other acte, custome, prescription, had or made to the contrary hereof notwithstanding. An.2.E.6.ca.13.

K. Court

Custome Wales

Marriage goods

¶Tolles.

TOuching them that take outragious toll, contrary to the common custome of the Realme in Market Townes: It is prouided, that if any do so in the Kings Townes which is giuen in fee ferme, the king shall seise into his own hand the Franchise of the Market. And if it be another Towne, and the same be done by the Lord of the Towne, the king shall do it in like maner. And if it be done by a Bailif, or any other meane officer, without the commaundement of his lord, he shal restore to the plaintife as much more for the outragious taking, as he had of him if he had caried his toll, and shall haue fourtie daies imprisonment. Touching Citizens and Burgesses, to whom the king or his father hath graunted murage to enclose their Townes, which take such murage otherwise then it was graunted vnto them, and thereof be attainted: It is prouided that they shall lose their graunt for euermore, and shall bee grieuously amerced vnto the King. W.1.cap.30.

Fee ferme

Seise Franchises

Bailife

Imprisonment Citizens

Murage

Fort.

¶Townes.

FOrasmuch as diuers & many houses, mesuages & tenements of habitatiõ in the Townes of Notingham, Shrewesburie, Ludlowe, Bridgenorth, Quinborowe, Northampton and Glocester, now are and of long time haue beene in great ruine & decay, and specially in the principall & chiefe streetes there lying, in the which chiefe streetes in times past haue beene beautifull dwelling places, there well inhabited, which at this day much part thereof is desolate & voide grounds with pittes, cellers, and vaultes lying open and vncouered, very perilous for people to go by in the night, without ieopardy of life, which decayes are to the great impouerishing and hinderance of the same townes. For the remedy whereof, it may &c. that if the owner or owners of any such voide and decayed houses or grounds within the precinct of the saide townes of Notingham, Shrewesbury, Ludlow, Glocester, Bridgenorth, Quinborow,

Houses

Theeues streetes

3. yeres

Maiors Shirifes Bailifes

Reedifie

Lord

Enter,

Maiors Shirifes Bailifes

Enter

Reedifie

boyde, & Southampton, within iii. yeres next after proclamation thereof be made by the Maiors, Shirifes, and Bailifes of any of the said townes, by what name or names soeuer they bee incorporated, in & vpon any such vacant or decayed houles & grounds in any such townes, as is aforesaid, & according to this act do not enter & sufficiently reedifie and build the said decayed houses or void grounds, that then it shalbe lawfull to the lord of whome such vacant grounds or decaied houles bin, or shalbe holden, to enter immediatly after the said iii yeres expired, & to haue ye same grounds to them & their heires or succeslors for euer: So that the saide lordes doe sufficiently reedifie & build the same vacant or voide grounds, wherein he or they may enter by this acte, within iii. yeeres next & immediatly following the determination of the former iii. yeeres, in the which the owners ought to haue entred, reedified, & builded the same, by vertue of this acte. And if such lordes as may enter by this act, do not enter, & well & sufficiently reedifie & build the same void and decaied houles & grounds in the saide iii. yeeres to them limitted by this act: that then it shal be lawful to the Maiors, Shirifes, Bailifes & Comminaltie of the said Townes, by what name or names soeuer they bee incorporated, & their successors for ye time being, immediatly after the said iii. yeeres expired, to enter into euery such voide or decaied grounds or ground, to holde & retaine, without interruption of them and their successors for euer, clerely discharged of all rents going out of the same, aswell against the lord or lordes of whome they ground or grounde be holden, as all other; so that alwaies the same Maiors, Shirifes, Bailifs, or Comminaltie, or their successors for the time being, do well and sufficiently reedifie and builde the same ground or grounds, wherein they may enter by this act, within three yeeres next & immediatly following the determination of ye former three yeeres, in the which the aforesaid lordes, of whom such ground or grounds were holden, should or ought to haue entred, reedified, and builded the same And in case the saide Maiors, Shirifes, Bailifes and Comminalty, or their successors for the time being, do not enter and sufficiently reedifie and builde the same voide or decaied houles or grounds, in forme aforesaid, within the saide terme of three yeeres, according to this acte, that then it shalbe lawfull to the first owner and owners of such decayed and voyde grounds, their heires or successors, immediatly after the same three yeres expired, into the same ground and grounds to reenter, and them to retain to them, their heirs or successors, as in their first estate: any thing in this act to the contrary notwithstanding. Prouided alwaies, that this acte nor any thing therin contained, be in any wise preiudiciall or hurtfull to any person or persons, being at the time of the said proclamation made, vnder the age of twentie one yeres, or to any woman couert baron, or any person or persons being in prison, or beyond the Sea in the Kings warres, or his other lawfull affaires, during such times as such person or persons shalbe within age, couert baron, in prison, or beyond the Sea, so that the same person or persons, after he or they be come to full age, or being not couert baron, out of prison, and come againe within this Realme, within three yeres next ensuing, do reedifie the same houles so decayed. Anno 27. Henric. 8. capit. 1.

First owner

Reenter

Vnder age

woman couert

Imprison

Reedifie

¶ Forasmuch as there hath beene in times past diuers & many beautifull houses of habitation within the walles & liberties of the cities, boroughes & townes of Yorke, Lincolne, Canterburie, Couentry, Bathe, Chichester, Salesburie, Winchester, Bristow, Glarburgh, Hertforde, Oxforde, Rochester, Portesmouth, Poole, Lynne, Fetherham, Winchester, Stafford, Buckingham, Pomfret, Granthan, Exceter, Ipswich, Southampton great Yarmouth, Dyuil, great Whitwike, Gaitford, Estrefield, Kingston vpon Hull, Newcastle vpon Tine, Beuerley, Bedford, Leicester, and Wartwike, and howe are fallen downe, decaied, and at this day remaine vnreedified, and voide as desolate and desolant grounds, many of them nigh adioyning to the high streetes, replenished with many vncleannesse & filth, with pittes, cellers, and vaultes lying open and vncouered to the great perill and danger of the inhabitants & all the kings subiects passing by the same, & same houles be fearfull and perilous to fall vpon, dangerous to passe by, which be great hurt to the great impouerishing and vnhabitance of the same Cities, Boroughes, and Townes: Be it enacted that euery person or persons, or bodies politike, being owners or possessioners of any such voide

Houses

late,

late or voyd grounds that haue bene at any time within xxv. yeeres, immediatlie past before the xii. day of Aprill, in the 31. yeere of his Maiesties raigne, builded for houses of habitatiō, or of any other house or houses of habitation, now or hereafter being in decay, & not fullie fallen downe, within the liberty or precincts of any of the saide Cities, boroughs or townes, doe not sufficientlie rēdifie, build, & repaire, or cause to be rēdified, builded, and repaired the said desolate voyd grounds, or decayed houses conuenient for habitation & dwelling, within three yeres next after Proclamation thereof to bee made in or vpon the same voyd ground or grounds, decayed house or houses, by the Maiors, Shirifes, Baylifes, or other head officers of euery of ỹ said cities, boroughs, or townes, by what name or names soeuer they bee incorporated, euery of them within the precinct of their own authority: that then it shall bee lawfull to the Lord or lords of whom such desolate voyd grounds, or decayed or ruinous houses bēn holden, after the said three yeeres expired, to enter into the same, & to haue the same grounds or houses to them & to their heires & successors to their owne proper vses for euer, so that the saide Lord or lords so entring by authoritie of this act, do sufficientlie rēdifie, build, & repaire the same voyd grounds or decayed houses, within two yeres next and immediatly following the determination of the saide three yeeres. And in case such Lord or Lordes as may enter by this act, do not enter, and well and sufficientlie rēdifie, builde, or repaire the same voyde grounds or decayed houses within the said two yeres to them limitted by this acte, that then it shall bee lawfull to all such person or persons, or bodies politike, as shall then haue any rent charge going seuerallie out of any of the said void grounds or grounds, or decayed house or houses in any of the saide cities, boroughs or townes, immediatlie after the saide two yeres, expired, to enter into the same, and to haue the same voyd grounds, or decayed houses, for them & their heires or successors, for euer, to their owne proper vse, so that the said person or persons or bodies politique, hauing the said rent charge, entring by authoritie of this act, do sufficientlie build, rēdifie, and repaire the same desolate voyd ground or grounds, or decayed house or houses, within one yere next and immediatlie following the determination of the saide two yeres, to the saide Lorde or Lords appointed by this Acte. And in case such person or persons, or bodies politique, hauing the said rents charges, as may enter by this Acte, doe not enter, and well and sufficientlie rēdifie, build, and repaire the same voide grounds or decayed houses within the saide one yeere to them appoynted by vertue of this Acte: That then it shall bee lawfull to the Maiors, Shirifes, Baylifes, or Communaltie, or other head Officers of the saide Cyties, Boroughs, and Townes, by what name or names soeuer they bee incorporate, or their successors, euery of them within the limittes of their authorities, immediatly after the saide yeere expired, into euery such desolate or voyde grounds, decayed, or ruinous houses to enter, and the same grounds and houses, and euery of them, to holde and enioy to them and their successors for euer, clearely discharged of all rents going out of the said grounds or houses, as well against the saide Lorde or Lords, as all person or persons, or bodies politique, hauing any such rent or rents, as before is said, so that the same Maiors, shirifes, Bailifes, and communaltie, or other head officers, as is aforesaide, or their successors for the time being, doe edifie, builde, or repaire, or cause to be edified, builded, and repaired the saide grounde and grounds, house or houses within three yeres next and immediatlie following the determination of the saide yeere, to such person or persons or bodies politique, that shall haue any such rent, as is aforesaid. And in case the said Maiors, shirifes, Bailiffes, Communaltie, or other head Officers, as is aforesaid, or their successors, doe not enter and redifie, builde, & repaire the same voyd ground or grounds, or decayed house or houses, in forme aforesaide, within the said terme of three yeeres after the said entrie shall bee lawfull to the first owner or owners, their sellioures, or possessours of such voyde ground or grounds, or decayed houses & houses, their heires & successors, immediatly after the said three yeeres to the said Maiors, Shirifes, Bailifes, Communaltie, or other head Officers, as is before limitted, expired, into the same ground or grounds, house or houses, to enter, and the same to retaine to them their heires or successors, againe to their first estate, any thing contained in this present act to the contrary notwithstanding.

Prouided

Reedifie
Maiors Shirifes Baylifes
3. yeres
Maiors Shirifes Baylifes
Lords
Enter
Reedifie
Enter
3. yeres
Towne
First owner
Reenter
One yere

Prouided alwaies, that this present acte, nor any thing therein contained, bee in any wise prejudiciall or hurtfull to any person or persons, being at the time of the said proclamation made under the age of xxi. yeeres, or to any woman being maried to any person or persons being in prison, or beyond the sea in the kings warres, or in his other lawfull affayres, during such time as such person or persons shall bee within age, maried, in prison, or beyond the sea, so that the same person or persons after hee or they shall come to the age of xxi. yeeres, or being not maried, out of prison, or come againe within this Realme, within three yeeres next ensuing, doe redifie the same desolate or voide grounds, or repaire the decayed houses. Anno 32. H. 8. ca. 18.

Vnder age
Couert
In prison

3 ¶ Anno 32. H. 8. cap. 19. a like acte is made (almost word for word to this last act) concerning the repayring of the Boroughs and Townes of Shafton, Shireburne, Wipore, Dorchester, & Weimouth within the County of Dorcet, and the boroughs & townes of Plimmouth, Plimpton, Barstable, Lanstock, & Dartmouth, within the County of Deuonshire, & the boroughs and townes of Launceston, Lisherd, Lestuthiel, Bodemã, Truru, & Helston, within the County of Cornwal, and the boroughs and townes of Bridgewater, Taunton, Somerton, and Ilchester, within the County of Somerset, and the borough of Maldon in the County of Essex, and also the borough and shire towne of Warre in the Countie of Warre.

4 ¶ Forasmuch as in times past, diuers & many beautifull houses of habitation haue been within the walles and liberties of the citis of Canterburie, the Citis of Rochester, the boroughs & townes of Stampford and great Grimesby in the Countie of Lincolne, the towne of Cambridge in the Countie of Cambridge, the borough or towne of Derbie in the Countie of Derby, the borough or towne of Gilforth in the Countie of Surrey, the towne of Warwich in the Countie of Warwike, the Boroughs or Townes of the Cinque ports with their members, the towne of Leedes in the Countie of Yorke, and the towns of Buckingham in the Countie of Buckingham, which now are fallen down, decayed, & at this time remaine vnredified, lying as desolate and voyd grounds, and many of them adioyning nigh vnto the high streets replenished with much ordure, filth and vncleanesse, with pits, cellers, and vaults, lying open and vnconered, to the great perill and daunger of all the inhabitants, and other the kings subiects passing by the same, and some houses bee very weake and feeble, readie to fall downe, and bee very daungerous to passe by, to the great decay & hinderance of the saide Cities, Boroughs, Townes, and Cinque Ports:

Houses

It may therefore bee enacted &c. that if any person or persons, or bodies politike, being owners or possessioners of any such desolate or void grounds, that at any time within fine and fortie yeres next before the making of this acte haue been builded for houses or habitations, or for any house or houses of habitatiõs now or hereafter being in decay, and not fully fallen downe, within the liberties & precincts of anie of the said boroughs, townes and places, doe not sufficiently redifie, build, and repaire, or cause to be redified, builded, and repaired the said desolate void grounds, and decayed houses conuenient for habitation & dwelling, within ii. yeeres next after proclamatiõ to be made, or vpon the same void ground or grounds, decayed house or houses, by the Maiors, Aldermen, and Burgesses or other head officers within the precincts of their own authorities, that then it shalbe lawful for the chief Lord or Lords immediate, of whom such desolate & voyd grounds decayed, and ruinous houses bee holde, after the said two yeres be expired, to enter into the same, & to haue the same grounds or houses with the curtelage, backside, & garden adioyning to the same, if they bee of the inheritance of the owners or owners of the saide decayed house or ground, & extende not one acre of ground, to them & to their heires or successors, or to their owne proper vse for euer, so that the said Lord or Lordes immediate entring by the authority of this act, do sufficiently redifie, builde, or repaire the saide voide grounde or decayed houses, within two yeeres and a halfe next & immediatly following the determination of the foresaide first two yeeres. And in case such Lorde or Lordes as may enter by this act, do not enter, and well and sufficiently redifie, build or repaire the same void grounds, or decayed houses, within the said two yeeres and an halfe to them limited by this act: Or if such Lord or Lordes immediate, as may enter by this act, do sufficiently redifie, build and repaire the same void grounds or decayed

45. yeres
Houses
Redifie
Decayed houses
2 yeres
Maiors
Chief Lord
Enter
Garden
Redifie
Two yeres and a halfe

cayed houses, within the said two yeres and an half to them limited, & after they, their heires or successours suffer the same houses or voide grounds to fall in ruine & decay, & doe not build to rédifie the same sufficiently within two yeeres & an halfe of such ruine or decay: that then it shalbee lawfull to all person or persons, or bodies politik, as shal then haue any rent charge ioyntly or severally going out of the saide voyd ground or grounds, or decayed house or houses in any of the saide Cities, Boroughs, Townes, or places, immediatly after the said two yéres and an halfe expired, to enter into the same, and to haue such of them, their heires and successours, to their owne proper vse, as shal so builde the said void grounds or decayed houses, by authoritie of this acte, the same voyde grounde or houses with the courtelage, backsid and Garden adioyning to ỹ same, if they be of the inheritance of the owner or owners of the saide decayde houses or ground, & exceed not in quantity one acre of grounde discharged of all rentes going out of the same grounds or houses, aswell against the said Lord & Lords immediate, as all other person or persons, or bodies politike, hauing any rent or rentscharges, or rent secke out of the same, other then the fée farme of the saide Citie, Borough, town or place, or some parcel therof, so that the said person or persons, or bodies politike, hauing the said rent charge entring by authoritie of this act, do sufficiently rædifie, builde and repaire the same desolate and voyd ground or grounds, or decayed house or houses, within one yéere and thrée quarters next and immediatly following the determination of the sayde two yéres and an halfe to the sayde Lord or Lordes immediate appointed by this acte. And in case such person or persons, or bodies politike, hauing anie of the saide rents charges as may enter by this acte, doe not enter and well and sufficientlie rédifie, builde, or repaire the same voyde groundes or decayed houses, within one yéere and thrée quarters to them appointed by vertue of this acte, or if they or any of them, hauing such rent charge and that may enter by this acte, doe sufficientlie builde and repaire the same voide ground or groundes, or decayed house or houses within the saide one yéere and three quarters to them limited and after they, their heires or successours suffer the same void grounde or groundes, house or houses to fall in ruine and decaye, and doe not build or rédifie the same sufficiently within one yéere and thrée quarters after such ruine or decaye: That then it shall bee lawfull to the Maiors, Aldermen and Burgesses, and other the head officers of the said Cities, Boroughs, Townes and places by what name or names soeuer they be incorporated, and their successors and euery of them within the limittes of their authorities, immediatly after the saide yére and thrée quartets expired, into euery such desolate and void grounde, decayed or ruinous houses, to enter, and to haue, hold, and enioy to them, and to their successors for euer, to their owne vse, the same grounde or houses, & euery of them with the curtelages, Gardens and backsides to the same, if they bee of the inheritance of the owner or owners of the saide decaied house or grounde, and exceede not in quantitie one acre of grounde, clærely discharged of all rentes going out of the same grounds or houses, aswell against the saide Lord or Lords immediate, as all other person or persons, or bodies politike hauing such rent charge, or rent secke as before is saide, other then the fée farme of the saide Citie, Borough, Towne, or place or parcell thereof, so that the same Maiors, Aldermen and Burgesses, or other head officer, as is afore saide, or their successours for the time being, do rédifie, builde or repayre or cause to bee rédified, builded or repaired the same grounde or grounds, house or houses within thrée yeres next and immediatly following the determination of the saide peere and thrée quarters limited or appointed to such person or persons, or bodies politike, that haue or shall haue any rent as is afore saide. And in case the said Maiors, Aldermen, and burgesses, or other head officers as is afore saide, or their successors do not enter & rédifie, builde, & repaire the same void ground or grounds, decayed house or houses in forme afore saide, within the said terme of thrée yéres after their saide entrie, or if they sufficiently rédifie, build & repaire the same void ground or grounds, or decayed house or houses within the said three yéres to them limitted by this act, and after they or their successours suffer the same house or houses, voide grounde or groundes to fall to ruine and decaye and do not build and rédifie the same sufficiently within thrée yéres after such ruine or decay: that then it shall bee lawfull

to

Enter

Garden

Rediffie

One yere three quarters

Ruine

Enter

Fee farme

Maior

Rediffie

3. yeeres

Rediffie

to the firſt owner or owners, poſſeſſor or poſſeſſors of ſuch void ground or grounds, decaied houſe or houſes, their heires or ſucceſſors, immediatly after the ſaide three yeeres (to the ſaid Maiors, Aldermen and Burgeſſes, and other head officers as is afore limitted) expired, into the ſame houſes, ground or groundes, curtilages, gardens & backeſides to enter, and the ſame to retaine to them, their heires and ſucceſſors, as in the firſt eſtate, anie thing conteyned in this preſent acte to the contrary notwithſtanding.

Prouided alway, that this acte, or anie thing therin conteined, be not in any wiſe hurtful or prejudicial to any perſō or perſons, being at the time of the ſaid proclamation made, vnder the age of xxi. yeeres, or being feme couert, or in priſon, or beyond the ſea in the kings warres, or in his other lawfull affaires, or to any perſon or perſons not being then of whole and perfect memory, during ẏ time that ſuch perſon & perſons ſhalbe within age, maryed, in priſon, or of no perfect memory, or beyond the Sea, ſo that the ſame perſon or perſons, their heires or ſucceſſors, after ẏ he or they come to their full age of xxi one yeeres, or be vnmaried, out of priſon, or come againe within this realme, or be of whole and perfect memorie, within three yeeres then next enſuing, doe rēdifie the ſame deſolate or void grounds, or repaire the ſaid decaied houſes. An. 33. H. 8. ca. 36.

Under age

5 ¶ An. 35. H. 8. cap. 4. a like act is made (almoſt word for word to this laſt act) for the repairing of the towne of Shrewſbury in the County of Salop, the Citie of Cheſter in the Countie of Cheſter, the Towne of Ludlow in the County of Salop, Hauerford Weſt in ẏ County of Hauerford in South Wales, the Towne of Pēbrok Temby in the County of Pembroke, the Towne of Carmardin in the Countie of Carmardin, the Towne of Mountgomery, in the County of Mountgomery, Cardike, Swanes, Colwebridge, new Radnor, and Preſtend, in the Countie of Radnor, the Towne of Brecknocke in the County of Brecknocke, & the town of Monmouth in ẏ county of Monmouth, the Towne of Maldon in the Countie of Eſſex, ẏ townes of Abargauenny, Vske, Carlion, and Newport in the Countie of Monmouth, the Townes of Lancaſter, Preſton, Lere pole, and Wigam in the Countie Palantine of Lancaſter.

6 ¶ That any perſon or perſons which doe now inhabite and dwell, or hereafter ſhall inhabite and dwell in the Countrey any where, or County within this realm of England, out of anie of the ſaid Cities, Boroughs, Townes corporate or Market Townes, from and after the feaſt of Saint Michael the Archangell next comming, ſhall not ſell or cauſe to be ſolde by retaile, any wolen cloth, linnen cloth, Haberdaſh wares, Grocerie wares, Mercerie wares, at or within any of the ſaide Cities, Boroughs, Townes corporate or Market townes, or within the ſuburbes or liberties of the ſaid Cities, Boroughs, Townes corporate and Market townes within the ſaid Realme of England, (except it be in open Faires) vpon paine to forfaite & loſe for euery time ſo offending, the ſumme of fiue ſhillings eight pence, and the whole wares ſo ſolde, proffered and offered to bee ſold contrary to the forme, intent and effect of this preſent acte, as aboue is ſaide: the one moitie of all which forfaitures to be to the vſe of our ſaid Soueraigne Lorde and Ladie the King and Quēnes Maieſties, & ẏ other half to him or them that ſhal ſeiſe and ſue for the ſame in any of the kings & Quēnes Courts of Recorde by bill, plaint, action, of debt, information, or otherwiſe, wherein noe eſſoine, protection or wager of law ſhall be had or allowed.

County

Wollen cloth Wares

Market townes

Faires Forf.

Poitry

Prouided alway that this acte ſhall not in any wiſe extend nor be hurtfull to any perſon or perſons, that bring any of ẏ ſaid wollen cloth, linnen cloth, Haberdaſh, Grocery, Mercery ware or wares to anie of the ſaide cities, boroughs, townes corporate, or market Townes to bee ſolde or cauſe to bee ſolde by whole ſale in groſſe, & not by retaile, but they and euery of them may lawfully ſell the ſame, in as large & ample maner, forme & condition by whole ſale in groſſe, and not by retaile, as they & euery of them might haue done at anie time or times before the making of this act: Anie thing therein to the contrarie notwithſtanding.

Wares

Whole ſale Retaile

Prouided alwaie that this preſent acte ſhall not extend to anie perſon or perſons that now dwel or inhabit in ẏ Countrey, or hereafter ſhal dwel or inhabit out of any the ſaid Cities, boroughs, townes corporate, or market Townes, but that they and euery of them at any time hereafter, when they or any of them ſhalbe free of any the guildes or liberties of any the ſaid Cities, Boroughs, Towne corporate, or

Countrey

market

market Townes, and dwell or inhabite within any of the same Cities, boroughs, Townes corporate, or market townes: that they and every of them so being free, shall and may sell or cause to be sold, any of the wares aforesaide, by retaile, in as ample and large maner, as they and every of them might have done, being free of the said Cities boroughs, and townes aforesaide, before the making of this acte: Any clause or article in this act to the contrary notwithstanding.

Free

Retaile

Prouided alway, and be it &c. that it shal be lawful to all persons, to sell or cause to be sold by retaile or otherwise all manner of cloth, linnen or woollen, of their owne making in every Citie, borough, Towne corporate, and market town within this realme, as freely & frankly as they might have done before the making of this acte: Any thing in the same conteined to the contrary hereof notwithstanding.

Marts

Prouided alway, that this acte or any thing therein conteined, shall not be prejudiciall or hurtfull to the liberties, & priuileges of the Vniuersities of Oxford and Cambridge, or either of them, any thing in this acte heretofore mentioned, to the contrary notwithstanding. Anno 1. & 2. P. & M. cap. 7.

Oxford Cambridge

7 ¶ Where the Borough Towne of New Woodstocke, in the Countie of Oxford, is fallen into great powertie, ruine, and decay, which was wont to be chiefly supported by the accesse of the kings and Quenes of this realm, the Quenes Maiesties noble progenitors, vnto their manor of Woodstocke, which hath very seldome happened for many yeres now past, which borough being redified, would bee very necessary for many artificers of sundry occupations & misteries, if any vent or traffike might there be had and mainteined, whereby the saide artificers drawē thither, might liue and mainteine themselues and their families:

Woodstock

And where it is thought and certeinely knowen, that the free buying and selling of woll, yarne, and cloth making in the said borough, being in the middest of the Realme, farre distant from the Seas, and in Cotsolde, from whence great store of very good woolles are gotten, would be a great aduancement and enriching to the same, without prejudice or hurt to any, & especial meane whereby many poore people there, & in the Countries enuironing, should be well set on worke and relieued, as in spinning, carding, weauing, fulling, and such like:

Free buying

Woolles

Poore people

And forasmuch as the saide Towne and Borough is a very fitte place both to dispatch and make a Staple of wols, which would be also very comodious & profitable to the Countrey there abouts: Bee it therefore enacted by the authoritie of this present parliament, that from henceforth it shall and may bee lawfull to and for all and euery person and persons, freely to buy and sell within the saide Borough of New Woodstocke, all manner of woolles and yarnes brought or to bee brought into the saide borough, vpon the vsuall markets and fayre dayes, and the same wols and yarnes to vse and employ to their best profit and aduantage: any statute or statutes, vsage or prescription heretofore had, made or prouided to the contrary in any wise notwithstanding. An. 18. Eliz. cap. 21.

Staple

Woolles

¶ Treason.

VVHereas diuers opinions hath been before this time, what case should bee adiudged Treason and what not: The King at the request of the Lordes and of the Commons, hath made a declaration in the manner as hereafter followeth That is to say, when a man doeth compasse or imagine the death of our soueraigne Lorde the King, or of the Lady his wife, or of their eldest sonne and heire, or if a man doth violate the Kings wife, or the Kings eldest daughter vnmaried, or the wife of the Kings eldest sonne and heire, or if a man do leuie warre against our Soueraigne Lorde the King in his Realme, or bee adherent to the Kings enimies in his Realme, giuing to them ayde and comfort in the Realme or elsewhere, and thereof bee probably attainted of open dede by men of his condition: And if a man counterfeit the kings great or priuie Seale, or his money, and if a man bring false money into this Realme counterfeit to the mony of England, as the money called Lushburge, or other, like to the said money of England, knowing the money to bee false, to marchandise or make payement, in deceit of our said Soueraigne Lorde the king, and of his people: And if a man slay the Chancellor, Treasurer, or the kings Justices of the one bench or the other, Justices in Eyre, or Justices of Assise, and all other

Imagine

K. death

K. wife

Sonne

Daughter

Warre

Counterfeit

Great seale

Priuy seale

Money

Chancellor

Treasurer

Justice

Justices,

Justices assigned to heare and determine, being in their places doing their offices.

It is to bee understood that the cases aboue rehearsed, ought to bee iudged treason which extendeth to our Soueraigne Lord the king, & his royall Maiestie. And of such Treason the forfeiture of the escheats perteineth to our soueraigne lord, as well of the landes and tenements holden of other as of himselfe. And moreouer there is another maner of treason, that is to say, when a seruant slaieth his master, or a wife her husband, or when a man secular or Religious slayeth his prelate to whom he oweth faith and obedience. And of such treason the escheats ought to perteine to euery Lorde of his owne fée. And because ỳ many other like cases of treason may happen in time to come, which a man cannot thinke nor declare at this present time: It is accorded, that if any other case supposed treason, which is not aboue specified, doe happen before any Justices, the Justices shal tary without any going to iudgement of the treason, til the cale be shewed & declared before the king and his Parliament, whether it ought to be iudged treason or felony. And if percase any man of this realm ride armed couertly or secretly with men of armes against any other to slay him or rob him, or to take him or kéepe, til he hath made fine or ransome for to haue his deliuerance, it is not the minde of the king nor his Councill, that in such case it shal be iudged treason, but shall be iudged felonie or trespas according to the Lawes of the lande of olde time vsed, and according as the case requireth.

And if in such case or other like before this time any Justices haue iudged treason, and for this cause the lands and tenemẽts haue commen into the kings hands as forfeit, the chiefe Lordes of the fée shall haue the escheats of ỳ tenements holden of them, whether that the same tenemẽts be in the kings hands or in others, by gift or in other manner. Sauing alwaies to our soueraigne lord the king, the yere and ỳ waste, & the forfeitures of cattels, which perteine to him in the cases aboue named. And that writs of Scire facias bee granted in such case against the lãdtenants without other originall, & without allowing any protection in the said sute. And that of the landes which be in the Kings hands, writtes be granted to the Shirifes of the Counties where the lands be, to set them out of the kings hands without other delay. Anno 25. E. 3. cap. 2.

Fork.

Master Husband Prelate

Fork.

Justices Doubtful

Ride armed

Felony Trespasse

Escheat

Yere and waste

Scire facias

Shiriffes

2 ¶ The king straightly defendeth to all maner of people, vpon paine of asmuch as they may forfeit against him in bodie and goodes, that none from henceforth make nor begin againe those riots and rumours, nor other like. And if any the same doe, and that duely proued, it shalbe done of him, as of a traitour to the king and to his saide Realme. Anno 5. Ric. 2. capit 6. This riot, rumor and assemblies here spoken of, bee intended of insurrections, as appeareth by this Statute, and by the Statute of 5. R. 2. cap. 5. Therefore see these two statutes at large in the great bookes of statutes.

Riot

Insurrections

3 ¶ Anno 11. R. 2. cap. 4. it was made treason to sue to breake any thing in the Parliament. But after Anno 2. H. 4. cap. 22. it was enacted that none should bee grieued for suing cõtrary to the act in 11. R. 2. cap. 4.

4 ¶ That no Justice haue power to giue iudgment in other case of treason or in other manner, then they might before the begiming of this present Parliamẽt. An. 11. R. 2. cap. 4.

5 ¶ Anno 21. R. 2. cap. 3. 4. & 20. certeine things were made treason, but this Parliament was repealed by. An. 1. H. 4. cap. 3.

6 ¶ In time to come, no treason shalbe adiudged otherwise then hath bene ordeined in the time of his noble Grandfather king Edward the 3. whome God assoile. An. 1. H. 4. cap. 10.

7 ¶ Anno 8. H. 6. cap. 6. burning of houses by them that send billes to appoint money to be layed in a certeine place was made treason. But it is repealed by An. 1. M. 1. session, as appeareth here following. 20.

8 ¶ Anno 20. Henr. 6. capit. 3. it was enacted to endure for sixe yeeres, that the taking of the persons or goods of certeine persons by Welshmen in Wales or in the Marches, was treason. And after An. 27. H. 6. capit. 4. that act was made to endure to the next Parlyament, and then to expire.

Wales

9 ¶ Forasmuch as by the Kings sufferance, diuers coines of golde and siluer which be not of the kings proper coine of England, be current in payment within this Realme, diuers and many euil disposed persons perceiuing that the forging & counterfeiting of such coines is neither

Foren coine

felony

felonie nor treason, presume and take vpon them for their singular auaile & profit, to counterfeit & forge such coines, to the great hurt & preiudice, aswell of the king our Soueraigne Lord, as to the hurt of al the kings subiects: It is therefore ordeined & established by authority of the saide Parliament, that the counterfeiting and forging of euery such coine bee adiudged treason, as it is of the counterfeiting of the proper coine of the king of this Realme. An. 4. H. 7. cap. 18.

Counterfeit

Counterfeiting

10 ¶ Anno 22. H. 8. cap. 9. Poisoning was made treason, and that the offenders should bee boiled to death, and should not haue their clergie, & that Iustices of peace might enquire thereof, and of counterfeiting of coine of outward realmes, & make procesle by Cap. onely, and that Iustices of assise might heare and determine the treason by poisoning, as the counterfeiting of such coine, and the lands of the offenders by poisoining, to escheat to the Lords. But Anno 1. Ed. 6. cap. 12. And Anno 1. M. 1. sessione, these treasons bee repealed.

Poisoning

Boiled Iust. of P.

Foiren coine Procesle Iust. of all.

Escheat

Repealed

11 ¶ Anno 26. H. 8. cap. 13. It was made treason to wish, will, or desire by word or writing, or by craft imagine, inuent, practice or attẽpt any bodily harme to the king or Quéene, or their heires apparant, or depriue them of the dignity, title, or name of their royall estates, to bee published by writing or wordes, the king to be heritike, schismatike, tyrant, infidel, or vsurper of the crowne, or deteine from, the kings fortresles, ships, or munition of warre, that the offenders should not haue sanctuary. But this acte was repealed by 1. Ed. 6. cap. 12. and by 1. M. 1. sessione.

With

Attempt King Queene Depriue Writing Wordes

Shippes Munition

Repealed

12 ¶ If any of the kings subiects, denizens or other, do commit or practise out of the limits of this Realme in any outward parties any such offences which by this act are made, or heretofore haue been made treason: that then such treasons whatsoeuer they be, or whereseuer they shall happen so to bee done or committed, shalbee enquired, & presented by the othes of twelue good & lawfull men, vpon good and probable euidence & witnesse, in such shire and countie of this Realme, and before such persons, as it shall please the kings Highnesse to appoint by commission vnder his great seale, in like manner & forme as treasons committed within this realme haue been vsed to be enquired of, and presented, and that vpon euery indictment and presentment founden and made of any such treasos, and certified into the Kings bench, like procesle and other circumstance shall be there had and made against the offenders, as if the same treason so presented had ben lawfully found to be done and committed within the limits of this Realme.

Subiects Denizens

Outward parties

Enquire Othes

Commission

And that all procesle of outlawry hereafter to be made & had within this realme against any offẽders in treason, being resiãt or inhabiting out of the limits of this realm, or in any of the parts of beyond the sea at the time of the outlawry pronounced against them, shall bee as good & as effectuall in the law to all intents and purposes, as if such offenders had ben residẽt and dwelling within this Realme at the time of such procesle awarded, & outlawrie pronounced.

Indictment

Procesle

Beyond sea Outlawry

And bee it &c. that euery offender and offenders being hereafter lawfully conuict of any manner of high treasons by presentment, confession, verdict or procesle of outlawry, according to the course and custome of the common lawes of this Realme, shal lose and forfeit to the kings highnesse, his heires and successors, all such lands, tenements, and hereditamẽts, which any such offender or offenders shal haue of any estate of inheritance in vse or possession, by any right, title, or meanes within this Realme of Englande, or elsewhere within any the kings dominions, at the time of any such treasõ committed, or any time after. Sauing to euery person and persons, their heires and successors, other then the offenders in anie treasons, their heires and successors, and such person and persons as claime to any their vses, al such rights, titles, interests, possessions, leases, rents, offices, and other profits, which they shall haue at the daye of cõmitting such treasons, or at any time afore, in as large and ample manner as if this act had neuer bene had or made. An. 26. H. 8. cap. 13.

Conuict

Forf. Lands

Leases Rents Offices

13 ¶ Anno 27. H. 8. cap. 2. Counterfeiting of the kings signe manuell, priuy signet, or priuie seale, was made treasõ. But it is repealed by An. 1. E. 6. cap. 12. and by An. 1. M. 1. sessione.

Signe manuell Priuy seale Repealed

14 ¶ Anno 28. H. 8. cap. 18. marrying & contracting with any of the kings children or kinswomen, was made treason. But it is repealed by An. 1. Ed. 6. cap. 12. and by 1. M. 1. sessione.

Marriage

Repealed

15 ¶ If any person or persõs haue done

or

or committed, or hereafter shal do or commit any high treasons when they were in good, whole and perfect memory, and after their accusation, examination and confession thereof, before any the kings Maiesties councel, shal happen to fal to madnesse or lunacie, that yet neuertheles, if it shall appeare by the testimony of foure of the kings councell or moe, that such persons at the time of doing their treason, & at the time of their accusation, examination & confession therof, were of good, perfect, and whole memory, & then not madde nor lunatike, but sithen that time fallen to madnesse or lunacie, and so certified in the Kings Chancerie, by writing subscribed with the names of foure of the saide councell or moe: that then in euery such case the Kings Maiesties Commission of Oier and Terminer of the treasons shall be awarded out of the saide Chancery vnder his highnes great seale into such shire and place, and to such persons, as it shall please the kings most royall Maiestie to limite and appoint, in which commission shal be specially mentioned and expressed the names of such person or persons, who shal happen to be accused and examined of treason before any the K. Maiesties councell as is aforesaid and an expresse mention, that by the testimony of foure of the kings councill, such person or persons so accused or examined of treason, were of good, perfit, & whole memory, at the time of committing their offences, and at the time of their accusation, examination and confession thereof, & that sithen that time they become mad or lunatike. By vertue of which commission, the commissioners limited by the same commission, shal haue power and authoritie to enquire of the treasons done by such persons by the inhabitãts of freholders of the shire where such commission shalbe directed to, wheresoeuer the said treasõs were done or committed. And if such person or persons aforesaid, shal happen to be indicted of high treason, then the saide commissioners without the personall apparance or arreignment of such person or persons so indicted, shall cause the Sherife or his ministers, or other hauing authority to returne proces in such cases, to returne a panel before them of sufficient & lawful freholders of the shire where such persons shalbe indicted for the triall of their treasons conteined in their indictment. And after the returne of the said panel and apparance of the Juris, the said cõmissioners in the absence of the said person or persons indicted, being madde or lunatike, without any arreignment, answere or plea to the indictment, shall sweare twelue such of the said Jurie as shal be returned before them, to try whether the persõ or persons indicted be guiltie of the treasons conteined in the indictment, or any of them, or not guiltie, causing onely the indictment to be read to the said Jurie, and after the reading thereof, cause and suffer open euidence to be giuen to the Jurie, aswel for the king as for the partie, touching the treasons conteined in the indictment, as to their discretions shall seeme conuenient. Whereupon the Jury shall bee bounden to giue their verdict according to their euidence, as if the person indicted had beene present, arreigned, and pleaded for the same. And if it shall happen such person or persons so indicted to be found guiltie by the said Jurie so charged to trie such treasons, that then the offenders of such treasons, so founde guiltie, shall haue such iudgement, and suffer such paines of death, forfeiture of lands, goods, cattels, & all other things, as is commonly limited in cases of high treason, and as if such persons had been of good and whole memorie, and personally present, arreigned, and pleded to their indictment, and had been found guiltie thereof, their madnesse or lunacie, or their absence, non arraignment, or not pleding to the said indictment, in any wise not letting nor withstanding. Prouided alway & bee it &c. that if any of the peeres of this Realme shal happen to be accused and examined of high treason before anie the kings councill, and doe confesse the same, and afterwards fall to madnesse or lunacie, as is aforesaid: that then such treasons done and committed by any peere of the Realme, and by him or her confessed vpon examination thereof before anie of the kings councill, as is aforesaide, and their confessions, if they can write, subscribed with their name, shall bee enquired of by vertue of the kings commission of oyer & terminer, to bee awarded in manner and forme aboue rehearsed. And if they shall happen to bee indicted of high treason by vertue of such cõmission, yet neuertheles, their tryal shall bee alwaies had by their peeres before the high Steward of England, to be assigned by the kings highnes. And that ỹ high Steward to be assigned by the kings Maiestie in euery such case, shal haue

Whole memorie

Mad

Testimonie

Chancerie

Commissiõ

Forme

Commissioners

Enquire

Endict Partie absent

Sherife

Panell Freeholders

Partie absent

Euidence

Jurie Verdict

Judgement Forf.

Non arreignment Non pleading

Peeres

Confesse Mad

Enquire

Triall Peeres high Steward

haue the inditement brought to him, and
Summon shal cause to be summoned to appeare be-
fore him the peeres of the realme, as hath
bin accustomed, at a day and place by the
said high steward to be limitted, at which
day and place the said high steward, after
the apparance of the peeres before him,
having the record of the saide indictment
Partie absent before him, shall in the absence of the per-
son indicted, which shal happen to be mad
or lunatike, as is aforesaid, and without
his or her arraignment or pleading to the
indictment, cause the saide indictment to
be read to the peeres, & in their presence
Evidence cause to be declared by his discretion all
maner of evidēces & witnes touching the
treasons contained in the said inditemēt,
Charge and afterward charge the said peeres vp-
on their faiths and dueties of allegeance
that they owen the Kinges Maiestie, to
trie whether the person indicted be guilty
of the treasons contained in the indict-
ments, or any of them, or not guilty. And
if they shall finde him or her guiltie, that
Judgement then such iudgement, execution and for-
faitures shall be had, made, or done, as if
such person indicted had bēn of good me-
morie, and personally present, arraigned
and pleaded to the said indictment, & had
bin found guiltie of ỳ treasons therin con-
tained, the madnes or lunacie of such per-
sons in such cases as is aforesaid notwith-
standing.

And be it &c. that if anie person or per-
Attaint sons shal happen to be attainted and con-
uicted of high treason by authoritie of
Parliament Parliament, or by the due course of the
common lawes or statutes of this realm,
and afterwards fal to madnes or lunacy,
that yet neuertheles they shall haue and
suffer execution, their madnesse or luna-
May Execution Attaint Common law Statutes cie notwithstanding. And that if anie per-
son or persons shall bee attainted of high
treason by the course of the common laws
or statutes of this realme, that in euerie
such case euery such attainder by the Cō-
mon law, shall be of as good strength, va-
lue, force, and effect, as if it had bēn done
by authoritie of Parliament. And that
the kings Maiestie, his heires and succes-
K. advantage sours, shall haue as much benefit and ad-
uantage by such attainder as wel of vses,
rights, entries, conditions, as possessions,
reuersiōs, remainders, & al other things,
as if it had been done and declared by au-
thoritie of parliament, and shalbe deemed
Lands Goods and adiudged in actual & real possession of
ỳ lands tenements, hereditamēts, vses,
goods, cattels, & all other things of the of-
fenders so attainted, which his highnesse
ought lawfully to haue, and which they
so being attainted, ought or mought law-
fully lose and forfait, if the attainder had
without office bin done by authority of parliament, wi-
out anie office or inquisition to bee found
of the same, any law, statute, or vse of the
realme to the contrary therof in any wise
notwithstanding. Sauing to all and euer-
Bodies politike ry person and persons, & bodies politike,
and their heires and assignes, & succes-
sors, and euery of them, other then such person
and persons which hereafter shall be at-
tainted of high treason, and their heires &
assignes, and euerie of them, & al and euer-
rie other person and persons, claiming by
them or anie of them, or to their vses, or
to the vses of any of them, after the saide
Right treason committed, al such right, title, vse,
possession, entry, reuersions, remainders,
interests, conditions, fees, offices, rents,
annuities, commons, leases, & al other cō-
modities, profits, & hereditaments, what-
soeuer they or any of them should, might,
or ought to haue had, if this act had neuer
bin had ne made. An. 33. H. 8. cap. 20.

16 ¶ An. 33 H. 8. cap. 21. It is enac-
K. marrie Maid ted, that if the King did marrie a woman
thinking her then to be a maid, where she
was not, if she did not declare her vnchast
life to the King before the mariage, it is
treason. And that if the Queene or the
Treason Queene Princes wife Carnall knowledge Princes wife doe procure any person to
haue carnall knowledge with her, or any
do procure any of them to the like: that
then the Queene & the princes wife and
the other so procuring &c. is treason, but
Repealed these treasons be repealed by 1. Ed 6. cap.
12. and by 1. M. 1. sessione, as appeareth
here following 18. and 20.

17 ¶ Anno 35. H. 8. cap. 3. An act was
Stile made concerning the kings stile of supre-
macie, & certaine points concerning the
kings stile, and his person and crown, be
made treason, but it is repealed by 1. & 2.
Repealed P. & M. cap. 8. as appeareth Rome 4.

18 ¶ By Anno 1. Ed. 6. cap. 12. Al of-
Repealed fences made treason or petit treason by a-
ny statute, were from thencefoorth repea-
led, but only such as were treason or petit
treason by the statute made An. 25. Ed. 3.
stat. de proditionibus cap. 2. and such of-
fences as in the said statute of An. 1. E. 6.
cap. 12. be expressed & declared to be trea-
son or petit treason, not that anie pains of
death, penalty or forfaiture bee to any of-
fenders for doing any treasō or petit trea-

ſon, other then ſuch as be in the ſaide ſtatute of 25. E. 3. or by the ſaid ſtatute of 1. E. 6. and after in the ſaid ſtatute of Anno 1. E. 6. cap. 12. it is enacted as followeth. If any perſon or perſons at anie time after the firſt daye of March nexte comming, by open preaching, erpreſſe woꝛds or ſayings, do affirm or ſet forth, that the king, his heires or ſucceſſoꝛs, Kinges of this realme, for the time being, is not or ought not to bee ſupreame head in earth of the Church of England and Ireland, or any of them, immediatly vnder God, or that the biſhop of Rome or any other perſon or perſons, other then the king of England for the time being, is or ought to be by ẏ lawes of God, ſupreame head of the ſame Churches, or of any of them, or that the king, his heires or ſucceſſoꝛs kings of this realme, is not or ought not to bee king of England, France, and Ireland, or any of them, or after the ſaid firſt day of March, doe compaſſe or imagine by open preaching, erpreſſe woꝛdes or ſayings, to depoſe or depriue the king, his heires or ſucceſſoꝛs, kings of this realme, from his or their royall eſtate or titles, to, or of the realmes aforeſaide, or doe openly publiſh or ſay by erpreſſe woꝛds or ſayings, that any other perſon or perſons, other then ẏ K. his heires or ſucceſſoꝛs Kings of this realme, of right ought to be kings of the realmes aforeſaide, or any of them, or to haue and inioy the ſame, or any of them: ẏ then euerie ſuch offender being thereof duely conuicted or attainted by the lawes of this realme, their aiders, comforters, abbetters, procurers, counſellers, for his or their ſuch firſt offence, ſhal loſe & forfait to the K. all his & their goods & cattels, & alſo ſhall haue and ſuffer impriſonment of his and their bodies at the K. pleaſure.

Preaching Woꝛds
Supreme head
Pope
Heires
Stils
Compaſſe
Depriue
Woꝛds
Aiders Procurers
Forf. Goods Impriſon

And if any perſon being once conuicted or attainted of any of the ſaide offences, ſhal after his conuiction or attainder eſtſoones cõmit or perpetrate any of the offences before mentioned, other then ſuch as be erpreſſed in the ſtatute made in the ſaid 25. yeere of K. Edw. the 3. & ſhall be therof dulie conuicted or attainted by the lawes of this realme: that thẽ euery ſuch offender, their aiders, comforters, abbetters, procurers, & counſellers, for his or their ſecond offence or offences, ſhall loſe and forfeit to the king the whole iſſues & profits of al his & their lands, tenements, & other hereditamẽts, benefices, prebẽds and other ſpiritual promotions, for terme of life of ſuch offender or offenders, & ſhall alſo loſe and forfait to the king all his or their goods and cattels, and alſo ſuffer during his or their liues, perpetuall impriſonment of his and their bodies.

25. Ed. 3.
Forf. Landes
Spirituall promotions
Forf. Goods
Terme of life
Impriſon

And if any perſon being 2. times hereafter conuicted or attainted of any of the ſame offences, ſhal after his ſaid conuiction or attainder eſtſoones commit or perpetrate againe any of the ſaid offences, & be thereof duelie conuicted or attainted by the lawes & ſtatutes of this realme: that then euery ſuch third offence or offences ſhall be deemed & iudged high treaſon, and the offender or offenders, their aiders, cõforters, abbetters, procurers, & counſellers being therein conuicted or attainted, according to the lawes & ſtatutes of this realme, ſhal be deemed and adiudged high traitours, and ſhal ſuffer paines of death, and looſe and forfaite all their goods and cattels, lands and tenemẽts, to the king, as in caſes of high treaſon.

High treaſ
Traitors
Forf.

And be it &c. that if any perſon or perſons at any time after the ſaid firſt day of March nexte comming, by writing, printing, ouert deede or acte, doe affirme or ſet forth that the king of this realme, for the time being, is not nor ought not to be ſupreame head in earth of the Church of England and Ireland, or of any of them immediatly vnder God, or ſhall by writing, printing, ouert deede or act, after the ſaid firſt day of March, affirme or ſet forth that the Biſhop of Rome, or any other perſon or perſons, other then the King of England for the time being, is, or ought to be by the lawes of God, or otherwiſe, the ſupreme head in earth of ẏ ſame churches, or of any of them, or do after the ſaid firſt daie of March, compaſſe or imagine by writing, printing, ouert deede or act, to depoſe or deprine the king, his heires or ſucceſſours, kings of this realme, from his or their royal eſtate or titles of the K. of England, France, and Ireland, or of any of them, or by any writting, printing, ouert deede or act, doe affirme that anie other perſon or perſons other then the K. his heires and ſucceſſours is, or of right ought to be king of the Realmes of Englande, Fraunce and Ireland, or to haue and enioye the ſame or anie of them: that then euerie ſuch offence and offences ſhal bee deemed and adiudged high treaſon, and the offender and offenders, their aiders, comforters, abbetters, procurers, and counſellers therein conuicted or attainted

Writting Printing Ouert deed
Supreme head
Pope
Compaſſe
Depriue
Stile
High treaſ
Abbetters

tainted, according to the lawes and Statutes of this realme, shalbe deemed & adiudged high traitors, & shal suffer paines of death, and lose and forfait al their goods and cattels, landes and tenements to the king, as in cases of high treason.

Traitors
Forf.

Prouided alway, and be it &c. that this estatute or anie thing therein contained, shall not in anie wise extend to repeale, annul, or make frustrate or void, any act or actes of parliament, statute or statutes made concerning the counterfaitting or forging of anie of ỳ coynes of this realm, or for the coyne of any other Realme or realmes currant within this realme, or for the clipping, washing or filing any of the saide coyne, or for, or concerning the bringing into this realme, of counterfeit money or coine, ne to any statute made in the 27. yere of the said late king H. the 8. concerning the false forging & counterfaiting of the kings signe manuell, prinie signet or prinie seale, ne to their counsellers, procurers, aiders, and abbetters, nor to anie article or branch concerning the same offences, or any of them, contained in the same statutes or anie of them.

Forging coins
Clipping
Washing
Filing
Counterfeit money
Signe manuel
Prinie seale

And be it &c. that if anie the heirs of the king our said soueraigne Lord that nowe is, or any person or persons to whom the crowne and dignitie of this realme is limitted & appointed by act of Parliament, made in the fine and thirtie yeere of the raigne of the said late king Henrie the 8. or the heires of anie of them, doe at anie time hereafter vsurpe the one of them vpon the other in the crown of this realme, or demand, chalenge, or claime the same otherwise, or in any other forme or degree of discent or succession, or in any other course, fourm, degree or condition, but onlie in such maner & fourme as is declared by the said estatute, or if anie of the saide heires or persons aforesaid, doe interrupt or let the K. highnes that now is, peaceablie and quietlie to keepe, haue and enioy the said Imperial crowne: that then all and singular the offenders, their ayders, comforters, abbetters, procurers, and counsellers therein, shall be deemed and adiudged high traitors, and shall suffer and incurre the paines of death, losse and forfaitures as is aforesaide in case of high treason.

Heires
Vsurpe
Chalenge
Traitors
Treason

Prouided also, and be it &c. that this act of parliament, or any thing therin mentioned, as concerning the repeale of anie estatute or estatutes made touching treason, or misprision of treason, shall not in any wise giue any maner of benefit, aduantage or commoditie, to any person or persons, being ỳ last day of October last past, arrested or imprisoned for treason, petit treason, or misprision of treason, or to any person or persons, heretofore being indicted of treason, petit treason, or misprision of treason, or to any other person or persons being likewise conuicted, outlawed or attainted of treason, petit treason, or misprision of treason, or being fled beyond ỳ seas, or into Scotland, before the said last day of October last past, for anie treason, petit treason or misprision of treason, but that they & euery of them shall suffer such pain of death, losses, & forfaiture of landes & goods, as in cases of treason, as though this acte had neuer bin had or made, anie thing in this acte to the contrarie in anie wise notwithstanding, and that the lawes & statutes repealed by this act, shall stand against them, and euery of them, in full strength, vertue, force and effect, concerning al & euery offence by them, or anie of them heretofore committed or done.

Misprision
Conuict
Outlawed
Fled

Prouided alway, and be it &c. that no person or persons shal in any wise be impeached, or put to answere for anie of the offences abouesaid, concerning treasons, by open preaching or words only, vnlesse the partie offender or offenders be therof accused within 30. daies nexte after the same open preaching, or words so spoken or declared, if the accusers shal fortune to be within this Realme, during the space of 30. daies next after the said offence committed or done. And if the accuser shall happē to be out of this realme during the said space of 30. daies, then the partie or parties so offending, shalbe accused as is aforesaid, within sixe moneths next after the same preaching or wordes spoken or declared, or els the partie or parties so offending, their aiders, comforters, abbetters & counsellers, or any of them, not to bee impeached or put to answere for anie such offence or offences, and that the same accusatiō or accusations so to be had, made and declared, shall be made to one of the kings counsell, or to one of the kings Iustices of All. or els to one of the K. Iustices of peace being of the Quorum, or to two Iustices of peace, within the Shire where the same offence or offences shall happē to be done or committed, any thing contained in this act to the contrarie therof in any wise notwithstanding.

Preaching
Wordes
Accuse
30. dayes
6. moneths
K. counsel
Iust. of all.
Iust. of P.
Quorum

Concealement

Prouided also, and be it &c. that cõcealment or kæping secret any high treason, shalbe from henceforth adiudged, dæmed and taken misprision of treason. & the offẽder therin shal forfait and suffer as in cases of misprision of treason, as heretofore hath bin vsed, any thing aboue mentioned to the contrarie notwithstanding.

Misprision Forf.

Prouided also, and be it &c. that this act or any thing therein contained, shall not extend to charge or make any person or persons to be offender or offenders in any of the articles abouesaid, for calling, naming, saying, writing or printing the French king for the time being, by the name of the king of France or French K. any thing aboue declared & enacted, to the contrarie in any wise notwithstanding.

French K.

Prouided alwaies, and be it &c. that no person or persons after the first day of Februarye nert comming, shalbe indicted, arraigned, condemned, or conuicted, for any offence of treason, petit treason, misprision of treason, or for any wordes before specified, to bee spoken after the saide first day of Februarie, for which the same offender, speaker, offenders or speakers, shal in any wise suffer any pains of death, imprisonment, losse or forfaiture of his goods, cattels, lands or tenements, vnles the same offender, speaker, offenders or speakers, be accused by two sufficient and lawful witnesses, or shal willingly without violence confesse the same. An. 1. E. 6. cap. 12. Note that all that is in this last acte touching the kings supremacie, or against the Popes authoritie is repealed by 1. and 2. P. and M. cap. 8. as appeareth Rome 5. And all that is made treason by this last act, is repealed by 1. Mar. 1. Session, as appeareth hereafter.

Endict

Treason Misprision Wordes

Two witnesses

Repealed

19 ¶ If any person or persons, after the first day of June nert comming, by open preachings, expresse wordes or saying, doe expressly, directly, and aduisedlie set foorth and affirme that the king that nowe is, is an heretike, schismatike, tyrant, infidell, or vsurper of the crowne, or that any his heires or successours, to whõ the crown of this realme is limitted, by authoritie of Parliament holden in the 35. yere of the raigne of the late king H. the 8. (ca. 1. which is in crown 5.) being in lawful possession of the crowne, is an heretike, schismatike, tirant, infidel, or vsurper of the crown: that then euery such offender being therof duelie conuicted or attainted, by the lawes of this Realme, their abbetters, procurers, and counsellers, and al and euery their aiders & comforters, knowing the said offences or ane of them to be done, for his or their such first offence, shal lose & forfait to the king al his and their goods and cattels, and also shall haue & suffer imprisonment of his and their bodies at the kings will & pleasure. And if any person being once conuicted, or attainted of any of the saide offences, shal after his said conuiction or attainder, eftsones commit or perpetrate ane of the offences before mentioned in forme aforesaid committed, and shall be thereof duly conuicted or attainted by the lawes of this realme: that thẽ euery such offender and offenders, their abbetters, procurers and counsellers, and al & euery their aiders & comforters, knowing the said offences or ane of them to be done, for his or their second offence or offences shall lose and forfaitte vnto the king the whole issues and profit of al his and their lands, tenements and other hereditaments, benefices, prebends, and other spiritual promotions, for terme of the life of such offender or offenders, and shal also lose and forfait vnto the king all his & their goods and cattels, and also suffer during his & their lines perpetual imprisonment of his and their bodies.

Abbetters

First offece Forf. goods

Imprison

2. offence

Forf.

Lands

Spiritual promotions

Terme of life

Forf. Goods

Imprison

Preaching Wordes

Prouided alwaies, that such of the said spirituall promotions as shal be charged with cure, be alwaies by the kings Maiestie, and his heires and successors sufficiently furnished of a curate, for the discharge of the same. And if any person being two times hereafter conuicted or attainted of any the said offences, in forme aforesaid committed, shal after his second conuiction or attainder, eftsones commit or perpetrate againe any of the said offences in forme aforesaid, and be therof duly conuict, or attainted by the lawes & statutes of this realme, that then euery such third offence or offences, shall be dæmed & adiudged high treason, and the offender or offenders therein, their abbetters, procurers and counsellers, and all and euerie their aiders and comforters, knowing the said offences, or any of them to bee done, being therof conuicted or attainted, according to the lawes & statuts of this realm, shalbe iudged and dæmed high traitors, & shall suffer pains of death, and loose & forfait all their goods and cattels, lands and tenements, whereof he or they shalbe seised of an estate of inheritance, in his or their

Curate

3. offence

High treas

Traitors

their owne right to the king, as in cases of high treason.

Writing Printing

And be it &c. that if any person &c. by writting, printing, painting, karuing or grauing, doe directly, expresly, & aduisedly

Publish King

publish, set forth and affirme, that the K. that nowe is, or any his heires or successors limited as is aforesaid, is an heretike,

Heretike Usurper

schismatike, tyrant, infidel, or vsurper of the crowne: that then euerie such offence or offences, shall be deemed and adiudged high treason, &c.

And be it &c. that if any person &c. rebelliously do retaine, kepe, or withhold from our said Soueraigne Lord, his saide heires & successors, any of his or their

Castles Fortresses

castles, fortresses, fortlets or holdes within this realme, or in any other the kings dominõs or Marches, or rebelliously kep, detaine, or withhold from the kings saide highnesse, his said heires or successours, a-

Ships Munition

ny of his or their ships, ordinances, artillerie, or other munitions, or fortificatiõs of warre, and doe not obediently render and giue vp to our said soueraigne Lord, his said heirs or successors, or to such persons as shalbe deputed by them or any of them, such castles, fortresses, fortlets, holds, ships, ordinãces, artillerie or other munitions, & fortifications of war rebelliously kept, & detained, within

Sixe daies

sixe daies next after shalbe commanded by our said soueraigne Lord, his said heirs or successors, by open

Proclamation

Proclamation, vnder the great seale, the same proclamation to be made in such place and order, so as the partie and parties to bee charged by this acte, may conueniently haue notice and knowledge therof: that then euery such

Traitors

person &c. shalbe adiudged traitours, &c.

And ouer that be it &c. that if any of the

Subiects Denizens

kings subiects, denizens, or other, do commit, or practise, out of the limites of this

Outward parties

realme, in any outward parties, any the offences which by this acte are made, or heretofore nowe standing in force, haue bin made treason, that thẽ such treasons, whatsoeuer they be, or wheresoeuer they shall happen to bee done or committed,

Enquire Othes

shalbe enquired and presented by the othes of twelue good and lawful men vpon good

Evidence

and probable euidence and witnes in such Shire and countie of this Realme, and before such persons as it shall please the King, his said heires or successors to ap-

Commissiõ

point by commissiõ vnder his great seale, in like maner and forme as treasons committed within this realme haue bin vsed to be enquired of and presented. And that vpon euerie indictment and presentment

Indictmẽts

founden and made of anie such treasons, and certified into the Kings Bench, like

K. Bench Proceſſe

proces and other circumstance shall bee there made and had against the offẽders, as if the same treason so presented, had bin lawfully found to bee done and committed within the limites of this realme.

Outlawrie

And that all processe of outlawrie, hereafter to bee made and had within this realme, against any offenders in treason being resiant or inhabitant out of the limits of this realme, or in any the parties beyond the sea, at the time of the outlawrie pronounced against them, shall be as good and effectuall in the lawe, to all intents and purposes, as if any such offenders had been resident, & dwelling within this realme, at the time of such processe awarded, and outlawrie pronounced.

Prouided alwaies, and be it &c. that if

Partie outlawed

the party so hereafter to be outlawed, shal within one yeere next after the said outlawrie pronounced, or iudgement giuen vpon the said outlawrie, yeelde himselfe

One yeere Yeelde Chief Iust. Traue. se

vnto the chief Iustice of England, for the time being, & offer to trauerse the indictment for appeale, wherupon the said outlawrie shalbe pronounced as is aforesaid: that then hee shall be receiued to the said

Trauerse Verdict Acquit

trauerse, and being thereupon found not guiltie by the verdict of twelue men, hee shalbe cleerely acquited and discharged of the said outlawry, and of al penalties and forfaitures by reason of the same, in as large and ample manner and forme as though no such outlawrie had bin made, any thing herein contained to the contrarie in anie wise notwithstanding.

And be it &c. that euery offender or of-

Offenders

fenders, being hereafter lawfully convict of anie maner of high treason, by present-ment, confession, verdict, processe or outlawrie, according to the due course & custome of the lawes of this realme, shall

Forf.

lose and forfait to the kings highnesse, his heires and successours aforesaide, all such lands, tenemẽts & hereditaments, which any such offẽder or offenders, shal haue of any estate of inheritãce, in his own right, in vse or possession, within this realme of England or elswhere, within any the K. dominions at the time of any such treasons committed, or at any time after.

And be it &c. that no person or persons, shal in any wise be impeached, for any of ẏ offences abouesaid committed, onely by

Preaching Woꝛdes 3. moneths

open pꝛeaching, oꝛ woꝛds, vnles the offẽder oꝛ offenders be therof accused within thꝛee moneths nexte after the same open pꝛeaching oꝛ woꝛds: and that the same accusation oꝛ accusations be had, made and declared to one of the kings counsel, oꝛ to one of the kings Justices of assise, oꝛ else to one of the kings Justices of the peace being of the Quoꝛum, oꝛ to two Justices of the peace, within the shire where the same offence oꝛ offences shall happen to be done oꝛ committed, any thing contained in this act to the contrarie therof, in anie wise notwithstanding.

K. counsel Just. of ass. Just. of P. Quoꝛum

Pꝛouided also and be it &c. that concealment oꝛ kẽping secrete of any high treason be deemed & taken only mispꝛision of treason, & the offender therein to foꝛfaite and suffer as in case of any mispꝛision of treason as heretofoꝛe hath bẽn vsed, any thing aboue mentioned to the contrarie notwithstanding.

Concealement. Mispꝛision Foꝛf.

Pꝛouided alwaies and be it &c. that no person oꝛ persons, after the first daye of June next comming, shall be indicted, arraigned, condemned, conuicted, oꝛ attainted foꝛ any of the treasons oꝛ offences aforesaid, oꝛ foꝛ any other treasons ẏ now be, oꝛ hereafter shalbe, which shal hereafter be perpetrated, cõmitted oꝛ done, vnles the same offẽder oꝛ offenders be therof accused by two lawful accusers, which said accusers at the time of the arraignement of the partie accused, if they be then liuing, shall be bꝛought in person befoꝛe ẏ partie so accused, and auow and maintain that that they haue to say against the said partie, to pꝛoue him guiltie of the treason oꝛ offences contained in the bill of indictmẽt laid against the party arraigned, vnles the said partie arraigned shal willingly without violence cõfesse the same. Sauing to euery person & persõs, their heirs & succesſoꝛs, other then the offenders, & their heirs, & such person and persons as claime to any their vses, all such rights, titles, interest, possessions, leases, rentes, reuersions, offices & other pꝛofites which they oꝛ any of them shall haue at the date of cõmitting such treasons, oꝛ at anie time after, in as large and ample maner, as if this act had neuer bin had oꝛ made.

Two accusers

Confesse

Right

Pꝛouided also, and be it &c. that ẏ wife oꝛ wiues, whose husbãd oꝛ husbands hereafter shalbe attainted of treason specified in this act, oꝛ of any other treasons whatsoeuer they be, shal in no wise be receiued to aske, chalenge, demand oꝛ haue doꝛzie of any the lands, tenements, oꝛ hereditaments of anie the person oꝛ persons to be attainted of treason as is aforesaid during the said attainder in his force, any thing before mentioned to the contrarie in anie wise notwithstanding. An. 5. E. 6. cap. 11.

Wiues

Dowzie

Note that the treasons made by this act, be repealed by 1. M. 1. session, by generall woꝛds as appeareth hereafter 20.

20 ¶ From henceforth none act, dẽde oꝛ offence being by acte of parliament oꝛ statute made treason, petit treasõ, oꝛ mispꝛision of treason, by woꝛdes, wꝛiting, ciphering, deedes, oꝛ otherwise whatsoeuer shall be taken, had, deemed oꝛ adiudged to be high treason, petit treason, oꝛ mispꝛision of treason, but onelie such as be declared, and expꝛessed to be treason, petit treason, oꝛ mispꝛision of treason, in, oꝛ by the acte of parliament oꝛ statute made in the 25. yeere of the raigne of the most noble king of famous memorie, K. Edward the third (See de proui. cap. 2.) touching and concerning treason, oꝛ of declaration of treasons, and none other, noꝛ that anie paines of death, penaltie oꝛ foꝛfaiture in anie wise insue, oꝛ bee to any offender oꝛ offenders foꝛ the doing oꝛ committing anie treason, petit treason, oꝛ mispꝛision of treason, other then such as be in the saide statute made in the saide 25. yeere of the raigne of the said king Edward the third, oꝛdained and pꝛouided, any act oꝛ actes of Parliament, statute oꝛ statutes, had oꝛ made at anie time heretofoꝛe oꝛ after the said 25. yere of the raigne of the said late king Edward the third, oꝛ any other declaration oꝛ matter to the contrarie in anie wise notwithstanding.

Repeale

25. Ed. 3.

Pꝛouided alwaies, and be it &c. that this act of parliamẽt, oꝛ any thing therin mẽtioned, shal not in any wise extend to giue any maner of benefit, aduãtage, oꝛ cõmoditie to any person oꝛ persons being ẏ last day of Septẽber last past, arrested oꝛ impꝛisoned foꝛ treason, petit treason, oꝛ mispꝛision of treason, oꝛ to any person oꝛ persons heretofoꝛe being indicted of treason, petit treason, oꝛ mispꝛision of treason, oꝛ being outlawed oꝛ attainted of treasõ, petit treason, oꝛ mispꝛisiõ of treason, befoꝛe the last day of Septẽb. last past, oꝛ being commanded to kẽpe his oꝛ their house oꝛ houses, oꝛ other mẽs houses, oꝛ otherwise excepted out of the Queens highnes most gratious pardon giuen ẏ day of her coꝛonation, but that they and euerie of them foꝛ any the offences befoꝛe mentioned, perpetrated,

Arrest

Indicted

Outlawed

treated, committed or done by them, or anie of thē, before the said last day of September, shall suffer such paines of death, losses & forfaitures of lands and goods, as in case of treason, as though this acte had neuer bin had ne made, anie thing in this acte to the contrary in any wise notwithstanding. An. 1. M. 1. session.

Counterfeit Gold Siluer current

21 ¶ That if any person or persons hereafter falsely forge and counterfeit any such kinde of coine of gold or siluer, as is not the proper coine of this realme, and is or shall be currant within this realme by the consent of the Queene, her heirs or successours: Or if anie person or persons, at anie time hereafter, doe falsly forge or coūterfeit the Quēns signe manuel, priuie signet, or priuy seale: that then euery such offence shal be deemed and adiudged high treason, & the offenders therin, their counsellers, procurers, aiders and abbetters being conuict, according to the lawes of this realme, of any of the said offences, shalbe likewise deemed and adiudged traitors against the Quēne, her heires and successours, and the realme, and shall suffer and haue such paines of death, forfaiture of lands, goods and cattels, and also lose the priuiledge of al Sanctuarie, as in case of high treason it is vsed & ordained. Anno 1. M. 1. Parl. cap. 6.

Signe manuel Priuy seale Treason Abbetters

Traitors

Sanctuary

¶ An. 1. & 2. P. & Mar. cap. 9. certain praiers were made treason, but that act is determined by the death of Quēne Marie.

Prayers Determined

23 ¶ Anno 1. & 2. P. & M. ca. 9. diuers offices were made treason, which are determined by the death of Quēne Marie, but certaine clauses therin serue to continue, as:

Trials

§ And be it further &c. that al trials hereafter to be had, awarded or made for any treason, shalbe had and vsed onely according to the due order and course of the cōmon lawes of this realme, and not otherwise. Sauing to euerie person & persons, bodies politike and corporate, their heirs and successours, other then the offenders and their heires, and such person and persons, as claim to any of their vses, al such rights, titles, interests, possession, leases, rents, reuersions, offices, and other profits, which they or any of them shal haue at the day of the committing such treasons, or at any time afore, in as large and ample maner as if this act had neuer bin had or made. Prouided alwaies and be it &c. that concealment or keeping secret of high treason, be deemed and taken onely misprision of treason, & the offenders therin to forfait and suffer as in cases of misprisiō of treason hath heretofore bin vsed: Any thing aboue mētioned to ỳ contrarie notwithstanding. Prouided neuertheles & be it &c. that in cases of high treason, cōcerning coine currant within this realm, or for counterfaiting the K. or Queenes signet, priuy seale, great seale, or signe manuel, such maner of trial, & none other be obserued & kept, as heretofore hath bin vsed by the common lawes of this realm. Any lawe, statute or anie other thing or things to the contrary notwithstanding.

Common lawes Bodies politike

Rights

Concealement

Misprision

Trial

24 ¶ That if any person or persons after the twentie day of Januarie next cōming shal bring from the parties beyond the sea into this Realme, or into any the dominions of the same, any such false and counterfait coine or money being currāt within this realme as is aforesaid, knowing the same coine or money to be false and counterfait, to the intent to vtter or make paiment with the same within this realme, or any the dominions of the same by marchandizing or otherwise: that all and euerie such person or persons so offending, as is aforesaid, their coūsellers, procurers, aiders, & abbettors in that behalfe shalbe deemed and iudged to be offenders in high treason, and shal suffer after lawfull conuiction or attainder thereof, such paines of death, losse and forfaiture of lands, goods and cattels, as other offenders shall do in cases of high treason. And be it &c. that al and euery person and persons, that shall at anie time after the said 1st. day of Januarie, be accused or impeached of any the offences contained & prouided for in this estatute, or of any other offence or offences, concerning the impairing, counterfaiting, or forging of anie coine currant within this Realme, shall and may be indicted, arraigned, tried, conuicted or attainted, by such like euidence, and in such maner and forme, as hath bin vsed and accustomed within this realme, at any time before the first yeere of the raigne of our late soueraigne Lord the King E. 6. Any statute, custome, lawe, or vsage to the contrarie thereof in any wise notwithstanding, An. 1. & 2. P. & M. ca. 11.

Bring

Counterfeit coine

Vtter

Abbettors

Treason

Forf.

Trial Euidence

25 ¶ Be it enacted that if anie person or persons after the first day of May next to come, do malitiously, aduisedly and direcly compasse or imagine to depriue the Queenes Maiestie that nowe is, or the

Expirat.

Compasse Depriue the Queene

heires of her bodie to be begotten being kings or Queens of this realm, from the
Stile stile, honor, and kingly name of Imperi-
al crown of this realme, or from any o-
ther the realmes and dominions vnto our
said Soueraigne Ladie appertaining and
Destroy belonging, or to destroy the Queens ma-
iestie that now is, or any the heires of her
bodie being kinges or Queenes of this
Leuie war realme, or to leuie warre within this
realme, or within any the marches or do-
minions to the same belonging, against
the Queenes maiestie that now is, or a-
me the heires of her bodie being kings or
Depose Queenes of this realme, or to depose the
Queenes Maiestie that nowe is, or anie
the heires of her bodie beeing kinges or
Queenes of this Realme, from the Im-
perial crowne of the realmes and domi-
nions aforesaid, & the same compassinges,
imaginations or any of them, maliciouſ-
ly, aduisedly, and directly shal or do vtter
Preaching Wordes by open preaching, expresse words or say-
ings, or if any person or persons after the
said first day of May next comming, shall
maliciously, aduisedly, and directly say,
publish, declare, maintaine or hold opini-
on, that the Queenes Maiestie that now
is, during her life, is not or ought not to be
Queene of England Queen of this realme, or after her death,
that the heires of her highnes body being
kings or Queens of this realme, of right
ought not to bee kings or Queenes of
this realme, or that any other person or
persons, other then the Queenes high-
nesse that nowe is, during her life, ought
to be king or Quéene of this realme, or a-
ny other the realmes or dominions afore-
saide, or after her death, other then the
heirs of her bodie being kings or Queens
of this realme, as long as any of her said
heires of her bodie begotten shall bee in
life, of right ought to haue and enioy the
imperial crowne of this Realme, or any
the realms and dominions aforesaid: that
then euery such offender, being therof du-
Attaint lie conuicted or attainted by the lawes of
Abbetters this realme, their abbetters, procurers
and counsellers, and all and euery their
comforters, knowing the said offences or
any of them to be done, and being therof
duely conuicted or attainted, as is aboue-
said, for his or their such offence, shall
forfait and lose to the Queenes highnes,
her heires and successours, all his and
their goods and cattels, and the whole
issues and profits of his or their lands, te-
nements, & hereditamentes, for terme of
the life of euery such offender or offenders,
and also shall haue and suffer during his
and their liues perpetual imprisonment. Imprison

Prouided alwaies and be it further en-
acted by authoritie aforesaid, that all and
euery ecclesiasticall person being convic-
ted or attainted in forme aforesaid, for e-
uerie such his offence, shall immediately
and presently vpon such attainder had, be
iudged, and remaine in the lawe to all
intents deprined from all his benefices
and promotions spirituall or ecclesiasti-
call, in such maner and forme, that it shall
be lawfull for euerie patron, founder, or
giuer thereof, to present immediatly after
such attainder had, some one other to the
same, as though the said offender or offen-
ders were deceased.

Ecclesiasti-call person
Deprive
Patron Founder

And if any person or persons beeing
hereafter conuicted or attainted of any
the said offences in forme aforesaid com-
mitted, shall after his or their conuiction
or attainder, eftsoones commit or perpe-
trate anie of the said offences in forme a-
foresaide, that then euery such second of-
fence or offences shall be deemed and ad-
iudged high treason, and the offender or High treason
offenders therein, their abbetters, procu-
rers and counsellers, and all & euery their
aiders and comforters, knowing the said
offences, or anie of them to be done, being
thereof conuicted or attainted according
to the lawes and statutes of this realme,
shal be iudged and deemed high traitors, Traitors
and shall suffer paines of death, and lose
and forfaite all their goods, and cattels,
lands & tenements to the Queenes Ma-
iestie, her heires and successors, as in ca-
ses of high treason, by the lawes of this
realme, at this day of right ought to bee
lost and forfaited.

And bee it further enacted &c. that if a-
nie person or persons at anie time after
the said first daie of May next to come, by
anie writing, printing, ouert deed or acte, Writing
malitiously, aduisedly, and directlie doe Printing
affirme that the Queenes Maiestie that
now is, ought not to haue and enioy the
stile, honour and kingly name of this Stile
realme, or that anie person or persons, o-
ther then the Queens Maiestie that now
is, ought to haue or enioy the stile, honour
and kingly name of this Realme, or that
the Q. Maiestie that now is, during her
life, is not, or ought not to bee Queene of
this realme, nor after her death, that the
heires of her highnes body being kings or
Queens of this realm, of right ought not

to

to haue and enioy the Imperial crowne of this Realme, or that any person or persons, other thē the Quēns Maiestie that now is, during her life, or after her death, other then the heires of her body begottē, being Kings or Quēnes of this Realme, as long as any of her heires of her bodie shalbe in life, of right ought to haue & enioy the Imperiall crowne of this realme: that then euery such offence and offences shall be iudged high Treason, and the offendour and offendours therein, their abbettours, procurers & counsailours, & all and euery their ayders and comforters, knowing the said offences or any of them to be done, being thereof lawfullie conuicted or attainted by the Lawes of this realme, shal be dēmed and adiudged high traitours, and shal suffer paines of death, & lose and forfaite al their goods & cattels, lands and tenements to the Quēns Maiestie, her heires and successours, as in cases of high Treason by the Lawes of this Realme at this day of right ought to bee lost and forfaite. Sauing to euery person and persons, bodies politique and corporate, their heires & successours (other then the offendours and their heires, and such person and persons, as claime to anie of their vses) al such rights, titles, interests, possessions, leases, rents, reuersions, offices, and other profites, which they, or any of them shall haue at the day of the committing such Treasons, or at any time afore, in as large and ample maner, as if this act had neuer bene had nor made.

Treason

Abbettors

Bodies politique

Rights

Prouided alwaies, and bee it declared & enacted by the authoritie aforesaid, that concealement or keping secrete of anie high Treasons, bedēmed and taken onely misprision of Treason, and the offenders therein to forfait and suffer as in cases of misprision of Treason hath heretofore bene vsed, any thing aboue mētioned to the contrarie notwithstanding. Prouided also, that if it shal fortune hereafter any of the Pēeres of this realme to be indicted of anie of the offences made Treason, or misprision of Treason by this Acte, that then the same Pēres or Pēere, so being indicted, shall be put to answere to euery such indictment before the high Steward of England for the time being, and to haue his and their triall of his and their Pēeres, and to receiue and haue such like iudgement, vpon the same triall of his or their Peeres, of make open confession of the same offence or offences, as is vsed in other cases of high Treason.

Concealement

Misprision

Peeres

High Steward

And bee it further enacted by the authoritie aforesaid, that no person or persons shall in any wise be impeached for anie of the offences aforesaid committed, onely by open preaching or wordes, vnlesse the offender or offenders bee thereof indicted within sixe moneths next after the same open preaching or wordes, anie thing mentioned in this act to the contrary notwithstanding. 6. moneths

Prouided alwaies, that the counsailors, procurers, comforters, & abbettors, mentioned in this acte, for his or their first offence, shall suffer like punishment, penaltie & forfeiture, as is contained in this act against the principal offēders for the first offence, and none other. Abbettors

And that the counsailours, procurers, comforters and abbettors, for his or their second offence, shall sustaine like punishment, penaltie and forfaiture, as is cōtained in this act against the principal offender or offenders for their second offence, and none other. Punishmēt

Prouided alwaies, and be it enacted by authoritie aforesaide, that no person or persons shall be hereafter indicted or arraigned for anie offence or offences made treason or misprision of Treason by this act, vnlesse the same offence or offences of treason and misprisiō of treason aforesaid, be proued by the testimonie, depositiō & othes of two lawfull and sufficient witnesses at the time of his and their indictmēt, which said witnesses also at the time of the arraignement of the partie so indited (if they be then liuing) shalbe brought forth in person before the partie so arraigned, face to face, and there shal auow and openly declare all they can say against the said partie so indited, vnlesse the partie so indicted shall willingly without violence confesse the same. An. 1. El. cap. 6. 2. Witnesses Confesse

26 ¶ Be it enacted, declared & established, that frō & after the first day of May next comming, clipping, washing, rounding, or filing, for wicked lucre or gaines sake of any ỳ proper moneies or coines of this realme, or of the dominiōs thereof, or of ỳ moneis or coines of any other realm, allowed and suffered to be currāt within this Realme, or the dominions thereof at this present, or that hereafter shall be the lawful moneis or coines of this Realme, or of the Dominions thereof, or of anie other Realme, and by Proclamation allowed and suffered to bee currant here, Clipping Washing Rounding Filing Money Currant

by

Treason

by the Quénes Maiestie her heirs or successors, shall be taken, deemed & adiudged by vertue of this act to be treason, and the offendours therein, their counsellours, consenters, and ayders, shall be from and after the same first day of May, taken, deemed, adiudged as offendours in treason, & being thereof lawfully conuicted or attainted, according to the due order and course of the Lawes of this Realme, shall suffer paines of death, and lose & forfait all his, and their goods and cattels, and shall also lose and forfait al his and their lands and tenements during his or their naturall life or liues onely.

Granut

And be it enacted by the authoritie aforesaid, that al and euery person and persons which haue any lawfull graunt to haue & enioy the forfaitures of lands, tenements, goods, or cattels of offendors, and men attainted in high Treason, within

Mannor Lordship

any Mānour, Lordship, Towne, Parish, Hundred, or other precinct within this Realme of England or Wales, shall and may at all times hereafter haue like libertie, to take, sease & enioy al such forfaitures of lands, tenements, goods, and cattels, as shall come and grow within their liberties by force of the attainder of anie person or persons, for & vpon any offence or offences made Treason by this acte, as they or anie of thē should, ought or might haue by vertue of anie good and lawfull graunt of them or anie of them heretofore had or made.

Prouided alwaies, and be it enacted by the authoritie aforesaid, that this Acte nor any thing therein contained, nor anie attaindour or attaindours of anie person or persons for anie offence or offences made treason by this acte, shall in anie wise extend, or be iudged, interpreted or expounded to make anie corruption of blood, to

Corrupt blood

anie the heire or the heires of any such offender or offenders, or to make the wife of anie such offender to lose or forfaite her

Dower

dower, of, or in anie lands, tenements or hereditaments, or her title, action or interest to the same: any thing in this Acte contained, or anie attainder or attainders hereafter to be had, for anie offence or offences made treason by this act, to the cōtrarie notwithstanding.

And be it further enacted by the authoritie aforesaid, that if any of the Lords of the

Peere

parliamēt, or pere of this realme, for the time being, shal fortune at any time hereafter to be indicted of anie offence made treason by this act: that then they & euery of thē shal haue his or their triall by their peres, as hath bene vsed heretofore in cases of high treason. An. 5. El. cap. 11. Triall

27 ¶ Be it enacted, declared and established, that if any person or persōs whatsoeuer, at any time after the last day of June next comming, during the naturall life of our most gracious soueraigne Lady M. Elizabeth, (whom almighty God preserue & blesse with long and prosperous raigne ouer this realme) shall within this realme, or without, cōpasse, imagine, inuent, deuise, or intēd the death, or destructiō, or any bodily harme, tending to death, destruction, mayme, or wounding of the roiall person of the same our Soueraigne Lady Quéene Elizabeth: or to depriue or depose her or or from the stile, honour, or kingly name of the Imperiall Crowne of this realme, or of any other realme or dominion to her Maiestie belonging, or to leuie warre against her Maiestie within this realme, or without: or to moue or to stirre any forreiners or strāgers, or with force to inuade this realme, or the realme of Ireland, or any other her Maiesties dominiōs, being vnder her Maiesties obeysance, and such compasses, imaginations, inuentions, deuises or intentions, or any of them, shall maliciously, aduisedly and expresly vtter, or declare by any printing, writing, ciphering, speach, words or sayings: or if anie person or persons whatsoeuer, after the said last day of June, shall maliciously, aduisedly, directly, publish, declare, hold opinion, affirme or say by anie speach, expresse words or sayings, that our said Soueraigne Lady Quéene Elizabeth during her life, is not or ought not to be Quéene of this Realme of England, & also the Realms of France, and Ireland, or that anie other person or persons ought of right to be King or Quéene of the said Realme of England and Ireland, or of anie other her Maiesties dominions being vnder her Maiesties obeysance, during her Maiesties life: or shall by writing, printing, preaching, speach, expresse words or sayings, malitiously, aduisedly, and directly publish, set forth, & affirme, that the Quéene our saide Soueraigne Lady Queene Elizabeth is an heretique, schismatique, tyrāt, infidel, or an vsurper of the crowne of the said Realmes, or any of them: that then all and euery such said offence or offences, shal be taken, deemed, and declared by the authoritie of this

Compasse

Bodily harme

Depose Stile

Leuy warre

Moue strāgers

Printing Writing Words

Publish

Words

Heretique Vsurper

Act

Treason Act and parliament, to bee high Treason: and that as well the principal offender or offenders therein, as al and euery the abbettours, counsellors and procurers to the same offence or offences, and al and euery aydours & comforters of the same offender or offenders knowing the same offece or offences to be done and cõmitted in any place within this Realme or without, being thereof lawfully & duely indicted, conuicted and attainted, according to the vsual order & course of the common lawes of this Realme, or according to the Acte made in the xxvb. yere of the raigne of the late king of famous memorie king Hery the eight, father of our said Soueraigne Lady, entituled, An act cõcerning the triall of treasons cõmitted out of the kings Maiesties dominions (as the case shal require) shal be deemed declared, and adiudged traitours to the Quæne & the realme, and shall suffer paines of death, and also forfaite vnto the Quænes Maiestie, her heires and successours, all and singular lands, tenements & hereditamẽts, goods, and cattels, as in cases of high treason by the Lawes and Statutes of this Realme at this day of right ought to be forfaited and lost.

Abettors

Traitours

Forf.

And be it also enacted by the authoritie aforesaid, that all and euery person & persons, of what degree, condition, place, nation, or estate soeuer they be, which shall after the ende of xxx. daies next after the last day of this present session of this parliament, at any time in the life of our Soueraigne Lady Quæne Elizabeth, in any wise, claime, pretende, vtter, declare, affirme, or publish themselues or anie of thẽ, or any other then our said soueraigne Lady Elizabeth the Quænes Maiestie that now is, to haue right or title to haue & enioy the Crowne of England, during, or in the life of our said soueraigne Lady: or shall vsurpe the same crowne, or the roial stile, title, or dignitie of the Crowne or Realme of England, during or in the life of our saide soueraigne Lady: or shall hold and affirme that our said soueraigne Lady hath not right to hold and enioy the said Crowne & Realme, stile, title, or dignitie: or shall not after any demaund on our saide Soueraigne Ladies part to bee made, effectually acknowledge our saide Soueraigne Ladie to be in right, true and lawfull Quæne of this Realme: they and euery of them so offending, shal be vtterly disabled during their natural liues onely to haue or enioy the Crowne or realme of England, or the stile, title, or dignitie thereof at anie time in succession, inheritãce or otherwise, after the decease of our said Soueraigne Lady, as if such person were naturally dead, any lawe, custome, pretence, or matter whatsoeuer to the cõtrarie notwithstanding.

Publish

Vsurpe

Crowne

Refuse

Disables

And bee it further enacted, that if any person shall during the Quænes Maiesties life, in any wise holde, affirme or maintaine any right, title, interest or possibilitie in succession or inheritance in or to the Crowne of England, after our said soueraigne Lady the Quæne, to be rightfully in, or lawfully due or belonging vnto any such claimer, pretender, vsurper, vtterer, declarer, affirmer, publisher, or not acknowledger, so that our said Soueraigne Ladie the Quæne shall by proclamation to be published through ỹ realme, or else in the more part of those shires of this Realme, aswell in the South side as the Northside of Trent, & also in the Dominion of Wales, in which shires no war or rebellion then shal be set forth, notifie, or declare such claiming, pretence, vttering, declaration, affirming, publishing, vsurpatiõ, or not acknowledging: then euery person which after such proclamation, shal during ỹ Quænes Maiesties life, maintaine, holde, or affirme, any right in succession, inheritance, or possibilitie in or to the Crowne of England or the rights thereof, to bee in or to anie such claimer, pretẽder, vtterer, declarer, affirmer, vsurper, publisher, or not acknowledger, shall be a high traitour, & suffer and forfaite as in cases of high treason is accustomed.

Claime

Proclamation

Wales

Affirme

Traitour

And bee it further enacted, that if anie person shal in anie wise hold and affirme, or maintaine, that the common Lawes of this Realme not altered by Parliament, ought not to direct the right of the Crowne of England: or that our said soueraigne Ladie Elizabeth the Quænes Maiestie that now is, with and by the authoritie of the Parliament of England, is not able to make lawes and statutes of sufficient force and validitie to limit and bind the Crowne of this realme, and the discent, limitation, inheritance, & gouernemẽt thereof: or that this present statute, or any part thereof, or anie other statute, to be made by the authoritie of the parliament of England with the roial assent of our saide Soueraigne Ladie the Quæne, for limitting of ỹ crowne, or any

Affirme

Common lawe

Crowne

Statute

statute

statute of recognising the right of the said Crowne and Realme to be iustly & lawfully in the most royall person of our said soueraigne Lady the Quéene, is not, are not, or shal not, or ought not to be for euer of good and sufficient force and validitie, to bind, limit, restraine & gouerne all persons, their rights & titles, that in any wise may or might claime any interest or possibilitie in or to the Crowne of Englād in possessiō, remainder, inheritance, succession or otherwise howsoeuer, and all other persons whatsoeuer: euery such person so holding, affirming, or maintaining, during the life of the Quéens Maiestie, shal be iudged a high traitour, and suffer & forfaite as in cases of high Treason is accustomed. And euery person so holding, affirming, or maintaining, after the decease of our said Soueraigne Ladie, shall forfaite all his goods and cattels.

Traitour

Forf.

And for the auoiding of cōtentions and seditious spreading abroad of titles to the succession of the Crowne of this Realme, to the disturbing of the common quiet of the realme: Be it enacted by the authority aforesaid, that whosoeuer shall hereafter during the life of our said soueraigne Lady, by any booke or worke printed or written, directly, and expressly declare and affirme at any time before ỳ same be by acte of Parliament of this realme established & affirmed, that any one particular person whosoeuer it be, is or ought to bee the right heire & successor to the Quéens Maiestie that now is, (whom God long preserue) except the same be the natural issue of her Maiesties body, or shal wilfully set vp in open place, publish, or spread anie bookes or scroules to that effect: or shall print, bind or put to sale, or vtter: or cause to be printed, bound, or put to sale, or vttered, any such booke or writing wittingly: that he or they, their abbettors & counsellers, & euery of them shall for the first offence suffer imprisonment of one whole yere, & forfait halfe his goods, whereof the one moitie to the Quénes Maiestie, the other moitie to him or thē, that wil sue for the same, by bil, actiō of debt, plaint, informatiō, or otherwise in any of the Quéens Maiesties courts, wherein no essoine or protection shalbe allowed. And if any shal eftsones offend therein, thē they, & euerie of them, their abbettours and cōsellers shall incurre the paynes and forfaitures which in the Statutes of prouision or Præmunire are appointed and limitted.

Seditious talke Title

Printing Writing

Heire Successor

Bookes Binde Put to sale

First offece Imprison Forf. Moitie

Præmunire

Prouided alway, that if it shall happen hereafter any peare of this Realme to be indicted of any offēce made treason by this acte, he shall haue his triall by his peares, as in other cases of treason is accustomed.

Peere

Trial

Sauing to all & euery person & persons, bodies politique & corporate, their heires & successors, other then the said offenders and their heires clayming onely as heire or heires to any such offendour & such person & persons as claime to any their vses, all such rights, titles, interestes, possessions, leases, rents, reuersions, offices, and other profites which they or anie of them shal haue at the day of the cōmitting such offence or offences, or at any time before, in as large & ample maner, as if this acte had neuer bene had or made.

Bodies politique

Rightes

Prouided also, and be it further enacted by the authoritie aforesaid, that no person or persons shall in any wise be arraigned for any of the offences mentioned in this act, to be cōmitted or done within any the Quéenes Maiesties Realmes or dominions, vnlesse the offender or offenders bee thereof indicted within sixe moneths next after the same offence committed: anything mentioned in this act, to the cōtrarie notwithstanding. And that no person or persons, shal in any wise be arraigned for any the offences mentioned in this Acte, to be committed or done out of anie the Quéenes Maiesties Realmes or dominiōs, vnlesse the offender or offenders be thereof indicted within one peare next after the same offence committed: anie thing mentioned in this act to the contrarie notwithstanding.

6. Moneths

One peere

Prouided also, and be it enacted by the authoritie aforesaide, that no person or persons shall be hereafter arraigned for anie of the offence or offences mentioned in this act, vnlesse the same offence or offences be proued by the testimonie, deposition and othe of two lawfull and sufficient witnesses: which said witnesses shall at the time of the arraignement of such person so offending, bee brought forth in person before the partie so arraigned face to face, and there shall auowe and openly declare all they can say against the partie so arraigned, vnlesse the said partie so arraigned shall willingly without violence confesse the same.

2. Witnesses

Confesse

Prouided also and bee it enacted by the authoritie aforesaid, that the aydours and comforters of such of the offendors aforesaide, as shall malitiously, aduisedly, and directly

Aydors

Publish directly publish, set forth, and affirme that the Quænes highnes that now is, is an heretique, schismatique, tyrant, infidel, or vsurper of the crowne, as in forme aforesaid, shal for his said first offence of aiding and comforting the saide last recited offender or offenders, knowing the same office or offences to be cõmitted, incurre onely the daunger and penaltie of Præmunire, mentioned in the Statute of Præmunire, made in the xvj. yére of king Richard the second (cap. 5. prouision 14.) And that such aiders and cõforters of the offender or offenders aforesaid last recited, knowing ỹ same offences to be cõmitted, which after their first conuiction and attainder therof shall eftsoones offend, shall for his or their second offence be adiudged high traitours, and suffer and forfaite as in cases of high treason, as is aforesaid.

Heretique

First office

Præmunire

Second offence Traitors

Prouided alwaies and be it enacted by the authoritie aforesaid, that the giuing of charitable almes in money, meat, drinke, apparell, or bedding for the sustentatiõ of the bodie or health of anie person or persons that shal commit any of the offences made treason or Præmunire by this Acte, during the time that the same offendour shall be in prison, shall not in any wise be deemed or taken to bee anie offence: anything in this Acte contained to the contrarie thereof notwithstanding. Anno 13. Eliz. cap. 1.

Almes

28 ¶ For the auoiding of such vnlawfull practises, as haue bin lately moued in seeking to take her Maiesties Castles, towers, fortresses, ships, &c. & other munition of warre: Be it enacted, that if any person or persons whatsoeuer, at anie time hereafter do within this Realme or elsewhere vnlawfully, and of his or their owne authoritie compasse, imagine, conspire, practise or deuise, by any wayes or meanes with force, or by any craft, deuice or sleight, maliciously, and rebelliously to take or to detein, or kéepe frõ our said soueraigne Lady the Quéene, any of her castles, towers, fortresses, or holdes, or maliciously and rebelliously to rase, burne, or destroy anie Castle, bulworke, or fort, or anie part of them, hauing any munition or ordinance of the Quénes Maiesties therein, or appointed to be garded with any Souldiers for defence thereof within this Realme, or within any of her Maiesties Dominions or Countries, or the Marches of the same, and the same compasses, imaginations, practises, conspiracies, or deuices, or anie of them, shall by aduisedly by any expresse wordes, speach, acte, déd or writing, expresse, vtter, or declare, for any the malitious & rebellious intéts aforesaid: that then euery such person & persons, as hereafter offending in any the premisses, their aiders, cõsellers, comforters, cõsentours, and abbettours knowing thereof, being thereof lawfully conuicted according to the Lawes of this realme, shal be iudged a felon, and felons, & that euery such offence shalbe iudged to be felonie, and the offender and offenders therein, their said aidors, comforters, cõsellors, & abbettours, being thereof lawfully conuicted, shall haue & suffer paines of death, as in cases of felonie, without having anie benefite of Clergie or sanctuarie, & also shall forfait and lose all his goods and cattels, landes and tenements, as in other cases of felonie hath bene vsed and accustomed.

To take or keepe Castels Fortresse

Burne Bulworke Towres Holde Destroy Fort.

Vtter intét

Abbettors

Felonie

Death Clergie Sanctuary Fork. Eschete

And be it further enacted by the authoritie aforesaid, that if any person or persõs doe at any time hereafter with force, maliciously and rebelliously deteine, kéepe, or withhold from the Quénes Maiestie, any of her Castels, towers, fortresses, or holdes, within this Realme, or anie her Maiesties Dominions or Countreys, or Marches of the same: or doe maliciously, rebelliously and with force detaine, kéepe, or withhold from her Maiestie any of her shippes, ordinãce, artillerie, or other munitions, or fortifications of warres, and do not render and giue vp the same to our said Soueraigne Lady, or to such person as her Maiestie shall appoynt to receiue the same to her Maiesties vse, within fiue daies next after hée or they so offending, shall be commaunded by our said Soueraigne Lady the Quéene by open proclamations vnder the great seale of England, to be made in any place or market towne within the Coũtie where any such offence shalbe committed: or shall wilfully, maliciously, & rebellionsly burne or destroy, or cause to be burned or destroyed, any of the Quénes Maiesties ships, or maliciously and rebelliously barre or cause to be barred any haué within any of ỹ Quenes Maiesties Dominions: that then euerie such person & persons so offending, their aydors, counsellours, and abbettours, being thereof lawfully conuict according to the Lawes of this Realme, shall be iudged Traitours, and their offences in any the premisses, shall be accepted, iudged and

Force

Withhold Towers Holdes Fortresses

Rebel

Ordinance Armour Ships Render

6. Daies

Proclamations

Burne Destroy ships

Barre haué

Abbettors

Treason

and taken for high Treason, & the offenders therein, their aydors, counsellors, and abbettours, being thereof lawfully convict according to ỳ Lawes of this realme, shal haue and suffer such paines of death,

Forf.

and also shall forfaite and lose, as in cases of high Treason is limitted and accustomed: This Acte to endure during the

Queenes life

Queenes Maiesties life that now is. An. 14. El. cap. 1.

29 ¶ Be it enacted &c. that if any person or persons at any time after the end of this present Session of Parliament shall

Conspire Deuise Enlarge

imagine, conspire, deuise, inuent or goe about vnlawfully and maliciously to enlarge or set at libertie any person or persons, committed, or to be committed to any prison, gard, or custodie, by her highnesse especiall commandement, for anie treason, or suspition of treason concerning the person of our saide Soueraigne Ladie the Queene, before anie indictmẽt of such person so sought or intended to be set at large, or libertie, as is aforesaid, & the same conspiracies, imaginations, deuises, or inuentions, shall by expresse words, writing or

Words Writting

other matter or act, expresly or manifestly, set forth, vtter or declare: that then euery person so offending, shal incurre the

Misprision of treason

penaltie & forfaiture of misprision of treason, and that all and euery offence and offences to be committed and done, as is aforesaid, shall be deemed & taken for misprision of treason.

And be it &c. that if anie person or persons, at any time after the end of this present session of Parliament, shall imagine,

Conspire Enlarge

conspire, deuise, inuent, or goe about vnlawfully or maliciously to enlarge or set at libertie anie person or persons, being committed to any prison, garde, or custodie, after the same person or persons, is, or shalbe attainted or conuicted of any treason, in any wise concerning the royal person of our said soueraigne lady ỳ Quene, & the same conspiracies, imaginations, deuices or inuẽtions, shal by expresse words,

Words Writing

writing, matter, or act, as is aforesaid, set forth, vtter, or declare: that then euerie such person so offending, shall be deemed,

Traitour

and adiudged an high traitour, and shall suffer, lose and forfaite, as in cases of high treason, by the Lawes and Statutes of this Realme. This acte to endure during the Queenes Maiesties life that now is onely. An. 14. El. cap. 2.

30 ¶ If any person or persons, of what estate, degree or condition soeuer he or they be, shall from & after the first day of April next cõming, for wicked lucre or gaines sake, by any art, waies, or meanes whatsoeuer, impaire, diminish, falsifie, skale or lighten ỳ proper moneys or coines of this Realme, or any the dominions thereof, or ỳ moneys or coines of any other realms,

Diminish money

Currant

allowed and suffered to be currant at the time of the offence cõmitted, within this realme of Englãd, or anie the dominions of the same, by the Proclamation of the Q. Maiestie, her heires or successors, shall be taken, adiudged, and deemed to be treason, & the offendors therein, their counsellers, consenters & aiders, shall be likewise deemed & iudged as offendors in treason, &

Treason

being thereof lawfully conuicted or attainted, according to the due order of the Lawes of this realme, shall suffer paines of death, & lose and forfait all their goods

Forf.

and tattels to the Queenes Maiestie, her heires & successors, and shall also lose and forfait to the Queenes highnes, her heires and successors all their landes, tenements and hereditamentes, during his or their

During life

naturall life or liues onely.

Prouided alwaies, and be it enacted by the authoritie aforesaid, that this acte, nor anie thing therein contained, nor anie attaindor or attaindors of any person or persons, for anie offence or offences made treason by this act, shal in any wise extend or bee iudged, interpreted, or expounded to make anie corruption of blood, to anie

Corrupt bloon

the heire or heires of anie such offender or offenders, or to make the wife of any such offender to lose or forfaite her dower of

Dower

or in anie landes, tenementes, or hereditaments, or her title, action, or interest to the same: any thing in this act contained, or any attainder or attaindours hereafter to be had, for any offence or offences made treason by this Acte, to the contrary notwithstanding.

And be it further enacted by the authoritie aforesaid, that if any of the Lordes of

Lord of parliament Peere

the Parliament, or Peere of this realme, for the time beyng, shall fortune at anie time hereafter to be indited of any offence made Treason by this Act: that then they and euery of them, shall haue his or their triall by their Peeres, as hath bene vsed

Triall

heretofore in cases of high Treason. An. 18. El. cap. 1.

31 ¶ Be it ordained, established and

Iesuites Priestes

&c. that all and euery Iesuits, Seminarie priests, & other priests whatsoeuer, made or ordeined out of this realme of Englãd, or

or other her highnes dominiõs, or within any other Maiesties realmes or dominions, by any authoritie power or iurisdiction, derived, chalenged or pretended from the sea of Rome, since the feast of the Natiuitie of S. John Baptist in the first yere of her highnesse raigne, shall within xl. daies next after the ende of this present session of Parliament, depart out of this Realme of England, & out of all other her highnesse Realmes and dominions, if the wind, weather and passage shall serue for the same: or els so sone after the ende of the said xl. daies, as the winde, weather & passage shall so serue.

Rome

40. Daies Depart the Realme

And be it further enacted &c. that it shal not be lawful to or for any Jesuite, Seminarie Priest, or other such priest, Deacon, or religious or ecclesiastical person whatsoeuer, being borne within this Realme, or ante other her highnes dominions, and heretofore since the said feast of the Natiuitie of S. John Baptist in the first yere of her Maiesties raigne, made, ordained or professed, or hereafter to bee made, ordained or professed by anie authoritie or iurisdiction, derived, challeged or pretended from the Sea of Rome, by or of what name, title or degree soeuer the same shall be called or knowen, to come into, be, or remaine in any part of this Realme, or anie other her highnesse Dominions, after the end of the same xl. daies, other then in such speciall cases, and vpon such speciall occasions onely, and for such time onely as is expressed in this Acte: and if he doe, that then euery such offence shall be taken and adiudged to bee high Treason, and euery person so offending, shall for his offence be adiudged a Traitor, & shall suffer, lose, and forfaite, as in case of high Treason. And euery person, which after the end of the same fourtie dayes, and after such time of departure as is before limitted and appointed, shall wittingly and willingly receiue, relieue, comfort, aide, or maintaine any such Jesuite, Seminarie priest, or other priest, Deacon or religious or Ecclesiasticall person, as is aforesaid, being at libertie, or out of hold, knowing him to be a Jesuite, Seminarie priest, or other such priest, Deacon, or religious or Ecclesiasticall person as is aforesaid, shall also for such offence be adiudged a felon, without benefite of clergie, and suffer death, lose and forfaite as in case of one attainted of Felonie.

Jesuite Priest Ecclesiasticall person

Come into the realme

Treason

Aid Jesuits

Felony

Clergie

And be it further enacted by the authoritie aforesaide, if any of her Maiesties subiectes (not being a Jesuite, Seminarie Priest, or other such Priest, Deacon, or Religious or Ecclesiasticall person, as is before mentioned) now being, or which hereafter shall bee of, or brought vp in any Colledge of Jesuites or Seminarie alreadie erected or ordained, or hereafter to be erected or ordained in the parts beyond the seas, or out of this Realme in any forraine parts, shall not within six moneths next after Proclamation in that behalfe to be made in the Citie of London, vnder the great Seale of England, returne into this Realme, and thereupon, within two daies nert after such returne, before the bishop of the Dioces, or two Justices of peace of the countie, where he shall arriue, submit himselfe to her Maiestie & her Lawes, and take the othe set forth by Act in the first yere of her raigne: That then euery such person, which shall otherwise returne, come into, or be in this Realme, or any other her highnesse Dominiõs, for such offence of returning, or beyng in this Realme, or any other her highnesse Dominions, without submissiõ as aforesaid, shall also bee adiudged a Traitour, and suffer lose and forfaite, as in case of high Treason.

Proclamation

Bishop Just. of P.

Othe

Treason

And be it further enacted &c. if any person vnder her Maiesties subiection or obedience, shall at anie time after the ende of the said fortie daies by way of exchange, or by anie other shifte, way or meanes whatsoeuer wittingly and willingly, either directly or indirectly, conuey, deliuer or sende, or cause or procure to be conueyed or deliuered to bee sent ouer the Seas, or out of this Realme, or out of any other her Maiesties Dominions or Territories, into any forraine partes, or shall otherwise wittingly and willingly yelde, giue or contribute any money or other reliefe, to or for any Jesuite, Seminarie priest, or such other priest, deacõ, or religious or Ecclesiasticall person, as is aforesaid, or to, or for the maintenãce or relefe of any Colledge of Jesuits or Seminary, already erected or ordained, or hereafter to be erected or ordained in any the partes beyond the Seas, or out of this Realme in any forraigne partes, or of any person thẽ being of or in any the same Colledges or Seminaries, & not returned into this Realme with submission as in this Acte is expressed, and continuing in the same Realme: That then euery such person

40. dayes

Reliefe to Jesuites

Præmunire

ſo offending, ſo⁊ the ſame offence ſhall incurre the danger and penaltie of Præmunire, mentioned in the Statute of Præmunire, made in the xbj. yeere of the reigne of king Richard the ſecond.

40. dayes

And be it further enacted &c. that it ſhal not be lawful ſo⁊ anie perſon, of o⁊ vnder her highneſſe obedience, at any time after the ſaid xl. dayes, during her Maieſties life (which God long p⁊eſerue) to ſend his o⁊ her child, o⁊ other perſon, being vnder his o⁊ her gouernemẽt, into any the parts beyond the Seas out of her Highneſſe obedience, without the ſpeciall licence of her Maieſtie, o⁊ of foure of her highneſſe

Licence

p⁊iuie Counſell

p⁊iuie Counſell, vnder their hands in that behalfe firſt had o⁊ obtained (except Marchants, ſo⁊ ſuch onely as they o⁊ anie of them ſhall ſende ouer the Seas, onely ſo⁊ o⁊ about his, her, o⁊ their trade of marchãdize, o⁊ to ſerue as Mariners, and not otherwiſe) vpõ paine to ſo⁊fait and loſe ſo⁊ euery ſuch their offence, the ſumme of one hund⁊ed pounds.

Marchants

Mariners

Fo⁊f.

And be it alſo enacted by the auth⁊itie afo⁊eſaid, that euery offence to be cõmitted o⁊ done againſt the teno⁊ of this Acte, ſhall and may be enquired of, heard & determined, aſwell in the Court commonly called the Kings Bench, in the Countie where the ſame court ſhal ſo⁊ the time be, as alſo in any other Countie within this realme o⁊ any other her highneſſe Dominiõs where the offence is o⁊ ſhal be committed, o⁊ where the offendour ſhall bee app⁊ehended and taken.

K. Bench

p⁊ouided alſo, and be it enacted by the auth⁊itie afo⁊eſaid, that it ſhall and may be lawfull, ſo⁊ & to euery owner and Maſter of any Ship, Barke o⁊ Boate, at any time within the ſaid ſo⁊tie daies, o⁊ other time befo⁊e limitted ſo⁊ their departure, to trãſpo⁊t into anie the parts beyond the Seas, any ſuch Jeſuite, Seminarie p⁊ieſt o⁊ other p⁊ieſt afo⁊eſaid, ſo as the ſame Jeſuite, Seminarie p⁊ieſt, o⁊ other p⁊ieſt afo⁊eſaid, ſo to be tranſpo⁊ted do deliuer vnto the Maio⁊ o⁊ other chiefe Officer of the Towne, Po⁊t, o⁊ place where he ſhall be taken in to be tranſpo⁊ted, his name, & in what place he receiued ſuch o⁊der, and how lõg he hath remained in this realme, o⁊ in anie other her highneſſe Dominions, being vnder her obedience.

Owner of ſhips

Tranſpo⁊t

P⁊ieſts

Maio⁊

p⁊ouided alſo, that this act, o⁊ any thing therein contayned, ſhall not in any wiſe extend to anie ſuch Jeſuite, Seminarie p⁊ieſt, o⁊ other ſuch p⁊ieſt, Deacon, o⁊ Religious o⁊ Eccleſiaſticall perſon, as is befo⁊e mentioned, as ſhall at anie time within the ſaide fo⁊tie daies, o⁊ within thr⁊ee daies after that hee ſhall hereafter come into this Realme, o⁊ anie other her highneſſe Dominions, ſubmit himſelfe to ſome Archbiſhop o⁊ Biſhop of this realm, o⁊ to ſome Juſtice of Peace within the Countie where he ſhall arriue o⁊ lande, & doe thereupon truely and ſincerely befo⁊e the ſame Archbiſhop, Biſhop, o⁊ ſuch Juſtice of peace, take the ſaid othe ſet fo⁊th in Anno primo, and by writing vnder his hande confeſſe and acknowledge, and from thencefo⁊th continue his due obedience vnder her Highneſſe Lawes, Statutes and O⁊dinances, made and p⁊ouided, o⁊ to be made o⁊ p⁊ouided in cauſes of Religion.

P⁊iest

Archbiſhop Biſhop Juſt. of P.

Othe

p⁊ouided alwaies, if it happen at anie time hereafter, any Peere of this realme to be indicted of anie offence made Treaſon, felonie o⁊ Præmunire by this act, that he ſhall haue his triall by his Peeres, as in other caſes of Treaſon, felonie o⁊ Præmunire is accuſtomed.

Peere of the realme Indict

Triall

p⁊ouided neuertheleſſe, and it is declared by auth⁊itie afo⁊eſaide, that if anie ſuch Jeſuite, Seminarie p⁊ieſt o⁊ other p⁊ieſtes abouеſaid, ſhall fo⁊tune to be ſo weake o⁊ infirme of bodie, that he o⁊ they may not paſſe out of the Realme by the time herein limitted without imminent danger of life, & this vnderſtood as well by the co⁊po⁊all othe of the partie, as by other good meanes, vnto the Biſhop of the Dioceſſe, & two Juſtices of Peace of the ſame Countie where ſuch perſon o⁊ perſons do dwell o⁊ abide: That then & vpon good and ſufficient bande of the perſon o⁊ perſons, with ſureties of the ſumme of CC. li. at the leaſt, with condition that he o⁊ they ſhal be of good behauiour towards our Soueraigne Ladie the Quéene, and all her liege people: Then he o⁊ they ſo licenſed and doing as is afo⁊eſaid, ſhal and may remaine and bee ſtill within this Realme, without any loſſe o⁊ daunger to fall on him o⁊ them by this act, ſo⁊ ſo long time as by the ſame Biſhop and Juſtices ſhal be limitted & appointed, ſo as the ſame time of abode exceéde not the ſpace of ſixe moneths at the moſt: And that no perſon o⁊ perſons ſhall ſuſtaine anie loſſe, o⁊ incurre any daunger by this Act, ſo⁊ the receiuing o⁊ maintayning of any ſuch perſon o⁊ perſons ſo licenſed as is afo⁊eſaid, ſo⁊, and during ſuch time onely as ſuch perſon

Othe

Biſhop Juſt. of P.

Obligation

6. Moneths

person or persons shalbe so licenced to tarie within this Realme: Any thing conteined in this act to the cõtrary notwithstanding.

And bee it also further enacted &c. that euery person or persons being Subiect of this realme, which after the said xl. dayes shal know & vnderstand that any such Iesuite, Seminary Priest, or other Priest aboue saide, shall abide, stay, tarry, or be within this realme, or other the Quénes Dominions and Countries, contrarie to the true meaning of this act, shall not discouer ẏ same vnto some Iustice of peace or other higher Officer, within twelue dayes next after his saide knowledge, but willingly conceale his knowledge therein: that euery such offender shall make fine and bee imprisoned at the Quénes pleasure, and that if such Iustice of peace, or other such Officer to whom such matter shalbe so discouered, doe not within xxviii. daies then next following, giue information therof to some of the Quénes priuie Counsell, or to the President or Vicepresident of the Quénes Counsell established in the North, or in the Marches of Wales for the time being: that then he or they so offending, shal for euery such offẽce forfait the summe of two hundred markes.

And be it likewise enacted by the authoritie aforesaid, that such of ẏ priuy Counsell, President, or Vicepresidẽt, to whom such information shalbe made, shall thervpon deliuer a note in writing subscribed with his own hand, to ẏ party by whome he shall receiue such information, testifying that such information was made vnto him.

And be it also enacted, that al such othes, bondes, and submissions, as shalbee made by force of this act as aforesaid, shalbe certified into the Chauncery by such parties before whom ẏ same shalbe made, within three moneths after such submission, vpon paine to forfait & lose for euery such offẽce, an hundred pound of lawful English money, the said forfaiture to be to ẏ Quéne, her heires and successors. And that if any person so submitting himself as aforesaid, do at any time within the space of v. yéeres after such submission made, come within tenne miles of such place where her Maiestie shalbee, without especiall licence from her Maiestie in that behalf to be obteined in writing vnder her hande: that then, and from thencefoorth, such person shall take no benefite of his saide submission, but that the same submission shalbee voide, as if the same had neuer bẽn. 27. Eliz. cap. 2.

Inst. of P.

Fine Imprison Inst. of P.

Forf.

Note subscribed

Chancery

Forf.

Tenmiles

32 ¶ Forasmuch as through corruption, or negligent keeping, the recordes of attainders of treason happẽ many times to be impayred, blemished, or otherwise to be defective. Be it ordeined & enacted by authoritie of this present Parliament, that no record of attainder that now is of any person or persons of or for any high treason, where the partie so attainted is or hath bin executed for the same treason, shal by the heire or heires of any such person, or by any other whatsoeuer claiming in, from, by or vnder any such heire or heires, be in any wise hereafter reuersed, vndone, auoided, or impeached, by any plea, or for any error whatsoeuer.

Recoрus

Error

Prouided alwayes neuertheless, that this acte nor any thing therein conteined, shall in any wise extend to any recorde of attainder of or for any treason vpõ which any writ of Errour is now depending, or which recorde is already reuersed, repealed, or vndone, by or for any Errour, matter, plea, or cause whatsoeuer: but that ẏ same shalbe & remaine as vnto & against that partie, at whose suite the same pursuite of Error is depending, or at whose Writ the same Record hath bin reuersed, repealed or vndone, and his & her heires & Assignes onely, as if this Acte had neuer bene had or made. Any thing in this act to the contrarie therof notwithstanding. Anno 29. Eliz. cap. 2.

Attainder

¶ Trespasse.

IT is prouided also that Shirifes shall plead pleas of trespasse in their counties, as they haue bene accustomed to be pleaded. And that none from henceforth shall haue writs of trespasse before Iusticers, vnlesse he sweare by his faith, that the goods taken away, were worth fourtie shillings at the least. And if hee complaine of beating, he shall sweare by his faith that his plaint is true. Touching wounds and maymes, a man shall haue his writ as before hath bene vsed. And it is agreed, ẏ defendãts in such pleas may make theyr Atturneys, where appeale lyeth not, so that if they bee attaynted being absent, then the shirife shalbe commanded to take them, & shal haue like paine as they should haue had, if they had

Shirifes Countie

Writtes

xl. s. Battrie Othe

Maims

Atturney

Attaint Shirife

bæn p̄ſent at the iudgement giuen. And if the plaintifes, from hence foꝛth in ſuch treſpaſſes cauſe themſelues to be eſſoined after the laſt appearance, day ſhalbe giuē them vnto the comming of the Juſtices in eyꝛe, and the defendants in the meane time ſhalbe in peace. In ſuch pleas and other, whereas attachements & diſtreſſes do lie, if the defendant eſſoine himſelfe in the kings ſeruice, and doe not bꝛing his warrant in at the day giuen him by the eſſoine: It is pꝛouided, that he ſhal recompence the plaintife dāmages foꝛ the iourney twentie ſhillings oꝛ moꝛe, after the diſcretion of the Juſtices, & neuertheleſſe ſhalbe grieuouſly amerced vnto the king. Glouceſter cap. 8. Anno. 6. E. 1.

Eſſoine

Dāmages

¶ Triall.

Where in times paſt many haue bæne often times delaped of their action aſwell in aſſiſes & other pleas of lands, as in contracts, couenants, and treſpaſſes, by reaſon that the tenants oꝛ defendāts haue put in barre a releaſe, quite claime, oꝛ other ſpeciall dēd made within a franchiſe within the bounds of the Realme where the kings wꝛit runneth not: It is enacted & eſtabliſhed, that when any ſuch dēds be put foꝛth in barre of any action bearing date in a place within ſuch franchiſe, although there be witneſſes of ẏ ſame franchiſes, named in the ſame dēds, if the ſame dēds be denied, pꝛoceſſe ſhalbe made into the ſame countrie where the plea ſhalbee moued to haue the enqueſt of ẏ countrey and the witneſſes, and if the witneſſes come not at the great diſtreſſe returned, then foꝛ the abſence of the witneſſes, the Juſtices ſhall not let to pꝛocēd to the taking of the enqueſt, aſwell as if ſuch did beare date in the ſame ſhire where the plea was mooued, and that the witneſſes were not of the ſame County. Anno 9. E. 3. cap. 4.

Delayed

Pꝛoces

Enqueſt

Witneſſes

2 ¶ Sée Baſtardy 2. foꝛ the tryall of Baſtardy. Anno 27. Edw. 3. ſtatut. ſtaple. cap. 8.

3 ¶ An. 9. R. 2. ca. 4. It is enacted that an iſſue, whether a Pꝛiour be datiue oꝛ remoueable, ſhalbe tried by the Dꝛdinary.

Pꝛiour Dꝛdinary

4 ¶ An. 27. E. 3. ſtatut ſtaple. ca. 8. and An. 28. Edw. 3. cap. 13. (which two actes be in ſtaple 7. and 21.) it is enacted foꝛ triall per medietatem linguæ. And after Anno 8. H. 6. cap. 28. it is enacted as followeth. The king &c. hath declared that the ſaide laſt eſtatute made in the time of his father (See Anno 2. H. 5. cap. 3. which is in Juroꝛs 9.) ſhall not be pꝛeiudiciall to the ſaide firſt oꝛdinance (S. Anno 25. Edw. 3. ſtatute ſtaple. cap. 8. and Anno 28. Edw. 3. cap. 13. which be in Staple 7. and 21. concerning triall per medietatem linguæ) ſhall not extend but onely to the inqueſts to bee taken betweene denizen and denizen, and not to the other enqueſtes and pꝛooues aboueſaide. And the ſaid firſt oꝛdinance to be effectual & ſtand in his foꝛce, and to be put in due execution accoꝛding to the foꝛme of the ſame. The ſaid laſt ſtatute (S. Anno 2. H. 5. cap. 3.) oꝛ that the aliens not hauing landes oꝛ tenements, to the value of xl. s. by the yeere accoꝛding to the effect of the ſaide latter ſtatute and oꝛdinance, (S. of Anno. 2. H. 5. cap. 3. which is in Juroꝛs 9.) notwithſtanding. An. 8. H. 6. cap. 28. See moꝛe of Triall per medietatem linguæ. Attaint 13. and Egyptians 1. 2.

Denizen

5 ¶ In which ſtatutes (See Mag. carta cap. 30. which is in accuſation 1.) is no mention made how women and Ladies of great eſtate becauſe of their huſbandes Peeres of the land, married oꝛ ſole, that is to ſay, ducheſſes, counteſſes, oꝛ baronneſſes, ſhalbe put to aunſwere, oꝛ beꝛoꝛe what Judges that they ſhalbe iudged vpō indictmentes of treaſons, oꝛ felonies by them committed oꝛ done, by cauſe wheꝛof it is an ambiguitie in the law of Englād, beꝛoꝛe whome and by whome ſuch Ladies ſo indicted ſhalbe put to aunſwere and be iudged: Our ſaid Soueraigne Loꝛde the king willing to put out ſuch ambiguities and doubts, hath declared by authoꝛitie afoꝛeſaide, that ſuch Ladies ſo indicted oꝛ hereafter to bee indicted of any treaſon oꝛ felony, by them done oꝛ hereafter to bee don, whether they be married oꝛ ſole, that thereof ſhalbe bꝛought in anſwere, & put to aunſwere & iudged beꝛoꝛe ſuch Judges & Péeres of the Realme, as Pæres of the Realme ſhould be if they were indicted oꝛ impeached of ſuch treaſons oꝛ felonies don oꝛ hereafter to be done, and in like maner and foꝛme, and in none other wiſe. Anno 20. H. 6. cap. 9.

Women

Judges

Ladies

6 ¶ Anno 23. H. 6. cap. 12. an Acte was made to endure to the next Parliament concerning triall of foꝛreine pleas pleaded after iſſue ioyned.

Foꝛreine pleas

7 ¶ If any murderer oꝛ felon vpō his arraignement hereafter, doe alledge, that hee hath taken any Church, oꝛ Churchyard

Felon

yard for murder, felonie, or other place priuileged for the same in a forrein countie, & against his will taken out thereof: that then the kings Atturney, or any other person that will sue or alledge for the King, that the saide murderer or felon so arraigned, was taken at large in ỳ same shire, where he is so arraigned, that then the same allegeance & tilue to be tryed by the enquest that should try the saide murder or felony within the same shire, & before the same Justice, where the said murderer or felon is arraigned, as though ỳ said forreine plea had not been pleaded by the said felon. And if it be founden by the same inquest, that the said murderer or felon was taken within the same shire (as is aforesaid) that then he to haue none aduantage or benefite of the matter alledged by him for taking out of the Church or Churchyard, or other place priuileged, in any such forreine shire, and this acte to endure to the next Parliament. Anno 4. cap. 2. And after Anno 22. H. 8. ca. 2. it is reuiued and made perpetuall.

Forreine county

K. Atturny

Enquest

Forreine plea

8 ¶ All treasons, felonies, robberies, murders and confederacies hereafter to be committed, in, or vpon the Sea, or in any other hauen, riuer, creeke or place where the Admirall or Admiralls haue or pretend to haue power, authoritie or iurisdiction, shalbe enquired, tryed, heard, determined and iudged in such shires and places in the realme, as shalbee limitted by the kings commission or commissions to be directed for the same, in like forme & condition as if any such offence or offences had beene committed or done in or vpon the land, and such commissions shall be had vnder the kings great Seale directed to the Admirall or Admirals, or to his or their lieutenant, deputie & deputies, and to three or foure such other substantiall persons, as shalbee named or appointed by the Lorde Chauncellor of England for the time being, from time to time, and as oft as neede shall require, to heare and determine such offences, after the common course of the lawes of this lande, vsed for treasons, felonies, robberies, murders, and confederacies of the same, done and committed vpon the lande within this Realme.

Treasons Felonies

Sea

Admiral

L. Chancellor

Diers ter.

And be it ec. that such persons to whom such commission or commissions shalbee directed, or foure of them at the least shall haue full power & authoritie to enquire of such offences, and of euery of them, by the othes of twelue good and lawfull inhabitants in the shire, limited in their commission, in such like manner and forme, as if such offences had bin committed vpon the lãde within the same shire. And that euery indictment found & presented before such commissioners of any treasons, felonies, robberies, murders, manslaughters, or such other offences committed or done, in, or vpon the seas, or in, or vpon any other hauen, riuer or creeke, shal be good & effectuall in the law.

Commissioners

Enquire

Othes

Indictment

And if any person or persons happen to bee indicted for any such offence done, or hereafter to be done vpon the seas, or in any other places aboue limitted, that then such order, processe, iudgement & executiõ shal be vsed, had, done and made to, and against euery such person and persons, so being indicted, as against traitours, felõs & murderers, for treason, felony, robbery, murder, or other such offences done vpon the lande, as by the lawes of the Realme is accustomed.

Iudgement

And that the triall of such offence or offences, if it be denied by the offender or offenders, shalbe had by twelue lawful men, inhabiting in ỳ shire limitted within such commission, which shalbe directed as is aforesaide, and no challenge or challenges to be had for the hundred.

Triall

No challenge

And such as shal bee conuict of any such offence or offences, by verdict, confessiõ or proces by authority of any such commission, shall haue and suffer such paines of death, losses of lands, goods & cattels as if they had been attainted and conuicted of any treasons, felonies, robberies or other the said offences done vpon the land.

Conuict

And be it ec. that for treasõs, robberies, felonies, murders and confederacies done vpon the sea or seas, or in any place aboue rehearsed, the offenders shal not be admitted to haue the benefit of his or their clergie, but bee vtterly excluded thereof, and from the same, and also of the priuiledge of any sanctuarie.

Treasons Murders Felonies Seas

Clergie

Sanctuarie

Prouided alway, that this act extẽd not to be preiudicial or hurtful to any persõ or persons, for taking any vitailes, cables, ropes, anckers or sayles, which any such person or persõs, (compelled by necessity) taketh of or in any ship, which may cõueniently spare ỳ same, so that the same person or persons pay out of hande for ỳ same vitaile, cables, ropes, anckers or sailes, money or money worth, to ỳ value of the thing so taken, or to deliuer for the same a

Vitailes Ropes Anckers Necessitie

Pay

Obligation

sufficiēt bil obligatory to be paid in forme following: That is to say, if the taking of the same thinges be on this side the straits of Marrocke, then to be paid within foure monethes. And if it bee beyond the saide straites of Marrocke, then to bee payed within viii. monethes next ensuing the making of such billes. And that the makers of such billes well & truely paye the same debt at the day to bee limitted within the said billes.

Marrocke 4. moneths.

12. moneths

Prouided alway, that whensoeuer any such commission for the punishment of the offences aforesaid, or of any of them, shall be directed or sent to any place within the iurisdiction of the fiue Ports: that then euery such commission shal be directed vnto the lorde Warden of the said fiue Ports for the time being, or to his deputie, & vnto three or foure such other person or persons, as the Lord Chancellor for the time being shal name and appoint: Any thing in this present acte to the contrarie notwithstanding. An. 28. H. 8. cap. 13.

Cōmission

v Ports

L. Warden

L. Chancellor

9 ¶ Note that An. 27. H. 8. cap. 4. is an act made almost worde for worde like vnto this, made in Anno 28. H. 8. cap. 15. And because this latter acte is somewhat large, and encludeth more then that former act, therefore I haue not put here that former acte.

10 ¶ For the spedy tryall and punishment of such persons as haue committed & done, or hereafter shal commit and perpetrate any maner of treasons, or misprisions of treasons, within the principalitie and dominion of Wales and Marches of the same, or elsewhere within any the kings Dominions, where his graces original writtes in the Chauncery of England commonly runneth not:

Treasons Misprisions Wales

Be it &c. that al such treasons and misprisions of treasons as is aforesaid, shalbe presented & tryed by the othes of twelue men inhabiting, or which shall inhabite within any such shires, & before such commissioners as the kings Maiestie from time to time in such cases shall assigne and appoint by his commission or commissiōs of Oyer and determiner, in like maner and forme, as if such treasons or misprisiōs of treasons had bēn don & committed within such the said shires, into the which the said cōmissions of Oyer & determiner shal be directed as is aforesaide. And that all presentmentes, trials, processes, iudgemēts, executions, & forfaitures hereafter made, had or done by vertue of such commissions, shalbe good & effectual in ye law, to all purposes & intents, any graunt, custome or vsage heretofore made or vsed to the contrarie notwithstanding.

Present Othes

Commissioners

Prouided alwaies that trials of peeres of the Realme concerning treasons, shall be done and had as heretofore hath bin vsed and had accustomed: any thing in this act conteined notwithstanding. An. 32. H. 8. cap. 4.

Peeres

11 ¶ All treasons, misprisions of treasons, murders, manslaughters, bloudsheds and other malicious strikings by reason wherof blood is or shalbe shed against the kings peace, which haue bin done since ye feast of All Saints last past, or hereafter shall bee done within any the palaces or houses of his highnesse or his heires, or any other house or houses at such time as his Maiestie hath bin since the saide feast of All Saints, or hereafter shal happen to be then demurrant or abiding in his roial person: shalbe from henceforth enquired of, tried, heard & determined within any ye Kings places or houses, or other house or houses where his Maiestie or his heires shal hereafter repaire vnto, or be abiding, in maner & forme following: that is to say, before the lorde great master, or lorde steward for the time being of the Kings most honourable houshold, & of his heires & successors. And in the absence of the said lord great master, or lorde steward of the houshold, before the Treasorer & comptroller for ye time being of the kings most honorable houshold, & of his heires & successors, & steward of the Marshalsey for ye time being, or two of them, whereof the steward of the Marshalsey for ye time being to be one, by vertue of their offices, without any Cōmission, or other authoritie or power, other then by authoritie of this present act to be giuen vnto them, or to any of them, which steward of ye Marshalsey shalbe for euer frō time to time assigned & appointed by writing vnder the seale of the said Lord great master, or lord steward for the time being. And whether the K. Maiestie or his heires hath, or at any time hereafter shalbe remoued frō the pallace, house or houses where such offences were or shalbe don, or not remoued before they be enquired of, tried, heard & determined, yet such offēces shall by authoritie of this act, alwaies frō henceforth be enquired of, tried, heard & determined before the K. Maiestie & his heires officers and ministers of houshold before named,

Treasons Misprisions Murders: Bloudsheds

Kings house

Enquirs Triall

L. great master Steward

Treasorer Comptroller

Steward of the Marshalsey Without commission

Seale

or

or two of them as is aboueſaid, by the inquiſition & verdict of his highneſſe and his heires, houſhold ſeruants in his and their check roll, in manner & forme as before and hereafter is expreſſed in this preſent act, & at ſuch pallace, houſe or houſes where his Maieſtie or his heires ſhalbee at any time hereafter demurrāt or abiding. And that al ſuch returnes of proteſte, & all executions & iudgements concerning the premiſſes, ſhalbe had & done by the officers, before & hereafter expreſſed, & in maner and forme as before & hereafter in this preſet act is contained. And that all inquiſitions vpon the view of perſons ſlaine, or hereafter to be ſlaine within any ỹ kings ſaid pallaces or houſes, or other houſe or houſes aforeſaide, ſhalbe by authoritie of this Act had & taken hereafter for euer, by the Coroner for the time being of the houſhold of our ſoueraigne lord ỹ king, or his heirs, without any adioyning or aſſiſting of any other Coroner of any Shire within this realme, by the othe of twelue or moe, of the yeomen officers of the kings & his heires moſt honourable houſhold, returned by the two clerkes comptrollers, the clearke of the check, & clerkes marſhals, or one of them for the time being of the ſaide houſhold, to whom the ſaide Coroner of ỹ ſame houſholde ſhall direct his precept, which Coroner of our ſaide Soueraigne lord the kings houſhold, ſhalbe from time to time named, appointed and aſſigned by the ſaid lord great maſter, or lord ſteward for the time being, & that the ſaid Coroner of the ſaid houſhold ſhall frō time to time for euer, without delay certifie vnder his ſeale, & the ſeales of ſuch perſons as ſhalbe ſo ſworne before him, al ſuch inquiſitiōs, indictments and offices vpon the view of all dead bodies being ſlaine at any time ſith the feaſt of all Saints aforeſaide, or which hereafter ſhalbe ſlaine within any the kings ſaid pallaces or houſes or other houſe or houſes aforeſaid, before the ſaide Lord great Maſter or Lord Stewarde, & in his abſence before ỹ Treaſorer, comptroller and Stewarde of the Marſhalſey aforeſaid, or before two of them, whereof the ſaid Steward of the Marſhalſey to be one: and that ſuch inquiſitions and Offices ſo certified, ſhalbe deemed, adiudged & taken for euer, as good and effectuall in the Law, to all intents, conſtructions and purpoſes, as any inquiſition taken vpon the view of the bodie of any perſon being dead by any Coroner of any Countie of this Realme, hath beene or ſhalbe adiudged or taken.

Houſhold ſeruants Check roll

Iudgemēts

Officers

Inquiſitiōs View

Coroner of houſhold.

Othe

Yeoman

Returne of Clerkes

Coroner

Precept

Certifie

L. great maſter L. ſteward Steward of Marſhalſey

And be it &c. that the ſaide two clerkes comptrollers, Clerkes of the Checque, and clerkes Marſhals, for the time being of the kings ſaid houſhold, & of his heires, or one of them for euer, vpon a precept to them, or to any of them hereafter to bee made by the ſaide Lorde great Maſter or Lorde Stewarde, or in the abſence of the ſaide Lorde great Maſter, or Lorde Stewarde, by the ſaide Treaſourer & Comptroller of the kings moſt honourable houſholde, and the ſaid Steward of the Marſhalſey, or by two of them, whereof the ſaide Stewarde of the Marſhalſey to bee one, ſhall haue full power to ſummon, warne, and returne the names of xxiiii. perſons, being yeoman officers of the Kinges ſaide houſholde, and of his heires in the ſaid Check rolle, to enquire of ſuch treaſons, miſpriſions of treaſons, murders, manſlaughters, & other malicious ſtrikings, by reaſon whereof blood is, or ſhalbe ſhedde againſt the kings peace, before the ſaid Lord great maſter, or Lorde Steward, and in his abſence before the ſaid Treaſourer, Comptroller, and Steward of the Marſhalſey, or before two of them at the leaſt, whereof the Stewarde to bee one. And that it ſhall be lawfull to the ſaide Lorde greate maiſter or Lorde Stewarde, and in his abſence to the ſaide Treaſourer, comptroller, and the ſaide ſteward aforeſaid, or two of them, whereof the ſaide Stewarde to bee one, before whom ſuch returnes ſhall bee made, as aforeſaide, to cauſe ſuch number of the ſaide foure and twenty perſons ſo returned aboue the number of xxii. perſons, as to him or them ſhal ſeeme expedient, to inquire of ſuch Treaſons, miſpriſions of treaſons, murders, manſlaughters, and other malicious ſtrikings, by reaſon whereof blood is, or ſhalbe ſhed againſt the Kings peace, within the ſaide places or houſes, or other the ſaid houſe or houſes, ſith the ſaide feaſt of all Saintes, or at any time hereafter ſhall bee committed or done within the ſaide pallace or houſes, or other the ſaide houſe or houſes. And if any perſon or perſons be indicted by the ſaid Jurie ſo ſworn before them as is aforeſaid, or by inquiſition before the ſaide Coroner of the ſaide houſhold, and certified before the ſaid lord great Maſter, or Lord Steward, or in the abſence of the ſaide Lorde great Maſter, or Lord Steward, before the ſaide Treaſorer,

Clearkes

Summon Warne 24. officers

Enquire

Kings houſe

Indict

loꝛer, comptroller and ſteward, oꝛ beſoꝛe two of them, wherof the ſaide ſteward to be one, as is afoꝛeſaid: that then immediatly without delay the ſaide Loꝛde great maſter oꝛ Loꝛd ſteward, & in his abſence the ſaid treaſoꝛer, comptroller & ſteward, oꝛ two of them, wherof the ſaid ſteward to be one, beſoꝛe whome the ſaid pꝛeſentment, inquiſition oꝛ indictment, ſhal ſo be found oꝛ certified by the ſaid Coꝛoner of ẏ ſame houſhold, ſhal arraigne beſoꝛe them all & euery ſuch perſon & perſons ſo indicted, accoꝛding to the courſe of the comm̃ law of this realme, & foꝛthwith after iſſue ioyned betweene the king our ſoueraigne Loꝛd, his heires oꝛ ſucceſſoꝛs, & the pꝛiſoner ſo arraigned, the ſame day & place, oꝛ any other day & place, at the pleaſure of the ſaid loꝛd great maſter oꝛ loꝛd ſteward, & in his abſence at the pleaſure of the ſaid treaſoꝛer, comptroller and ſteward of the Marſhalſey, oꝛ two of them, as is afoꝛeſaid ſhal make another pꝛecept to the ſaid clerks, comptrollers, clerks of ẏ Checke, & clerkes Marſhals foꝛ the time being of the ſaid houſhold, oꝛ to one of them, to ſũmon & returne one other Jury of 24. perſons, oꝛ to appeare beſoꝛe the ſaide Loꝛde great maſter oꝛ loꝛd ſteward, & in his abſence beſoꝛe the ſaid treaſoꝛer, comptroller, & ſteward of the Marſhalſey, oꝛ beſoꝛe two of them, wherof the ſame ſteward to be one, at ſuch day, time & place, and vpon ſuch paine as ſhalbee then limitted & appointed, of the ſeruants & gentlemen officers of the kings chamber, his heires and ſucceſſoꝛs, & of the ſaide houſholde, which now take oꝛ hereafter ſhall take wages by the kings Checke rolle. And that the ſaid Loꝛd great maſter, oꝛ Loꝛde ſteward (if he bee there pꝛeſent) oꝛ in his abſence the ſaid treaſoꝛer, comptroller & ſteward of the ſaide Marſhalſey, oꝛ two of them, whereof the ſame ſteward to be one, beſoꝛe whom ſuch Jury ſhalbe ſo returned, ſhal cauſe xii. of ẏ ſame Jury to be ſwoꝛne without any maner of challenge to be had oꝛ allowed foꝛ any maner of cauſe, to any of the ſaide Jury (malice onely excepted) truely to trie betweẽ our ſaid ſoueraigne Loꝛd the king & his heires, & ſuch perſon & perſons as ſhalbe ſo indicted & arraigned, of ſuch treaſons, miſpꝛiſions of treaſons, murders, manſlaughters, & other malicious ſtrikings, by reaſon whereof blood is oꝛ ſhalbe ſhed againſt the kings peace, oꝛ of any of them. And if any ſuch perſon oꝛ perſons, ſo indicted & arraigned, be founde guiltie of any treaſon, miſpꝛiſion of treaſon, murders oꝛ manſlaughters: that then al & euery ſuch perſon & perſons ſo founde guiltie, ſhal haue iudgemẽt of life & members, & ſuffer ſuch paines of death, & ſhall foꝛfait al their manoꝛs, lands, tenemẽts, goods, cattels, in like maner & foꝛme as if the ſaid perſon & perſons had bẽne founde guiltie of any the ſaide offences by the oꝛder of the common lawes of this realme, without allowing to any ſuch perſon oꝛ perſons ſo found guiltie of any the ſame offences, the benefite of his oꝛ their clergie, oꝛ pꝛiuiledge of any ſanctuarie.

And if any perſon oꝛ perſons ſo arraigned, bee found guiltie foꝛ malicious ſtriking, by reaſon wherof blood is, hath bin, oꝛ ſhalbee ſhed againſt the kings peace, within the ſaide place oꝛ houſe, oꝛ any other houſe, oꝛ any other the ſaide houſe oꝛ houſes: that then euery ſuch perſon and perſons ſhal from henceforth haue iudgement by the ſaide Loꝛde great maſter, oꝛ Loꝛde Stewarde (if he be pꝛeſent) and in his abſence, by the other beſoꝛe named, beſoꝛe whom ſuch perſon oꝛ perſons ſhall be ſo found guiltie, to haue his right hand ſtriken off beſoꝛe the ſaid Loꝛd great maſter, oꝛ Loꝛd Steward (if he be there pꝛeſent) and in his abſence beſoꝛe the ſaide treaſoꝛer, comptroller, and ſteward of the Marſhalſey, oꝛ two of them at the leaſt, wherof the ſaid ſteward to be one, and at ſuch place and time as hee oꝛ they beſoꝛe whome ſuch perſon and perſons ſhalbee ſo found guiltie, ſhal appoint execution to be done, and the ſame execution to be don by ſuch perſons, as ẏ ſaid loꝛd great maſter, oꝛ loꝛd ſteward (if he be there pꝛeſent) and in his abſence as the ſaid treaſoꝛer, comptroller and ſteward of the Marſhalſey, oꝛ two of them, wherof ẏ ſteward to be one, ſhal name oꝛ appoint, and alſo ſhall haue iudgemẽt to haue perpetual impꝛiſonmẽt during his life, & ſhal pay fine & raunſome at the kings Maieſties pleaſure, his heirs & ſucceſſoꝛs. And foꝛ the further declaration of the ſolemne and due circumſtance of the execution appertaining, and of a long time vſed and accuſtomed to and foꝛ ſuch malicious ſtriking, by reaſon wherof blood is, hath bẽne, oꝛ hereafter ſhall bee ſhed againſt the kings peace: It is therefoꝛe &c. that the Sergeant oꝛ chiefe Surgeon foꝛ the time being, oꝛ his deputie of the kings houſholde, his heires and ſucceſſoꝛs, ſhalbee readie at the place and time of execution, as ſhalbe appointed, as

is

Arraigne

Pꝛecept Clerkes

Summon Jury 24. perſons

Kings ſeruants

Sweare. xii

No challenge

Malice

Guiltie

Judgement Fork.

Clergie Sanctuary

Bloodſhed

Iudgemẽt L. great maſter L. ſteward

Hand cut off

Steward of Marſhalſey

Executioner

Impꝛiſon Fine

Circumſtance

Chiefe Surgeon

is afore saide, to seare the stumpe, when the hand is so striken off. And the Sergeant of the Pantrie for the time being of ỳ said houshold, or his deputie, shalbe also then & there, ready to giue bread to ỳ party that shal haue his hand so stricken off. And the Sergeant of the seller for ỳ time being of the same houshold, or his deputie shal also be then & there ready with a pot of redde wine, to giue the same party drink, after his hand is so striken off, and the stumpe seared. And the Sergeant of the Ewry for the time being of the same houshold, or his deputie, shall also be then & there readie with clothes sufficient for ỳ Surgeon to occupie about the same execution.

Sergeant of the Pantrie

Sergeant of the seller.

Red wine

Sergeant of the Ewry

And the yeoman of the Chandry for the time being of the same houshold or his deputy, shal also be then & there, and haue in readinesse seared clothes sufficiẽt for the surgeon to occupy about the same execution. And the maister Cooke for ỳ time being of the same houshold, or his deputie, shal also be then & there ready, & bring wt him a dressing knife, & shal deliuer ỳ same knife at the place of execution, to ỳ Sergeant of the Larder for the time being of the same houshold, or to his deputie, who shalbe also then & there ready, and hold vp right the said dressing knife til execution be done. And the Sergeant of ỳ Poultry for the time being of the same houshold, or his deputy, shalbe also then & there ready with a Cocke in his hand ready for ỳ surgeon to wrap about the same stump, whẽ the hand shalbe so stricken off. And ỳ yeoman of the scullary for the time being of the same houshold or his deputie to be also then & there ready, and prepare & make at the place of execution a fire of coales, & there to make ready searing yrõs, against the saide surgeon, or his deputie shall occupy the same.

Yeoman of the Chandry

Maister Cooke

Dressing knife

Sergeant of the Larder

Sergeant of the Poultry

A cocke

Yeoman of the scullery

A fire

And the Sergeant or chiefe ferrour, for the time being of the same houshold, or his deputy, shalbe also then & there ready, and bring with him the searing yrons, & deliuer the same to the same Sergeãt or chief Surgeon, or to his deputy when they bee hot. And the grome of the Salsery for the time being of the same houshold or his deputie, shalbe also then & there ready with vineger and cold water, and giue attendance vpon the surgeon or his deputy, vntil the same execution bee done. And the Sergeant of the woodyard for the time being, of the same housholde, or his deputie, shal bring to the said place of execution a blocke with a betell, a staple and cords to binde the said hand vpon the block, while execution is in doing.

Sergeant ferrour

Searing yrons

Grome of the Salsery

Vineger

Sergeant of the woodyard

And bee it &c. that if any person or persons so indicted of Treason, misprision of treason, murder, manslaughter or other malicious striking, by reason whereof blood is, hath bẽn, or shalbee shed against the kings peace, as is aforesaid, & thereof be arraigned, & obstinatly refuse to answer directly to the same offences whereof he or they be so indicted, or if such person or persõs so indicted & arraigned stand mute, & wil not speake: then such person & persons so refusing to answere, or standing mute, shalbe conuict, iudged and deemed guiltie of the thing whereof he or they is or shalbe so indicted & arraigned, & shall haue iudgement to haue like paines of death & other paines, punishmẽts, executiõs, forfaitures, losses & seisours of landes, tenements, goods & cattels for the same, as he or they ought, or should haue had for such like offences, if he or they were or shoulde be found guilty therof by the verdict of xij men. And bee it &c. that the saide clerkes, comptrollers, clerkes of the Checke, and clerks marshals, or one of them for the time being, shal from time to time name, assigne & appoint a Cryer to the Proclamations, & to call the Iuries, & to do other things as becommeth a Cryer of a court to do belonging to the office. Prouided alway, and be it &c. that this acte before rehearsed concerning malicious strikings, by reason whereof blood is, hath bin or shal be shed against the kinges peace, ne the paines & forfaitures before rehearsed for the punishment of the same, shal not in any wise extend or be preiudiciall or hurtful to any noble man, ne to any other person or persons, that shall happen to strike his or their seruants within the saide palaces or house, or any other house or houses aforesaide, or within the limits of the same, with his or their handes or fists, or with any small staffe or stick, for any offẽces committed & done, for correction & punishment to be committed & don to any of the kings officers or seruaunts that shal strike any person within the same palaces or house, or any other house or houses aforesaid, although by reasõ of ỳ said stroke or strokes there happen to bee any blood shed of such person as shalbee so striken, except the person so strikẽ do die of ỳ same stroke within one yeere next after ỳ same stroke so giuen. Prouided also and bee it

Refuse

Mute

Conuict

Indictment

Clerkes

Cryer

Bloodshed

Nobleman

Triall Peeres

&c. that the triall of Peeres of this realme for cõmitting or doing any offẽces in this act before mentioned, shalbe as it hath bin vsed in times past, any thing in this acte conteined to the cõtrary notwithstãding. Prouided also ỳ the libertie & iurisdiction

Marshalsey Clerge

of the Marshalsey court, and circuit of the Clerge shalbe in all points, priuiledges & authorities vsed by the ministers & officers of ỳ same, in as ful & as ample maner as it hath bin heretofore lawfully vsed for murders, felonies offẽces & al trespasses, contracts & other suites whatsoeuer they be, any thing in this acte to the contrary notwithstanding.

And forasmuch as before this time one Richarde Stauerton of Lincolnes Inne, gentleman, was comaunded & appointed by the kings Maiestie to occupie ỳ office of the Coroners of his said house, by force whereof hee hath continued officer in the same by the space of 16. yeres or more: Be it &c. ỳ the saide Richard Stauerton shall haue, occupy & enioy the said office of Coroner during his life, together wt all such profits & commodities as before this time haue bin due & appertaining in any wise to the same. And after his decease, ỳ saide Coroner alwaies to bee made aswell signed & appointed by the saide Lorde great

Coroner

L. Steward

master or lord steward for the time being.

And for that hereafter it might be doubted, how farre the limits & bounds of the said house or houses should extende to bee taken, within which limits or bounds any the said offences, which hath bin committed or done sith the said feast of al Saints, or hereafter shalbe committed or don, for the which all & euery person & persons so offending, should haue & suffer the pains, penalties, & forfaitures, as is aforesaide: for the plaine declaration thereof, and for the auoiding of all doubtes and questions which may hereafter happen to arise of, for, or vpon the same: Be it &c. that the limits & bounds of the saide house & houses, within which any the offences aforesaide now committed or done sith the said feast of al Saints, or hereafter to be committed or done, shalbee punished as is aforesaid, shall extend & bee taken within these

Bounds

Places

places ensuing, & in none other, that is to say: within any edifices, Courts, places, gardens, orchards or houses, within the porters warde of any of the house or houses aboue rehearsed, or within any gardens, priuie walks, orchardes, tyltyards, woodyards, tennis playes, cockefightes, bowling alleys neere adioyning to any of the houses aboue rehearsed, & being part of the same, or within two hundred foote of the standarde of any outwarde gate or gates of any the houses aboue rehearsed, commonly vsed for passage out or from any the house or houses aboue rehearsed.

200. foote

Prouided alwais ỳ this act shal not take effect, or be put in execution, til, from, & after the first day of May next ensuing, except only for murders & manslaughters, for the which offences of murders & manslaughter, the same to take effect from the feast of all Saints last past, according to the tenour & effect of the said act. Prouided alway &c. that this act before rehearsed concerning malicious strikings, by reason wherof blood is, hath bin or shal be shed against ỳ kings peace, ne the paines & forfaitures before rehearsed for the punishmẽt of the same, shall not in any wise extend or be prejudicial or hurtful to any noble man, ne to any other person or persons, that shal happẽ to strike his or their seruants within ỳ said palaces or houses, or any other house or houses, place or places aforesaide, or within the limits of the same, with his or their handes or fistes, or with any small staffe or stick for correctiõ & punishment for any offences committed & done, or to be committed & done, ne to any of the kings officer or officers, that in the executing of his or their office, shall strike any person or persons with his or their handes or fistes, or with any small staffe or stick, or with any staffe cõmonly called a tipstaffe, within the same pallace or house, or any other pallaces or houses, or places aforesaid, ne to any persõ or persons that in doing seruice at any triumph, or any other time of seruice by the kinges commaundement, or of any his graces Counsel, or other his graces head officers shal happen for their executing of the said seruice, to strike any person or persons wt his or their handes or fistes, or with any small staffe or stick, or with any staffe cõmonly called a tipstaffe, within the same pallace or house, or any other pallaces or houses, or place or places aforesaide, although by reason of the same stroke or strokes there happen to bee any bloodshed of such person as shalbe so striken, except the person do die of the same stroke within one yere next after the stroke so giuen. An. 33. H. 8. cap. 12.

Malicious striking

Noble man

Seruants

Officers

Triumph

Die Dutyers

12 ¶ If any person or persons, being examined before ỳ kings counsell or three

of

of them, vpon any maner of treasons, misprisiõs of treasõs or murders, do confes any such offence, or that the said counsel or three of them, vpon such examination, shal think any persõ so examined, to be vehemently suspected of any treason, misprisions of treasons or murder: that then in euery such cases by the K. commandemẽt, his maiesties commission of oyer & terminer, vnder his highnes great seale shalbe made by the Chancellor of Englande, to such persons, & into such shires or places, as shal be named & appointed by ỳ kings highnes for the spẽdy tryall, conuiction or deliuerance of such offenders, which commissioners shall haue power & authority to inquire, heare & determine al such treasons, misprisions of treasons & murders, within the shires & places limited by their Commission, by such good & lawful persõs as shall be returned before them by ỳ shirife or his minister, or any other hauing power to returne writs & proceße for the purpose, in whatsoeuer other Shire or place within the K. dominiõs or without, such offẽces of treasõs, misprisiõs of treasõs or murders so examined, were done or committed, & ỳ in no such cases no chalẽge for the shire or hundred shall bee allowed. Prouided ỳ vpon the trial of such treasõs, misprisiõs of treasõs & murders, ỳ chalẽge to any iuror for lack of frẽhold of ỳ yerely value of xl.s. shal be allowed as hath bẽn accustomed. Prouided also, that if any the péres of the realme shal happen to be indicted of any of ỳ offẽces aforesaid, by vertue of any such cõmission to be granted by authority of this act, yet neuertheles they shall haue their trial by péres, in like maner & forme as heretofore hath bin vsed, any thing in this act cõteined, or any thing to be done by vertue thereof in any wise notwithstanding. Anno 33. H. 8. cap. 23.

Confesse

Cõmission

Chancellor

Commissioners

Chalenge xl.s. freehold

Peeres

13 ¶ Sée treason 15. for triall of treason of them that become mad in lunacie.

14 ¶ All maner of offences being already made or declared, or hereafter to bee made or declared, by any the lawes & statutes of this Realme, to be treasons, misprisions of treasõs, or concealmẽts of treasons, & done, perpetrated or commited, or hereafter to be done, perpetrated or committed by any persõ or persons out of this realm of England, shal be from hẽceforth inquired of, heard & determined before the kings Iust. of his Bench for pleas to bee holden before himselfe, by good & lawfull men of the same shire where ỳ said Bench shall sit & be kept, or els before such cõmissioners, in such shire of the realme, as shal bee assigned by the kings maiesties commissiõ, & by good & lawful men of the same shire, in like maner & forme, to al intents and purposes, as if such treasons, misprisions of treasons, or concealments of treasons had bin done, perpetrated & committed within the same shire, wher they shal be so inquired of, heard & determined, as is aforesaide. Prouided alwaies, that if any the péres of this realme shall happen to be indited of any such treasons or other offences aforesaid, by authority of this acte: That then after such inditemẽt, they shal haue their tryall by their péres in such like maner and forme as hath bin heretofore accustomed. Anno 35. H. 8. cap. 2.

Treason Misprision

K. Iustices

Commissioners

Peeres

Triall

15 ¶ To prouide remedy in the cases hereafter following, wheras before there was no sufficiẽt remedy prouided because iurors in one coũty could not take knowledge of things done in another county, & for ỳ safegard of mans life, duly to punish offences: Be it &c. that where any person or persõs hereafter shalbe feloniously striken, or poisoned in one countie, & die of the same stroke or poisoning in another county, that then an indictment therof foundẽ by Iurors of the county where the death shall happen, whether it shalbe founden before the Cozoner vpon the sight of such dead body, or before the Iust. of peace or other Iustices or Cõmissioners, which shal haue authority to inquire of such offẽces, shalbe as good & effectual in the law, as if that stroak or poisoning had bin committed and done in the same Countie, where the partie shall die, or where such indictment shal be so founden, any law or vsage to the contrarie notwithstanding.

Striken Poisoned

Inditement

Cozoner Iust. of P.

And that the Iustices of gaole deliuery, and oyer and terminer, in the same Coũty where such indictmẽt at any time hereafter shall be taken: And also the Iustices of the kings Bench, after such indictment shall bee remoued before them, shall and may proceed vpon the same, in all pointes as they should or ought to doe in case such felonious stroke & death thereof ensuing, or poysoning and death thereof ensuing, had growen all in one same County. And that such party, to whom appeale of murder shall be giuen by the lawe, may commence, take and sue appeale of murder in the same Countie, where the party so feloniously striken or poisoned, shall die, as well against the principal and principals,

Iust. of G. Iustice of Oier & ter.

Iust. of K. Bench

Appeale

Coũty Die Principal

as against euery accessary to ẏ same offẽces, in whatsoeuer county or place the accessary or accessaries shalbe guilty to the same. And further ẏ iustices before whom any such appeale shalbe cõmensed, sued & taken within the yere and day after such murder & manslaughter cõmitted, & done, shall proceed against all & euery such accessary and accessaries, in the same county where such appeal shalbe so taken, in like maner & forme, as if ẏ same offence or offences of accessary or accessaries, had bin committed & done in ẏ same coũty where such appeale shalbe so taken, aswel cõcerning the trial by the Iurors of 12. men of such County where such appeale or appeales shalbe hereafter taken vpon ẏ plee of not guilty, pleaded by such offendor or offendors, as other wise. And further be it &c. that where any murder or felony hereafter shal be cõmitted & done in one countie, & another persõ or mo, shalbe accessarie or accessaries in any maner of wise to any such murder or felony in any other county: that then an indictment found or taken against such accessarie & accessaries vpon ẏ circumstance of such matter before the Iust. of the P. or other Iustices or cõmissioners, to enquire of felonies in the countie where such offence of accessary or accessaries in any maner of wise shall bee cõmitted or done, shalbe as good & effectual in the law, as if ẏ said principall offence had bẽn cõmitted or done within ẏ same county where the same indictmẽt against such accessary shalbe found. And that the Iust. of goale deliuery, or oyer and terminer, or two of them, of, or in such countie where ẏ offence of any such accessary shal be hereafter committed & done, vpon sute to them made, shal writ to ẏ Custos rotulorum, or keeper of the records wher such principall shall be hereafter attainted, or cõuicted, to certify thẽ whether such principall be attainted, cõuicted, or otherwise discharged of such principall felony, who vpon such writing to them or any of them directed, shall make sufficient certificat in writing vnder their seale or seales to the said iustices, whether such principal be attainted, conuicted or otherwise discharged or not. And after they ẏ so shall haue ẏ custody of such records, do certify such principal is attainted, conuicted, or otherwise discharged of such offence by ẏ law: That then the Iust. of goale deliuery, or of oyer & term. or other there authorised, shal proceed vpõ euery such accessary in ẏ countie where such accessary or accessaries became accessary, in such maner & forme as if both the said principal offence & accessary had bin committed and done in the said county where the offence of the accessary was or shalbe cõmitted or done. And that euery such accessary and other offenders aboue exprẽsed, shall aunswer vpon their arraignments, & receiue such trial, iudgement, order, and execution, and suffer such forfeitures, paines and penalties, as is vsed in other cases of felony: Any lawe or custome to the cõtrary heretofore vsed, in any wise notwithstãding. An. 2. E. 6. c. 24.

Accessary

Pere & daye

Murder Felony County

Inditement

Iust. of P.

Iust. of G. Iustice of Dier & ter.

Custos Rotulorum

Certificat

Iust. of G.

Judgment Execution

¶ Turney.

AN. 5. H. 8. cap. 1. an acte was made conterning ẏ ministratiõ of iustice of ẏ K. subiects of his city of Turney beyond ẏ sea,

¶ Vagabonds, beggers and poore people.

IN An. 23. Ed. 3. cap. vlt. An. 34. E. 3. cap. 1. An. 7. R. 2. cap. 5. An. 12. R. 2. cap. 7. and An. 11. H. 7. ca. 2. and An. 19. H. 7. c. 12. be acts made against vagabonds & beggers, but all those be repealed by 1. Ed. 6. cap. 3.

2 ¶ Where in all places throughout this realme, vagabonds & beggers haue of long time increased, & daily do increase in excessiue numbers by ẏ occasiõ of idlenes, mother & roote of all vices, whereby hath sprung & daily do spring continual thefts, murders, & other sundry heinous offences & enormities to ẏ high displeasure of God, & inquietation of ẏ kings people, & to the marueilous disturbance of the common weale: And whereas many good lawes & statutes haue bin before this time deuised aswel by ẏ K. our soueraign L. as also by diuers his noble progenitors for ẏ due reformatiõ of ẏ premisses, yet notwithstanding ẏ said numbers of vagabonds & beggers, bee not lesse diminished, but rather daily augmented & encreased: Be it therefore enacted &c. that the Iust. of P. of all & singular the shires of Englãd within the limits of their cõmissions, & al other Iust. of P. Maiors, shirifes, bailifes, & other officers of all & euery citie, borough, riding or franchise within the realm of Englãd, within the limits of their authority, shall frõ time to time as oftẽ as nẽd shal requir by their discretions, deuid thẽselues within the said shires, cities, boroughs, ridings, or franchises, whereof they be Iustices of peace, maiors, shirifs, bailifs or officers, and so being diuided, shall make diligent search & enquiry of all aged, poore and impotent persons, which liue, or of necessi-

Iust. of P.

Head officers

Poore

tie

tie bee compelled to liue by almes of the charitie of the people, that be or shall bee hereafter abiding, within euery hundred, rape, wapentake, citie, borough, parish, libertie or franchise, within the limits of their diuision, & after and vpō such search made, the said Iustices of peace, Maiors, shiriues, bailifs & other officers, that is to say, euery of them within the limittes of their authorities whereunto they bee deuided, shal haue power and authoritie by their discretions, to enable to beg within such hundred, rape, wapentake, city, towne, parish, or other limittes, as they shall appoint such of the saide impotent persons, which they shal find & thinke most conuenient within the limitts of their diuision, to liue of the charity & almes of the people, and to giue in commandement to euery such aged & impotent begger (by them inabled) that none of them shal beg without the limits to them so appointed, & shal also Register & write the names of euery such impotent begger by them appointed in a bille or rolle indented, the one parte thereof to remaine with themselues, & the other part by them to be certified before ỳ Iust. of P. at the nert sessions after such search had, to be holdē within ỳ said shires, cities, townes or frāchises, there to remain vnder ỳ keeping of Custos Rotulor. And ỳ the said Iust. of P. maiors, shiriffs, bailifs, & other officers, that is to say, as they bee deuided, shall haue power & authoritie to make such & so many seales to bee engraued with ỳ names of the hundreds, rapes, wapentakes, cities, boroughs, townes, or places within ỳ which they shall appoint & limit euery such impotent persō to beg, & commit the saide seales to the custodie of such of thē, or to the custody of such other, as they shal think conueniēt, & shal make & deliuer to euery such impotent persō by them enabled to beg, a letter conteining ỳ name of such impotent person, & witnessing ỳ he is authorised to beg, & the limites within the which hee is appointed to beg. The same letter to be sealed with such of the said seales as shall be ingraued with ỳ names of the limite, wherein such impotent person shall be appointed to beg in, & to be subscribed with the name of one of ỳ said Iustices or officers aboue said. And if any such impotent person so authorised to beg, do beg in any other place then within such limits as he shall be assigned vnto, ỳ then the Iust. of Peace, Maiors, shiriues, bailifes, constables, and other the kings officers & ministers, shall by their discretions punish all such persons by imprisonment in the stocks the spate of 2. dayes & 2. nights, giuing them but onely bread & water, and after that, cause euery such impotent person to be sworn to returne againe without delay to the hundred, rape, wapentake, citie, borough, parish or franchise where they be authorised to beg in.

Impitson Stockes

Othe

Impotent perion

Licence to beg

Register

Seales

Limites

And it is enacted, that no such impotent person, as is abouesaid, after the feast of ỳ natiuitie of S. John B. nert cōming shall beg within any parte of this Realme, except hee bee authorised by writing vnder seale as is aboue. And if any such impotēt person after the saide feast of S. John bee vagrant and go a begging, hauing no such letter vnder seale, as is aboue specified, ỳ then the Constables and all other inhabitants within such towne or parish where such person shal beg, shal cause euery such begger to bee taken & brought to the nert Iustices of peace, or high Constable of the hundred, and thereupon the said Iustice of peace or high constable, shall commaund the said constables & other inhabitants of the towne or parish which shall bring before him any such begger, that they shall strip him naked from ỳ middle vpwards, & cause him to be whipped vin the towne where he was takē, or within some other towne where ỳ same Iustice or high constable shal appoint, if it shal seme to ỳ discretion of ỳ said Iust. of P. or high constable, ỳ it be cōuenient so to punish such begger to him brought, & if not, thē to cōmand such begger to bee set in the stockes in the same towne or parish where he was takē by the space of 3. daies & 3. nights, there to haue only bread & water, & thereupon the said Iustice or high cōstable, afore whom such begger shalbe brought, shall limit to him a place to beg in, & giue to him a letter vnder seale in form aboue remembred and sweare him to depart and repaire thither immediately after his punishment.

Vagrant

Constable

Whipped

Stockes

Othe

Vagabonds

And bee it &c. that if any person or persons being whole and mighty in body, & able to labour at any time after the saide feast of S. John, be taken in begging in any part of this Realme: or if any man or woman being whole & mightie in bodie, & able to labour, hauing no land, master, nor vsing any lawfull merchandise, craft or mistery, whereby he might get his liuing, after ỳ same feast be vagrant, & can giue no reckoning how he doth lawfully get his liuing: that thē it shalbe lawful to

the

the Constables, & all other the kings officers, ministers, & subiects of euery towne, parish and hamlet to arrest the said vagabonds & idle persons, & them bring to any of the Justices of P. of the same shire or libertie, or els to the high constable of the hundred, rape or wapentake, within which such persons shalbe taken. And if he be taken within any citie or towne corporate, then to be brought before the Maior, shirifs or bailifs of euery such towne corporat. And that euery such Justice of peace, high cõstable, Maiors, shirifs & bailifs, by their discretiõs, shal cause euery such idle person so to him brought, to be had to the next market towne or other place, where the said Justices of peace, high Cõstable, Maiors, bailifes and other officers, shall thinke most conuenient by his or their discretions, & there to be tied to the end of a cart naked, and to bee beaten with whips through the same market towne, or other place, till his body be bloudy by reason of such whipping. And after such punishmẽt & whipping had, the person so punished by the discretion of the Just. of Peace, high Constable, Maiors, shirifs, bailifs & other officers, afore whome such person shall be brought, shall be enioyned vpon his othe to returne forthwith without delay in ỳ next straight way to the place where hee was borne, or where hee last dwelled before the same punishment by ỳ space of 3. yeres, & there to put himself to labour like as a true man ought to do. And after that done, euery such person so punished & ordered, shall haue a letter sealed with the seale of ỳ hundred, rape, wapentake, citie, borough, town, liberty or frãchise, wherein he shalbe punished, witnessing that hee hath bin punished according to this estatute, & conteining the day & place of his punishment, & the place whereunto he is limited to go, & by what time he is limited to come thither. Wtin which time hee may lawfully beg by the way, shewing ỳ same letter, & otherwise not. And if he doe not accomplish the order to him appointed by the said letter, then to be eftsones taken & whipped, & so as often as any default shal be found in him cõtrary to the order of this estatute, in euery place to bee taken and whipped, til he be repayred where he was borne, or where he last dwelled by ỳ space of 3. yeres, & there put his body to labour for his liuing, or otherwise truely get his liuing without begging as long as hee is able so to do. And if the person so whipped bee an idle person, & no common begger, then after such whipping he shal bee kept in the stocks til he hath found surety to go to seruice, or else to labour after the discretion of the said Just. of P. Maiors, shirifs, bailifs, high constables, or other such officers, afore whom any such idle person being no commõ begger, shal be brought, if by the discretion of the same Justice of P. Maior, shirife, bailife, high constable or other such head officer, it be so thought conuenient, & that ỳ party so punished be able to find surety, or else to be ordered & sworn to repaire to ỳ place where he was borne, or where he last dwelled by the space of 3. yeeres, & to haue like letter & such further punishment, if he eftsones offendeth this estatute, as is aboue appointed, to, & for ỳ common, strong, & able beggers, & so from time to time to be ordered & punished, till he put his body to labour, or otherwise get his liuing truly according to ỳ law. And ỳ the Just. of the P. of euery shire, riding, city, towne & libertie, shall haue power & authority within the limits of their Commissions, to inquire of all Maiors, bailifs, constables & other officers, & persons that shalbe negligent in executing of this acte.

Arrest

Whipped

Othe

Certificate

Whipped

Stockes

Suretie Othe

Just. of P.

Negligent

And if the cõstables & inhabitãts within any towne or parish where any such impotent person or strong begger doth happen to beg, contrary to the forme of this estatute, bee negligent, & take not euery such impotẽt & strong begger that so shall beg against the forme of this estatute, & order, & punish euery such begger as is aboue limitted, that then the township or parish where such default shalbe, shal lose & forfeit for euery such impotent begger that shalbe suffered to beg within ỳ said township or parish not being taken, ordered & punished, according to the forme of this estatute, 3.s.4.d. & for euery strong begger ỳ shall happen to beg wtin any such township or parish, not being taken & ordered as is aboue limited by this estatute, 6.s.8.d. the one halfe of all which forf. to be to the king our soueraign L. & the other halfe to him ỳ will sue for the same by any bil of information afore the kings Justices of his Peace in their generall sessions to be holden in the Shire, or within the libertie where such default shall happen.

Parish Forf.

And ỳ al Just. of p. within any shire, city, borough or liberty, shall haue full power & authority, aswel to heare & determine euery such default by presentment, as by such bil of information, & vpon euery presentment

Just. of P.

Proces

sentment afore them, & vpō euery such bil of information to make proces by distres against the inhabitāts of euery such town and parish, where any default shalbe presēted or supposed by any such informatiō. By authority of which distresse the Shirife or other officer, to whome by the law such distresse shall be made, shal distreine the goods or chattels of such one or two of ỹ said inhabitants, as he may haue knowledge were most negligent and in default in the execution of this act, and the sayde distresse reteine till they finde suretie to appeare at the sessions limitted in the said distresse: And in case they appeare & confesse the default, or else they trauerse the presentment, & it be tried against them by verdict, or deny the information, and it be proued against them by sufficient witnes, then the said Justices of P. in their sessions shall haue authority to assesse ỹ fines as bin aboue limited, after ỹ rates aboue said, and to make proces for the leuying of the same by distresse of the inhabitants of such townes or parishes where such default shalbe tried or proued. And that euery such fine, if it grow by presētmēt, to be onely to the kings vse. And if it grow by information, then the moitie thereof to be to him that pursueth the information for the same, & the other moitie thereof to the kings vse as is aforesaide. And if any such person or persons distreined, appeare not at ỹ day & place contained in such distres, then vpon the returne of the Shirife or other officer, to whom the distres was deliuered to execute, that such person or persons so distreined, at the first distresse shal lose forty pence, & at the seconde fiue shillings eight pence, and so to be doubled vpon euery distres in such cases as be awarded, till apparance may be had by one of the inhabitants of such town or parish to denie trauerse or confesse the presentmēt or information exhibited against any such town or parish, to the intent that vpō triall or proofe, the fines aboue limited may be assessed and leuied of the inhabitants of euery such town or parish as is aboue rehearsed.

Ghirife Distresse

Fines

Fost.

And be it enacted &c. that scholars of the Vniuersities of Oxford & Cambridge, that go about begging, not being authorized vnder the seale of the said Vniuersities by the Commissarie, Chanceller, or Vicechanceller of the same, & all and singuler shipmen pretēding bylles of their shippes and goods of the Sea, going about the countrey begging, without sufficient authoritie witnessing the same, shal be punished and orderred in maner & forme as is aboue rehearsed of strong beggers. And that all Proctors & Pardoners going about in any countrey or coūtries without the sufficient authority, and all other idle persons going about in any countrey, or abiding in any Citie, borough or towne, some of them vsing diuers & subtile craftie and vnlawful games and playes, and some of them faining themselues to haue knowledge in Phisicke, Phismonie, Palmestrie, or other craftie sciences, whereby they beare ỹ people in hand that they can tell their destinies, diseases, and fortunes, and such other like fantasticall imaginations, to the great deceit of the kings subiects, shall vpon examination had before two Justices of P. whereof the one shall be of the Quorum, if hee by probable witnesses be found guilty of any such deceits, be punished by whipping at two daies together, after the maner before rehearsed: And if her offendes offend in the saide offence or any like offence, then to be scourged two dayes, and the third day to be put vpon the Pillory, from nine of the clocke, till eleuen before none of the same daye, and to haue one of his eares cut off. And if he offend ỹ third time, to haue like punishment with whipping, standing on the pillorie, and to haue his other eare cut off. And that Justices of the P. haue like authoritie in euery liberty & fraūchise within their shires, where they be Justices of peace, for the execution of this act in euery part therof, as they shal haue without the libertie or franchise.

Scholars

Shipmen

Proctors

Idle persons

Gamesters

Palmesters

Ỹ coūne tellers

Whipping

Pillory

Eare cut off

And it is further enacted that this acte shal yerely be read in the open sessions, to the intent that the said statute shalbe the more feared, & the better put in execution.

And further more be it enacted, that if any person or persōs at any time hereafter giue any harborough, money or lodging to any beggers, being strong and able in their bodies to worke, which order themselues contrary to the forme of this statute: that euery such person so doing, being sufficiētly proued or presented before any Justice of peace, shall make such fine to the king, as by the discretion of the said Justices of peace at their general sessions shall be assessed. And if any person or persons do disturbe or let the executiō of this act in any maner wise, or make rescous against any Maior, Shirife, Bailiffe, or

Harborough Beggers

Rescous

other

Fo.xl. other person that shal endeuo⁊ himself fo⁊ the due execution therof: it is then enacted that euery such person o⁊ persons, fo⁊ euery such offence doing, shal lose and fo⁊feit .vi.s. ouer that to haue imp⁊isonment at the kings will. The one halfe of which fo⁊feiture, if such offence be committed in any Citie o⁊ towne co⁊po⁊ate, to be to the Maio⁊, shirif, bailif, o⁊ other head officers of such Cities o⁊ towns co⁊po⁊ate, where any such offence shall bee done to the vse of the Communaltie of euery such Citie o⁊ towne co⁊po⁊ate. And if it be committed out of a Citie o⁊ towne co⁊po⁊at, then the said one halfe to be to the lo⁊d of the Lete o⁊ lawday, where such office shalbe done, and the other halfe of euery such fo⁊feitur to the king our Soueraigne lo⁊d. Fo⁊ the which fo⁊faiture of fiue pounds, recouerie shall be had by action of debt, bill, plaint o⁊ indo⁊matiõ in any of the kings courts, in which sute ỹ defendants shal not wage their law, no⁊ haue any essoine o⁊ p⁊otection allowed.

Fiue po⁊ts

P⁊ouided alwaies that this acte no⁊ any thing therein contained, shalbe hurtful o⁊ p⁊eiudicial to the barons o⁊ other inhabitants of ỹ fiue po⁊ts o⁊ their members, neither to any graunt, libertie o⁊ frãchise heretofo⁊e made by ỹ king our soueraign Lo⁊de, o⁊ any his p⁊ogenito⁊s K. of England, to the saide Barons o⁊ other inhabitãts, their ancestо⁊s, p⁊edecessо⁊s, o⁊ to any of them. And that it be enacted by authozitie of this p⁊esent Parliament, that all and euery Maio⁊ and Maio⁊s, Bailife and Bailiffes electue and elected by the commons and inhabitants of euery town and place of the said po⁊ts and members, and also Iurats of euery of the said towns and places of the said po⁊ts and members, shall haue like authozity w⁊in euery such towne e place, where they o⁊ any of them be o⁊ shalbe Maio⁊, Bailife o⁊ Iurate, to put o⁊ cause to be put this acte in due execution, as the Iustices of P. in any countie in this Realme, haue o⁊ shall haue authozity and power by this act to do where they bee Iustices. And that the Inhabitantes, within euery Towne within the said po⁊ts, shall be bounden to the execution of this act, like as other Inhabitants be without the said po⁊ts, vpon like paine as is aboue remembred. And if any person o⁊ persons which shall inhabit within the said Fiue po⁊ts o⁊ members be impotent, o⁊ other idle person do hereafter beg without the said Fiue po⁊ts o⁊ members of the same, contrary to this acte, that then euery such person shalbe o⁊dered and punished acco⁊ding to this acte, any thing in this p⁊esto to the contrary notwithstanding.

Maio⁊ Bailifes

Seales

And it is o⁊dered and enacted, that the Seales aboue rehearsed shall be made at the costes and charges of the Iustices of peace, Maio⁊s, Shiriffes, Bailifes, and o⁊ thet officers aboue writtен, on this side ỹ feast of the Natiuity of S. Iohn Baptist next comming, that is to saye, that euerie of them shal do the said seales to be made within the limites of their diuision, iurisdiction, and authozities.

And also it is o⁊dered and enacted, that euery licence to be made by the authozity of this act, wherby any impotent begger shalbe authoⁿised and assigned to beg, shal be made in this fo⁊me ensuing.

Licence to beg

Kanc. ff. Memorandum, that A.B. of Dale, fo⁊ reasonable considerations is licenced to beg within the hundred of P.R. and L. in the saide countie. Giuen vnder the seale of that limit. tali die & anno.

And that euery such letter that shall be made and deliuered to such begger o⁊ vagabond after he hath bin whipped by authozitie of this acte, shall bee made in this wise following.

Fo⁊ms

Kanc. ff. I. S. whipped fo⁊ a vagrant strong begger at Dale in the said countie acco⁊ding to the law the two and twenty day of July in the thr⁊e and twentie yere of king Henry the eight, was assigned to passe fo⁊thwith and dirꝛctly from thence to Sale in ỹ countie of Middlesex where he sayth hee was bo⁊ne, o⁊ where hes last dwelled by the terme of thr⁊e yeres, and he is limited to be there within fourteene dayes next ensuing at his peril, o⁊ within such number of dates as to him shall be limited by the discretion of the maker of ỹ saide letter. In witnesse whereof the seale of the limit of the said place of his punishment herevnto is set.

Costs

And it is enacted, that euery such letter shalbe made at the equall costs of such the said Iustices, Maio⁊s, Shiriffes, bailiffes o⁊ other officers, within whose iurisdictions, powers, and authozities, the saide begger o⁊ vagabond shall bee whipped, o⁊ limitted to begge in, by authozitie of this act. And euery such letter shall bee subscribed with the hand of one of the said Iustices, Maio⁊s, Shiriffes, Bailiffes, o⁊ other officers in this fo⁊me following. Per me A. B. vnum Iusticiariorum pacis, o⁊ Maio⁊.

Subscription

Maiorem Ciuitatis, or Billiuum Villæ, or Constabularium talis hundredi, or else in like forme in English.

Gaolers Seale

And it is further enacted that euery such person and persons as haue the custodie of anie gaoles within any Shire, Citie, borough, or towne corporat on this side the feast of S. John Baptist, shall doe make a Seale ingraued, with the name of the Castle, Prison, or Gaole which hee keepeth.

And in case any person or persons, that at any time after the saide feast of Saint John, shall be deliuered out of any Gaole or Prison for suspicion of felony by Proclamation, or acquit of any felony, and hath no frendes to paye his fees, nor was borne within the hundred or place where he shall happen to be so deliuered, nor can get him no maister there to abide & worke with, shall haue liberty to begge for his fees, by the licence of his Keeper, by the space of fiue weeks, next after such deliuerance, & after that to be compelled to goe to the hundred where hee was borne, or last dwelled, by the space of three yeeres, within such time as shalbe limited by one of the Justices of peace, Maiors, Shirifs, bailifs, or any officers, where such deliuerance shalbe had.

Beg for fees

And it is enacted, that euery such person so deliuered, shall haue a letter made to him by the Clearke of the peace of the Shire, within the which hee was deliuered, if he be deliuered in the Shire, and if he be deliuered in any Citie, Borough, or towne corporate, then he to haue a letter of the common Clerke of euery such Citie, Borough or Towne, where he is deliuered, euery such letter witnessing the day of his deliuerance, & the place where he was deliuered, and afore whome, and the time appointed to him to beg for his fees, and the place to the which he shall be assigned to repaire vnto, in case he can get no Maister to fall to worke, where he was deliuered. And to euery such letter the said Gaoler or Keeper of Prison, out of the which such person shalbe deliuered, shall put the seale limitted to be made, as is afore said, for the said Prison. And that euery such letter shall bee made in this wise following:

Letter

Deliuerãce

Forme

Essex. ss. The twentieth daye of Julie, Anno regni Regis Henrici octaui vicesimo tertio, I. S. was deliuered for felonie out of the Gaole of D. in the saide Countie, at the sessions holden afore A. B. and his fellowes, at Hale, the day and yere afore saide, and is allowed to begge for his fees by the space of fiue weekes. And in case he can get him no Maister to worke within the saide terme, then hee assigned to passe directly to D. in the Countie of Kent, where he sayth he was borne or last dwelled by the space of three yeeres. And he is allowed fourteene dayes next after the said fiue weeks for his passage thither, or such number of dayes as to him shalbe limitted by the discretion of the maker of the said letter. In witnesse whereof the Seale of the Prison from the which hee was deliuered, thereunto is set. And in such Shires where there is no Gaole, the Shirife thereof for the time being, shall cause a seale to be ingraued with the name of the Shire, and shal order and vse the same seale, to, and for such persons deliuered, as is afore said, after like manner and forme as the Gaoler and Keeper of the Gaole is limitted and appointed to do by this act.

Clerke of p.

And it is also enacted, that euery Clerke of the peace of the shire, within the which such person shall bee deliuered, and euery common Clerke of euery Citie, Borough or towne corporat, within the which any such perso shalbe deliuered, shal make for euery such person as shal bee so deliuered, where they be such officers, the said letter in form aboue said, without any fee taking for the same, and shall deliuer euery such letter to the gaoler or keeper of the prison, from the which such person shalbe deliuered. And if there be no gaole there, then to the Shirife of the shire where such deliuerance shal be had, within one day next after the end of the sessions where any such deliuerance is had, vpon paine to lose and forfeit for default of euery letter twelue pence to the king our Soueraigne Lorde. And that the gaoler or keeper of the prison from the which ỳ said person shal be so deliuered, and in case there be no gaole, then the shirife of the shire where any such deliuerance shalbe had, shall not suffer any such person to goe abroade to begge for his Fees, nor departe out of prison, except it bee to seruice or labour, vnlesse the same Gaoler or Shirife first deliuer to the saide person the saide Letter, conteining his name Sealed with the Seale of the Prison, from the which hee shall bee deliuered, or else with the Seale ingraued with the name of the Shire, if there be no prison, vpon paine for euerie

Forf.

default

default to lose twelue pence to our saide Soueraigne Lord.

And it is enacted that if any person or persons so being deliuered out of prison, at any time after the saide feast, doe begge, not hauing the said letter sealed, in forme aboue said, or begge contrary to the tenor of the same letter, that then he shal be taken, ordered, & whipped in euery behalfe, like as is aboue appointed for strong beggers: and that to be done and executed by such as bee aboue limited to doe the same vpon strong beggers, and in such wise, and vpon such pain as is afore limited for execution of the punishment of strong beggers.

Whipped

Prouided alwaies, that it be lawful to euery person and persons being bounden by reason of any foundation or ordinance to giue or distribute any money in almes, and also to euery person and persons at common doles vsed at burials or obits to giue and dispose in almes any money to euery person and persons comming to such almes or doles, after like maner & forme as they haue bin accustomed to do in that behalf afore the making of this act, without any danger or penalty of this estatut, any thing cõteined in this preset estatute to the contrary thereof notwithstanding.

Almes

Prouided also, that it be lawfull to all Maisters & Gouernors of Hospitalles to lodge and harborough any person or persons of charity or almes, according to the foundation of such hospitalles, & to giue money in almes in as large manner and forme as they are bounden or ought to do, any thing in this estatute to the contrary thereof notwithstanding. And this acte to indure vnto the last day of the next Parliament. Anno 22. H. 8. cap. 12. And after An. 14. Eliz. cap. 5. (here following 9.) this act was repealed. And Anno 35. El. cap. 7. it is enacted that so much of this act (viz. of 22. H. 8. cap. 12. which is entituled, An act concerning howe aged, poore and impotent persons compelled to liue by almes, shall be ordered, and howe vagabonds and mightie strong beggers shall be punished) as concerneth the punishmẽt of any such begger, impotent, or vagabond person, by whipping, and all branches, articles, and clauses depending vpon the same, other then the compelling of such persons to be sworne, shal from hẽceforth stand & be reuiued, and remaine in his full force and strength.

Hospitalles Harborough

3 ¶ Anno 27. H. 8. cap. 25. an acte was made for punishment of vagabonds, and relefe of the poore, and for collections for them, to endure to the last day of the next Parliament, and then it expired.

4 ¶ An. 1. E. 6. cap. 3. an act was made for punishment of vagabonds, and relefe of the poore and impotent persons. And by that statute al statutes before made for the punishment of vagabonds and sturdy beggers, and all articles comprised in the same were repealed. And after An. 3. E. 6. cap. 16. this acte of 1. Ed. 6. cap. 3. was repealed.

5 ¶ An. 3. E. 6. cap. 6. an act was made touching the punishment of vagabonds and other idle persons: But it is nowe repealed by An. 14. Eliz. cap. 5. (here 9.)

6 ¶ An. 5. E. 6. cap. 2. an acte was made to endure to the end of the first Session of the next Parliament (concerning the collection of almes for the impotent and needie people.) And after Anno 7. Ed. 6. cap. 11. this act was continued to the last day of the next Parliament. And after An. 1. M. 1. parliamento ca. 13. this act was continued to the last day of the next Parliament. And after Anno 1. M. 2 parliamento cap. 12. this acte was continued to the last day of the next Parliament, and then it expired.

Collection

7 ¶ An. 2. and 3. P. and M. cap. 5. an act was made for the relefe of the poore, and continued 4. and 5. Ph. and M. And also 1. Eliz. cap. 19. and so expired.

8 ¶ Anno 5. Eliz. cap. 3. an other acte was made for the relefe of the poore. But is now repealed by 14. Eliz ca. 5. here next following. 9.

9 ¶ Whereas the parts of this realme of England and Wales be presently with rogues, vagabonds, & sturdy beggers, exceedingly pestred, by meanes wher of daily happen murders, thefts, & other greate outrages, to ẏ high displeasure of almightie God, and to the greate annoy of the Common wealth: and for auoyding confusion by reason of numbers of laws concerning the premisses, standing in force together: Bee it enacted that the Statute made in the 22. yeere of the raigne of the late king Henry the eight, intituled, An Acte, concerning aged, poore, and impotent persons, compelled to liue by almes, how they shall bee ordered, and how vagabondes, and mightie strong beggers shalbe punished, (before 2.) And another acte intituled, An acte touching the punishment of vagabondes and other idle

persons, made in the 3. & 4. yere of the late king Edward 6. (before 5.) and an other act made in the 5. yere of the raigne of our soueraigne Ladie the Quenes Maiestie that now is, entituled: An acte for the reliefe of the poore (before 8.) And euerie branch, article, clause, & sentence in them, and euery of them contained, shal be from & after the feast of S. Bartholomewe the Apostle next comming, vtterly void, frustrate, & of none effect. (But now see here 2. the said acte of 22. H. 8. in the greatest part thereof reuiued.) Be it also enacted by the authoritie of this present parliament, as well for the vtter suppressing of ỹ said outragious enemies to the cõmon weale, as for the charitable releiuing of the aged & impotent poore people, in manner and forme following. First, that al and euery person & persons whatsoeuer they be, being aboue the age of fourtẽ yeres, being hereafter set forth by this acte of Parliament to be rogues, vagabonds, or sturdie beggers, & be at any time after the feast of S. Bartholomew the Apostle next cõming, taken begging in any parte of this realme, or taken vagarant, wandering & misordering themselues, contrarie to the purport of this present act of parliament, in any part of the same, shal vpõ their apprehension be brought before one of the Justices of peace, or Maior, or chiefe officer of cities, boroughs & townes corporat, within the coũtie, citie, borough, or towne corporate, where the apprehension shall happen to be, & by the said Justice or head officer, to bee presently committed to the cõmon gaole of the said countie being apprehended within the countie, or els such other place as by the Justices of peace of that countie, or iij. of thẽ, at any their generall sessions shal be appointed: & if he be take within any citie, borough, or towne corporate, then to be cõmitted to the prison of the said citie, borough, or towne corporate, there to remaine without baile or mainprise vntil the next Sessions of the peace, or general gaole deliuerie for ỹ the said shire, citie, borough, or towne corporate to be holde which shal first happen, & the cõstables, or other officers, for the cõueying of such rogue or vagabõd by commandement of the said Justices, to haue such reasonable charges for themselues & the prisoners from time to time, borne by the parish, or parishes where ỹ said rogue or vagabond shal happe to be taken, as to the discretion of the Justices of P. present at the next Assise, or at the Sessions of the peace thẽ next kept within ỹ limit where the prisonet is apprehẽded, shal seeme conuenient: (But see some alteration of this after 10.) At which sessions or gaole deliuerie, if such person or persons be duely conuict of his or her rogish or vagabonds trade of life, either by enquest of office, or by the testimonie of two honest & credible witnesses vpon their othes: that then immediatly he or she shall be adiudged to be grieuously whipped, & burnt thorough the gristle of the right eare, with a hote yron of the cõpasse of an inch about, (But now see here 11.) manifesting his or her rogish kind of life, & his or her punishment receiued for the same, whereof entrie shall be made of record by the clerk of the peace of the same Shire in the records of the same sessions, which iudgemẽt shal also presently be executed, except some honest person valued at the last subsidie next before that time, to fiue pounds in goods, or xx. s. in lands, or els some such honest houlholder, as by the Justices of the peace of the same countie, or two of thẽ shalbe allowed, wil of his charitie be contented presently to take such offendor before the same Justices into his seruice for one whole yeere next following, & to that end, wil presently before the said Justices enter into band by recognisance, to the vse of our Soueraigne Ladie the Quene, to pay to our said Soueraigne Ladie the summe of fiue pounds, if he kepeth not the said offendor in his seruice by the space of the said whole yeere, and so bring him or her vnto the sessions at the yeres end, or then good proufe of his or her death, during the said yeere, the said Clerke of the Peace taking for the said recognisance but xij. d. onely. And if such rogue or vagabond so taken into seruice, depart within the said yeere from the said seruice, against the wil of him that so taketh him or her into seruice: that then such rogue or vagabond shall be whipped and burnt thorow the gristle of the right eare with a hote yron, as is aforesaid. (But now see here after, 11.)

Prouided alwaies neuertheless, that if the said person so cõmitted, or to be committed, come before the next sessions of the peace or the next gaole deliuery, to be holden for the said countie, or before their cõmitting, and do find any such suretie as is next before recited, to be bound in forme aforesaid for him or her, for one whole yere: then the said person shall not tarry in the

14. Yeres
Rogues
Vagarant
1. Iust. of p. Maior
Gaole
3. Iust.
Sessions
Prison
Mainprise
Constable
Charges
Parish
Iust. of P.
Conuict
Triall w. witnesses
Whipped
Eare burnt
Clerke of p.
2. Iust. of p.
Seruice one yeere
Recog.
Run away
Whipped Burnt
Suertie

gaole till the next ſeſſions, or till the next gaole deliuerie.

And be it further enacted, that the ſaid perſon or perſons ſo marked, or adiudged to be burnt, as aforeſaid, ſhal not be dealt withall againe by way of puniſhment by the ſpace of xl. daies next after the ſaid puniſhmẽt executed, or adiudged to be burnt as is aforeſaid, if he or ſhe haue licẽce for the ſaid xl. daies from two Juſtices of the peace of the ſame Shire, teſtifying the puniſhment receiued, or iudgement giuẽ. But if after the ſaid puniſhmẽt executed, or iudgement giuen, the ſaide perſon or perſõs ſo marked, or hauing receiued ſuch iudgement, doe after lx. daies next after he, ſhe, or they ſhalbe ſo marked, either in the ſame County where he or ſhe was ſo marked, or hauing receiued ſuch iudgement, or elſe in any other countie within the ſaid realme of England or Wales, being of the age of xviij yeares or aboue, doe eſtſones fall againe to any kind of rogiſh or vagabõd trade of life: that then the ſaid rogue, vagabond, or ſturdie begger, from thence forth to be taken, adiudged and dẽmed in all reſpects as a felon, and ſhall in all degrees receiue, haue, ſuffer, and forfeit as a felon, (See hereafter 11.) except ſome honeſt perſon valued at the laſt ſubſidie next before the time, to tenne poũds in goods, or fortie ſhillings in landes, or elſe ſome ſuch honeſt houſeholder, as by the Juſtices of the peace of the ſame Coũtie, or two of them ſhall be allowed of meere charitie will be contented before ſuch Juſtices, as the ſaid vagabond is or ſhall be arraigned of felonie, to take him or her into his ſeruice for two whole yeares then next following, and then before the ſame Juſtices, wil then preſently put in bond by recognilance of ten poũds to be leuied of his landes, tenemẽts, goods, and cattels, to the vſe of our ſaide Soueraigne Ladie, if he keepeth not the ſaid offendor in his ſeruice for two whole yeres, and bring him or her vnto the Seſſions at the ſaid two yeares end, or good proofe of his or her death.

And if ſuch rogue or vagabond ſo taken into ſeruice, departe within the ſaide two yeares from his or her ſaid ſeruice, againſt the wil of him that ſo toke him or her into ſeruice: that then ſuch rogue or vagabond ſhall be taken, adiudged, and dẽmed as a felon in all reſpects, and ſhall in al degrees haue, ſuffer, and forfeite as a felon, without allowance or benefite of Clergie, or Sanctuarie (But now ſee hereafter. 11.)

And if ſuch rogue or vagabond after fortie daies next after he or ſhe ſhall be two ſeuerall times taken into ſeruice as is aforeſaid, doe either in the ſaid Countie, or els where eſtſones the third time fall againe to a kinde of rogiſh or vagabond trade of life: that then ſuch rogue or vagabond ſhall be adiudged and dẽmed for a felon, and ſuffer paines of death, and loſſe of lands and goods as a felon, without allowance or benefite of Clergie or Sanctuarie. (But ſee hereafter 11.)

And for the full expreſſing what perſon and perſons ſhal be entended within this branch to be rogues, vagabõds, and ſturdie beggers, to haue and receiue the puniſhment aforeſaid, for the ſaid leawde maner of life: it is now publiſhed, declared and ſet forth by the authoritie of this preſent Parliament, that all and euery ſuch perſon and perſons, that be or vtter theſelues to bee proctors or procurators, going in or about any countrey or coũtries within this realme without ſufficiẽt authoritie derined from or vnder our Soueraigne Lady the Quẽne: and al other idle perſons going about in any coũtrey of the realme, vſing ſubtill, crafty, & vnlawfull games or plaies, & ſome of them fayning thẽſelues to haue knowledge in Phiſnomie, Palmeſtrie, or other abuſed ſciences, whereby they beare the people in hande they can tell their deſtinies, deaths, and fortunes, and ſuch other like fantaſticall imaginations: and all and euery perſon & perſons, being whole & mightie in bodie, and able to labour, hauing not land or maſter, nor vſing any lawfull merchandiſe, craft or myſtery, whereby he or ſhe might get his or her liuing: & can giue no reckoning how he or ſhe doth lawfully get his or her liuing: & all Fencers, Bearwards, commõ players in Enterludes, and Minſtrels, not belonging to anie Baron of this Realme, or towardes anie other honourable perſonage of greater degree, all Jugglers, Pedlers, Tinkers, and petie Chapmen, which ſaide Fencers, Bearewards, Common plaiers in Enterludes, Minſtrels, Juglers, Pedlers, Tinkers & petie chapmen, ſhall wander abroad and haue not licence of two Juſtices of the Peace at the leaſt, whereof one to bee of the Quorum, where & in what ſhire they ſhall happen to wander: and all common Labourers, beyng perſons able in bodie, vſing loytering, & refuſing to worke for

such reasonable wages as is tared & commonly giuen in such partes where such persons doe or shall happen to dwell: and all counterfeitors of licences, pasports, and all vsers of the same, knowing the same to be counterfeit, and all Schollers of the Vniuersities of Oxford or Cambridge, that go about begging, not being authorised vnder the seale of the saide Vniuersities by the Commissarie, Chancellor, or Vicechancellor of the same: and all shipmen, pretending losses by Sea, other thē such as shal be hereafter prouided for, & all persons deliuered out of gaoles that begge for their fées, or do trauaile to their Countries or friendes, not hauing licence frō two Iustices of the peace of the same Countie where he or she was deliuered, shal be taken, adiudged, & deemed rogues, vagabonds, & sturdie beggers, intended of by this present act, together with al and euery such other person and persons as shal be hereafter, for altering & breaking of such good orders, as in the second part of this present act shall be established for the releife of the aged and impotent poore people, set forth and declared to be vagabonds.

Counterfeitors
Schollers
Shipmen
Beggers Licence
2. Iust. of p.

And further be it enacted, ỳ if any person or persons, after the saide feast of S. Bartholomew, giue any harborough, money, or lodging, or any other releife, to any rogue, vagabond, or sturdie begger, either marked as before, or not marked not hauing such a licence as is before recited, frō two Iustices of the peace then in continuāce, and that duely prooued before the Iustices of the peace at their quarter sessions: shal make such fine to the Quéenes Maiestie, as by the discretions of the said Iustices, or the more part of them at their general Sessions shalbe assessed, so as the same exceed not xx. s. And also if any person or persons do disturbe or let the execution of this acte in anie maner of wise, or make resconse against any Maior, shirife, bailife, or other person that shall endeuor himselfe for or aboute the due execution hereof: shall forfaite and lose fiue pounds, and ouer that shall haue imprisonment at the Quéenes Maiesties pleasure.

Harborough Releife
Iust. of P.
Fine Discretion
xx. s.
Disturbe
Rescouse
Forf. Imprison

Prouided alwaies, that this act, nor any thing herein contained, shal extend to make anie person or persons accessarie or accessaries to ỳ said felonies made by this Statute, nor that anie attainder by anie the felonies aforesaid, shall worke or be anie corruption of blod in the issues or

Accessarie
Blood

line of the person attainted.

Prouided also, that it shal be ful lawful to all maisters and gouernors of the Hospitals, to lodge, or harbour any impotent or aged person or persons of charitie or almes, according to their foundation, & to giue money in alms, in as large maner as they are bound to doe by their foundation, to any such aged or impotent person: any thing herein contained to the cōtrarie in any wise notwithstanding.

Gouernors Hospital
Harbour
Almes

Prouided alwaies, that Shipmen, and souldiers hauing licence of the nexte two Iustices of the peace to the place where they first happened to land, or where they first entred into this Realme, shal & may passe according to the purport of their licence, & intent of this act of Parliament: any thing herein contained to the contrarie in any wise notwithstanding.

Licence
Next two Iust. of P.

Be it also further prouided, that no licence recited in this statute, shal giue any maner libertie, or be of anie maner force, but onely in the Shire whereof the graūter or graūters of such licence shal be Iustice or Iustices of Peace. Wherefore if the said partie licenced wil haue any further passage without the daunger of this Law, thē the Shire where his first licēce is graunted, it shall be behouefull for him to procure, and get in euery other Shire where he entendeth to passe, one other licence from two Iustices of the Peace of the said Shire, and so from shire to Shire to the ende of his iourney. Be it also prouided, that this acte, nor any thing therein contained, doe in anie wise extende to any Cockers or harueſt folkes, that trauaile into anie countrie of this realme for harueſt worke, eyther corne harueſt, or hay harueſt, if they doe worke and labour accordingly, neither yet to any that happeneth to be robbed or spoiled by the way, neither yet to any seruing men that be of honeſt behauiour, that be turned frō their Maisters, or whose Maister or Mistresse shalbe dead, for the space of fiue moneths next after such turning away, or death of such master or mistresse, so as euery such seruing man hath a testimoniall from his master or mistresse, or from two Iustices of the peace of the same countie, declaring such turning away or such death of his Maister or Mistresse.

Licence
Harueſt folke
Seruing men
6. Moneths
Testimoniall
2. Iust. of p.

Prouided alwaies, that it shal be lawful to the Lord Chancellor or Lord Keeper of the great seale of Englād for the time being, to make licence vnder the said great

L. Chancellor
Licence

seale, as heretofore hath bin accustomed, and that the said licence & licences shal as largely extend as the contentes of them will beare: any thing herein to the contrary, in any wise not withstanding.

Sake conduct
Pasport
Ireland

Captaine

Souldiour

Not fourteene yeeres olde
Whipping

Towne
Parish

Prouided alwaies, and be it enacted by the authoritie aforesaid, that this present acte, or any thing therein contained, shall not extend to make frustrate or void anie safe conduct, pasport, or licence, made and graunted, or to be made and graunted by the Lord deputie of Irelād, or by the Lord gouernour of the townes and garisons of Barwicke, or Carlile for the time being, or any other chiefe captaine or Gouernour of any Castle or fortresse of the Quēnes Maiesties, or by any other in his or their absence, hauing the charge of the saide townes & garisons, or by any the Guardians of the three marches towardes Scotlād, or by any General, lieutenāt, or other Officer appointed by the Quēnes Maiestie to haue the charge or cōductiō of any armie, garison or power of men leuied or to be leuied by her highnes order and appointment, & for the especiall seruice & affaires of her Maiestie, her heires or successours, or by any priuate Captain, vpō the dispersing of any armie, onely to anie souldiour or souldiours, or any other person or persons whatsoeuer within these her Realmes of England & Ireland, passing by vertue thereof about his or their lawfull businesse and affaires: but that he or they shall and may quietly without any let or disturbāce, enioy the benefite, effect, and true meaning thereof, in as large and ample manner and forme, as heretofore it hath bene vsed and accustomed: any thing in this present act mentioned to the contrary in any wise notwithstanding.

Prouided alwaies, that this present act, or any thing therein conteined, shal not in any wise extend to the punishment of any such person or persons, as by this statute are limited for rogues, vnlesse the same bee of the age of xiiij. yeares or aboue, but that they and euery of thē vnder that age shalbe punished with whipping or stocking, as heretofore hath bin vsed and appointed by the lawes & statutes in that case prouided, & now repealed: this acte or any thing therein contained to the cōtrary hereof in any wise not withstanding.

And it is further enacted by the authoritie aforesaide, that if within any towne or parishe, where anie such vagabond or rogue shall happen to begge, or make his abode, contrarie to the forme of this Statute, the Constable or tythingmen be negligent, and do not his or their best endeuour for the apprehension of such vagabond or rogue, which there shal begge or make aboade, cōtrary to the forme in this Statute limitted, or shal willingly suffer the said vagabond or rogue to escape from the punishment or order in this Statute prescribed: that then the said Constable or Tythingman in whome such default shal be, shall lose and forfeit for euery such vagabond and vagarant person, that shal be suffered to begge, or make aboad within his authoritie, contrarie to the forme of this statute, six shillings eight pence. And forasmuch as charitie would, that powre, aged, and impotent persons should as necessarily be prouided for, as ỳ said rogues, vagabondes, and sturdie beggers repressed, and that the saide aged, impotent, and powre people should haue conuenient habitations and abiding places throughout this Realme to settle themselues vpon, to the ende that they, nor any of them should hereafter begge, or wander about: It is therefore enacted by the authoritie of this present Parliament, that the Iustices of Peace of all and singuler the Shires of England and Wales, within the limites of their Commissions, and all other Iustices of the Peace, Maiors, Sheriffes, Bayliffes, and other Officers of all and euery Citie, Borough, Riding, and Franchises within this Realme, whereof they be Iustices of Peace, within the limittes of their authoritie, shall at or before the said feast of Saint Bartholomewe nexte comming, diuide themselues, and so being diuided, shall within euery of their seuerall diuisions and authorities, make diligent search, & enquire of all aged, powre, impotēt and decayed persons, borne within their said diuisions and limits, or which were there dwelling within three yeares nexte before this present Parliament, which liue, or of necessitie be compelled to liue by almesse of the charitie of the people that be or shall be abiding within the limites of their Commissions and authorities: & shall vpon that search made, make a Register booke, containing the names and surnames of all such aged, decayed and impotent powre people, as be within their sayd limittes and authorities, which shall alwayes remaine with the saide Iustices, Maiors, Bayliffes, or other head Officers, or anie one of them. And when the

Constable
Escape
Fine.
6.s.8.d.
Powre
Iust. of p:
Wales
Maiors
Shirifes
Bailifes
Enquire
Powre
3. yeeres
Booke

the number of the said poꝛe people foꝛced to liue vpõ almes, be by that meanes truly knowẽ. then the said Justices, Maioꝛs, Shiriffes, Baylifes, and other Officers, shall within like conuenient time, deuiſe & appoint within euery their said seuerall diuiſions méete and conuenient places by their diſcretions, to settle the same poꝛe people foꝛ their habitations & abidings, if the Parish within the which they shall be found, shall not, oꝛ will not pꝛouide foꝛ them, and shal also within like cõuenient time nũber all the said poꝛe people within their said seuerall limits: and thereupõ (hauing regard to the number) set downe what poꝛtiõ the wéekely charge towards the relieſe and sustentation of the saide poꝛe people will amount vnto, within euery their said seuerall diuiſions and limites: and that done, they the said Justices, Maioꝛs, Shiriffes, Bailifs, and other Officers, within euery their seuerall Cõmiſſions, authoꝛities, diuiſions, and limites, shall by their good diſcretions taxe, and alleſſe al and euery the Inhabitants, dwelling in al and euery Citie, Boꝛough, Towne, Village, Hamlet, and place knowen within the said limites and diuiſions, to such wéekely charge, as they and euery of them shall wéekely contribute towards the relieſe of the said poꝛe people: and the names of all such Inhabitãts taxed, shall also enter into the said regiſter booke, together with their taxations: and also shall by their diſcretion, within euery their said diuiſions and limites, appoint oꝛ sée Collectoꝛs foꝛ one whole yéere to be appointed, of the said wéekely poꝛtion, which shall Collect and gather the said poꝛtion, & make deliuerie of so much thereof, accoꝛding to the diſcretion of the said Justices, Maioꝛs, Shiriffes, Bailifes, and other Officers, to the said poꝛe people, as the saide Justices, Maioꝛs, Shiriffes, Bailifes, and other Officers shall appoint them: And also shall appoint ouerſeers of the saide poꝛe people by their diſcretions, to continue also foꝛ one whole yéere: and if they doe refuſe to be Ouerſeers, then euery of them so refuſing, to foꝛfaite x.s. foꝛ euery such default.

And be it further enacted by the authoꝛitie aforesaid, that the Maioꝛ of the Citie of London, and the Maioꝛ, Shiriffes, Bailifes, and other head Officers of euerie other Citie, Boꝛough, oꝛ Towne coꝛpoꝛate, oꝛ his oꝛ their sufficient Deputie oꝛ Deputies, within their Cities, Boroughs and Townes coꝛpoꝛate, and the Constables oꝛ Tythingmen, of all and euery hundꝛed, Rape, and Wapentake, within all and euery the said Shires in England and Wales, in all & euery such abiding place & places within their hundꝛeds, limits, & pꝛecincts, as shalbe pointed to settle the poꝛe people in, shall once euery moneth nert after the saide places, so appointed and inhabited with the said poꝛe people, accoꝛding to the intẽt of this pꝛesent act of Parliament, make a view & search of all the aged, impotent, and lame persons within the pꝛecinct of their iuriſdictions: and all such person and persons, as they shall find not beyng boꝛne within that diuiſion, noꝛ within the said Cities, Boꝛoughs, oꝛ Townes coꝛpoꝛate, then shal they pꝛesently sée the same poꝛe people not there boꝛne noꝛ dwelling within the said thꝛée yéares (except lepꝛous people, and bedꝛed people) to be conueyed on hoꝛseback, in cart, oꝛ otherwiſe, as shall séeme best to their diſcretions, to the nert Constable, and so from Constable to Constable, the diꝛectest way, till the said person and persons be bꝛought to the place where he oꝛ shée was boꝛne, oꝛ most conuersant by the space of thꝛée yéares nert beforꝛe, and there to be put in the abiding place, oꝛ one of the abiding places in that coũtrey appointed, oꝛ to be appointed foꝛ the habitation of the poꝛe people of that Countrey, there to be pꝛouided, kept, and nouriſhed of almes, as is aforꝛe said, vpon paine of twentie shillings euery the said officers that neglecting.

And be it further enacted &c. that if any of the said poꝛe people, vpon the appointment of the saide Justices oꝛ other Officers refuſe to be beſtowed in anie of the said abiding places beforꝛe mentioned, but rouet still to holde on their trade of begging, oꝛ after they be once beſtowed in the saide abiding place oꝛ places, doe depart and begge: then the said person and persons so offending, foꝛ the first offence to be accompted a rogue, oꝛ vagabond, and to suffer as a rogue, oꝛ vagabonde, in the first degrée of punishment set forth by this act in all pointes: And if he, she, oꝛ they do the second time offend, then to be eſtéemed as a rogue oꝛ vagabond, and to suffer as a rogue oꝛ vagabõd, in the last degrée of punishment set forth by this act, in al points. (But see here after 11.)

And it is further enacted by authoꝛity of this pꝛesent parliamẽt, that if any mãner

of person or persons appointed and elected to be collectors, as is aforesaid, shal refuse the said office, or shal after he hath agreed to it, neglect the same, he shal forfait & lose for euery offence to the vse of the poore of the same place, xl. s. of lawfull money of Englād to be leuied by distresse, or recouered by action, bill, plaint, or informatiō in anie Court of Record, or Lords court, by the Hie Constables or Mythingmen aforesaid: in which suite, no essoine, protection, nor wager of law shall be allowed or admitted to the partie defendāt. And if the said high Constables shal be remisse or negligēt to sue, or shall refuse to sue the said collectors, and euery of them, within two moneths next after such refusall, or negligence in or by the said collectors: that then the said high constables or Mythingmen, shall forfaite and lose fiue pounds of lawfull money of England, to the vse of the poore of the same place, to be sued for, by & in the name of two of the nert Justices to the said place or places being out of Cities, Boroughs, & Townes corporate: if within, then by the Maior, Bailifes, or other head Officers of the said Cities, boroughs, or townes corporate, in any court of record or Lords court, by action of debt, bill, plaint or information, in which, no essoine, protection or wager of lawe shall be allowed.

Collectors Refuse

Forf.

High Constable

Forf.

2. Justices of peace

And further be it enacted, that the said collectors, and euery of them, so to be chosen, as is aforesaid, shall make their iust accompt halfe yerely of the said collection and gathering, to ij. Justices of the peace, dwelling nert the saide abiding place or places, not being within any Citie, Borough, or towne corporate: or to the Maior, Shirifes, or other chiefe officers of the said cities, boroughs, or townes corporat: and whē they goe out of their offices, they shal deliuer or cause to be deliuered forthwith vpon their accompts, al such surplusages of their collection and gathering, as shal then remaine vndistributed, to be ordered by the said Justices, Maiors, bailifes, or other head officers, vpon the said paine of tenne pounds. If any such collector shall refuse to make his said accompt, or neglect the same by the space of xiij. daies after request to him therfore made, then the saide two Justices, or one of thē, to commit the saide Collector to the next gaole for the saide Countie, there to remaine without baile or mainprise, till he haue made his said accompt, & immediate paiment & deliuery of all such surplusages as he hath receiued.

Collectors

Accompt 2. Iust. of p.

Maior Shirifes

Surplusage

Forf. Refuse

14. dayes

1. Iust. of p. Imprison

And bee it further enacted, that if any person or persons, being able to further this charitable worke, wil obstinately refuse to giue towards the helpe and releife of the said poore people, or do wilfully discourage other from so charitable a deede: the said obstinate person or wilfull discourager shall presently bee brought before two Justices of the peace, whereof one to be of the Quorum, of the same Countie, to shew the cause of his obstinate refusall, or wilfull discouragement, and to abide such order therein, as the saide Justices shall appoint: if he refuse so to doe, then to bee committed to the next gaole for the saide Shire, there to remaine vntill he be contented with their said order, & do performe the same.

Refuse

2. Iust. of p. Quorum

Imprison

And it is also further enacted, that if any of the said aged & impotēt persons, not being so diseased, lame, or impotent, but that they may worke in some māner of worke, shall be by the ouerseers of their said abiding place appointed to worke, if they refuse, then in fourme aforesaid to be whipped and stocked for their first refusall, and for their second refusall to be punished in case of vagabonds, in the said first degree of punishment.

Refuse

Whipped Stocked

Vagabonds

Prouided alwaies and be it further enacted by the authoritie of this present parliament, that iij. Justices of peace, whereof one to be of the Quorum, of & with the surplusages of the saide collections & forfaitures, (the said poore and impotent people satisfied and prouided for) shal by their discretions in such conuenient place and places within their said Shires, as they shal thinke méete, place & settle to worke, the rogues & vagabonds that shall be disposed to worke, borne within their saide coūties, or there abiding for the most part within the said three yéeres, there to bee holden to worke by the ouersight of the said ouerseers, to get their liuings, and to liue and to be sustained onely vpon their labour and trauaile.

3. Iust. of p.

Surplusage

Set to worke

We it also further enacted by the authoritie of this present parliamēt, that if any beggers child, being aboue the age of fiue yéeres, and vnder fourtéene yéeres, being male or female, shall bee liked of by any subiect of this realm of honest calling, who shall be willing to take the said child into seruice, the said subiect shal at the nert generall Sessions to bee holden for the said Countie,

Child

Iust. of p. Sessions

Counte, by order of the Iustices there, or the most part of them, haue the said child bound with him: if it be a mã child, till the age of 24 yeres, if it be a woman child, till the age of 18 yeres. If the child doe after depart or be taken, or be enticed from the said master or mistresse, the master or mistresse to haue their remedie by order of the statute of labourers, (before in labourers 58. for all other statutes bee repealed.) as for their seruant, either by way of action, or otherwise, as well against the child, as against the taker or enticer thereof.

Bounde

Ran away

Be it also enacted by authoritie of this present parliamẽt, that all the forfaitures appointed, or to grow by this statute (except the forfaitures of Iustice of peace) shal wholy go, and be employed to the vse of the poore aforesaid, and shal be leuied by distresse, by the discretion of the Iustices of the same Countie, or two of them, or other head officers aforesaid. And that the Iustices of peace in all shires of Englãd, shall in their quarter Sessions next after Easter, yerely examine the performance or not performance of this statute, according to the tenor thereof as they are bound to do the statute of labourers, and at their said Sessions shall yerely appoint newe collectors, and new ouerseers, for the causes aforesaid, and shal then also agree vpon new viewes & searches of the saide impotent people, within euery their limits for the yere following, if need shall be, & further at their said Sessions, shall take order by their good discretions, for all and euery thing & things, that may in any wise further the intent of this act.

Vse of the poore

Discretion 2. Iust. of p.

Easter Sessions

Collectors Ouerseers

Searches

And be it further enacted by the authoritie aforesaid, that iij. Iustices of peace, within al the shires of this realme, whereof one to be of the Quorum, shal haue full power by authority of this present parliament, to heare and determine all causes (except forfaitures of Iustices of peace) that shall come in question by reason of this present act.

3. Iust. of p.

Quorum

Hier & ter.

Prouided also, that for asmuch as it is thought that the inhabitants of diuers counties, Cities and townes within this Realme, bee not able to relieue the poore, lame & impotent persons with money, to be collected in maner & forme aforesaid, & that it were ouer great a burthen to Collectors, for to gather meate, drinke, corne, or other things for their relefe to be imploied and bestowed in forme afore said: Therefore it is further enacted, that it shall be lawfull to and for the Iustices of the peace, in their open sessions of the peace, or for the most parte of them there assembled, within any the Counties, Cities or townes of this realme, where collectiõ of money ãnot presently be had, as this present act willeth & appointeth, to grant licence vnder their hands and seales, to such & so many of the said poore and impotẽt, or diseased persons, or to any other person or persons, to be by the said Iustices assigned and allowed for the said poore to aske, gather, & receiue, within such other towne, parish or Parishes of the said Countie, as the said Iustices, or the most part of them, there then in their said Session assembled shall especially name, appoint, limit, and assigne, the charitable deuotion & almesse at the house or houses of the inhabitants of such Towne, parish, or parishes, by the said Iustices named, appointed, limitted, or assigned, so that they doe appoint the said poore so to bee relieued onely within the townes & parishes being within the diuisions of the same Iustices, that so shal giue such licence or licences: and that the inhabitants of euery such Parish or Parishes, to the which such poore or impotẽt persons shall be so appointed, as is aforesaid, shall be coacted & bound by vertue of this act, vnder such paine, as to the discretiõ of the said Iustices there in their Session assembled, or the most part of them, shall seeme conuenient, to relieue the said poore and impotent persons, in such sorte, as the said Iustices there assembled shall appoint.

Counties Cities Townes

Meats

Licence

Iust. of p. Sessions

And be it further enacted, that if it shall happen any Citie or Towne corporate, to haue in it more impotent & poore folks, not able to labour, then the said Towne or Citie is able to relieue, and the said citie or towne corporate is a Countie of it selfe, or situate, or standing in one coũtie, & immediatly adioyning to another, that in those Cities or Townes, the Maior or head officers of the said Citie, or Towne, shall make certificat to the Iustices of the counties adioyning to the saide Cities or townes, and the same Iustices of the said adioyning Countie or Townes in their generall Sessions of the peace, shall giue licence, and follow the order aboue remembred, according as other Iustices of the Counties in the which any towne or parish surcharged standeth, are before limitted and authorised to doe.

Citie. Towne

Countie

Maior

Counties

Sessions

Licence

Prouided alwayes, and be it enacted by

the authoritie afoꝛesaid, that al and euery summe and summes of money frō henceforth to be collected oꝛ gathered within ẏ citie of Lōdon, & the liberties of the same, by vertue of this act, shal be paid vnto the gouernoꝛ of the Hospital, called the Hospital of Christes church within the said citie of London, foꝛ the time being, and shal be by them from time to time distributed and bestowed foꝛ the releefe of the poꝛe of ẏ same citie, accoꝛding to their wisedoms and discretions: any thing in this statute contained to the contrary notwithstanding.

Money
London
Hospitall

Pꝛouided also & be it enacted by the authoꝛitie afoꝛesaid, that all & euery summe & summes of money from henceforth to be collected oꝛ gathered within the citie of Couentrie, & the liberties of the same, by vertue of this acte, towardes the maintenance and releefe of the Hospitall of poꝛe people, erected in the same Citie, shall be paide vnto such gouernour & gouernours of the said Hospitall, as now is oꝛ hereafter shal be admitted and appointed by the Maioꝛ & Aldermen of the said citie of Couentrie, oꝛ the moꝛe part of them, foꝛ the time being, & such gouernour and gouernoꝛs so admitted & appointed, as is afoꝛesaid, shal from time to time distribute and bestow foꝛ the releefe of the poꝛe within the said Citie, the said summe oꝛ sums of money, accoꝛding to their wisedomes and discretions: any thing mentioned in this act to the contrary not withstanding.

Money
Couentry
Hospitall
Maioꝛ

Pꝛouided also, and bee it enacted by the authoꝛitie afoꝛesaide, that all and euery summe & summes of money, from henceforth to bee payed, collected, oꝛ gathered within the citie of Glouceſter, liberties & limits of the same Citie, foꝛ, & toward the vse oꝛ releefe of the poꝛe, and al and euery other releefe, which shalbe due & payable, oꝛ is to be yéelded within the said Citie, liberties, oꝛ limits, foꝛ & toward the releefe of the said poꝛe, shall be frō time to time paied & deliuered, oꝛ otherwise shall stand and be at the onely rule, oꝛder, and disposition of the pꝛesident & gouernours of the hospitall of S. Bartholomew, of the foūdation of our most gratious Soueraigne Lady Quéene Elizabeth, within the said citie of Glouceſter, foꝛ the time being, & shall be by them from time to time distributed, and bestowed foꝛ the releefe of the poꝛe of the citie, accoꝛding to their wisedomes and discretions.

Glouceſter
Hospitall

And be it further enacted by the authoꝛitie afoꝛesaid, that the bishop of euery dioceſſe, oꝛ his chaūcelloꝛ foꝛ the time being, shal yerely visite all hospitals in the Dioceſſe of such bishop, where no visitour by the founder oꝛ foūder's is appointed, if the founder of the said hospitall be then dead, & to sée & take oꝛder, that the said hospitals be oꝛdered & vsed accoꝛding to ẏ Statutes and oꝛdinances of the foundation thereof, and if the founder be then liuing, the said founder to visite the same during his life, without any the Bishops visitation, & the same visitation to be at the onely costes & charges of the visitours, & not of the hospitall: & that it shall be lawfull to the bishop of the Dioceſſe foꝛ the time being, where such hospitall is, oꝛ shalbe, oꝛ his chācelloꝛ, vpon complaint, oꝛ other intelligence of wilfraude, to take accompt how the rents, reuenues, and pꝛofits of any such hospital hath bin bestowed and spent, to cal beꝛore him oꝛ them the said hospitall to accōpt, al such person & persons as haue had the collectiō oꝛ receipt of any the said rēts, issues, reuenues, oꝛ pꝛofits. And if any person oꝛ persons so called, shall and do refuse to accōpt, oꝛ entring into accompt, shall refuse to pꝛoceed and finish the same, oꝛ vpon the finishing thereof, shal refuse foꝛthwith to imploy oꝛ answere to the vse of the saide hospitall such summe oꝛ sums of money, as vpon the same accompt shal appeare to be due by him: that then euery such person & persons so refusing, shall foꝛfait and lose such summe & summes of money as to the said Bishop oꝛ Chancellour, & to two Iustices of the peace nexte inhabiting to the said hospitall, shall be thought méete and conuenient, to which accompts, the said Bishop oꝛ Chancelloꝛ shall call the same two Iustices of peace.

Bishop Chancelloꝛ
Visiter Hospital Founder
Costes
Bishop
Accompt
Refuse
Foꝛf.
2. Iust. of p.

Pꝛouided also, and bée it further enacted by the authoꝛity afoꝛesaid, that no person oꝛ persons, hauing charge of anie voyage in passing from the Realme of Irelād, oꝛ from the Isle of Man, into this Realme of England, doe from the last daie of June nexte comming, wittingly, oꝛ willingly transpoꝛt, bring, carie, oꝛ conueigh, oꝛ suffer to bee transpoꝛted, brought, carried, oꝛ conueighed in anie ship, picard, vessell, boate, oꝛ boates, from and out of the said Realme of Ireland, oꝛ from, oꝛ out of the said Isle of Man, into the realme of England, oꝛ Wales, oꝛ any part thereof, any vagabond, rogue oꝛ begger, oꝛ any such as shall be foꝛced, oꝛ very like to liue by begging within ẏ realms of

Transpoꝛt
Ireland
Vagabond

England

Englande or Wales, being borne in the
Isle of man realme of Ireland or in the saide Isle of
Man, on paine of enterie such person or per-
sons, so bringing, transporting, carying, &
conueying, either suffering to be brought,
transported, caried, & conueighed in ma-
Forf. ner and forme aforesaid, to forfaite and lose
for enerie such vagabond, rogue, begger,
or other person, which shall be founde, or
like to live by begging within this realme
of England, or Wales, being trãsported,
& set on land in any part of England or of
Wales, xx.s. of lawfull English money,
Elle to the vse of the poore of the same parish in
which they were set on lande, to be leuied
Collectors by the collectors of the same poore for the
Seasle time being, by seasure and selling of anie
the goods and cattels of the same person,
which shall so bring, transporte, carie, or
conueigh anie such rogue, vagabonde, or
begger, or other person which shalbe for-
ced, or like to live by begging within the
realme of England, or of Wales, to ỹ va-
lue of the same forfaiture, and on the paine
of the same vagabonds, rogues, and beg-
gers so set on lande, to be punished as the
Punish other vagabonds & sturdy beggers in this
act before mentioned and declared.

And bee it likewise enacted, if any such
Irish Rogue Manilke or Irish rogue, vagabõd or beg-
ger, bãne alreadie, or shall at any time
hereafter bee set on lande in anie parte of
England or of Wales, the same shall bee
conueyed to the next Porte in or nere
which they were landed, and from thence
Transporte be transported at the common charge of
the countie where they were set on land,
into those parts from whence they came,
or were transported.

Also be it prouided, that if any maner of
person shal hereafter find him or her selfe
Grieued grieued with any taxation set vpon them
by vertue of this act, it shalbe lawfull for
Sessions them at the nert general Sessions of the
peace, to be holden within the same shire,
Complaint where their taxation shalbe, to make com-
plaint thereof to the Justices on ỹ bench,
& to bee eased of their excessiue charge by
the discretion of the whole bench, or the
most of them. And if anie default shall be
Just. of p. hereafter found in anie Justices of peace,
or Quorum, in or about the execution of
this act: euerie of the said Justices, vpon
3. witnesses proofe of their said default, by two suffici-
ent witnesses before the Just. of Al. at the
nert general sessions of gaole deliuery for
Forf. the same countie, after the same default,
shall forfait & lose v li. of lawfull English
money, the one halfe whereof to be to the Mottie
vse of the said poore people of the same
countie, & the other halfe to the Queenes
Maiestie, which said forfaiture shal be le-
ued by distresse, by the discretion of the
said Justices of assises.

And whereas a great number of poore
and diseased people do resort to the citie of
Bathe in the countie of Sommerset, and Bathe
the towne of Buckstone, in the countie of Buckstone
Derbie, for some ease and relefe of their
diseases at the Bathes there, & by meanes
thereof the inhabitants of the same citie of
Bathe, & towne of Buckstone, are greatlie
ouercharged with the same poore people to their intollerable charge: Be it en-
acted by the authoritie aforesaide, that no
diseased or impotent poore person, liuing
on almes, at any time after the feast of S.
Bartholomew the Apostle next cõming,
shal resort or repaire from their dwelling
places to the said citie of Bathe, & towne
of Buckstone or either of them, to the
Bathes there for ease of their griefe, vn-
les such persõ be not only licẽced so to do, Licence
by two Justices of the peace of the coun- 2. Just. of p.
tie where such person doth or shall then
dwell and remaine: but also prouided for
of the inhabitants of such hundreds, part-
shes, or places from whence they shall be
so licenced to trauaile, of such relefe for Maintenance
and towards his maintenance, as shal be
necessary for the same person, for the time
of such his abode at ỹ same citie of Bathe,
and towne of Buckstone, or either of thẽ,
and returne home againe as shall be limi-
ted by the same licence, vpon paine to be
reputed, punished, and vsed as vagabõds, Punish
by the purview of this statute: and that
the inhabitants of the same citie & towne,
shall not in anie wise bee charged by this
acte with the finding or relefe of anie such
poore people.

And for the better performance of this
charitable act, it is ordained & established
by authoritie aforesaid, that where as the
late King of famous memorie, K. Henrie
the 8. his heires or successors, or anie o-
ther person or persons, heretofore by his
or their seuerall and lawfull erections, and
foundations, hath or haue ordained or ap-
pointed anie summe or summes of monie,
rents, relefes, or commoditie to the vse of
the poore, or for the repairing or mending
of high waies or bridges, not being taken
away other wise by act of parliamẽt, whe-
ther the same be in anie cathedral church,
Colledge, or elswhere, that the Bishop of Bishop
the

Chancelour the Diocesse or his Chancelour, within which ye said cathedrall Church, colledge, or place is, and the Justices of the peace of the countie, within the which the saide cathedrall Church, Colledge, or place is, or three of them (whereof one to be of the Quorum) shal haue authoritie from time to time to examine how, and after what maner the saide money, rent, reliefe, or reuenuoutie is bestowed: and to cal to account the parties which doe detaine the said money, rents, or reliefe, & thereupon to take such order for the distribution of the same, as to their discretions shal seeme most fit and agreeable to the good intent of the founders, giuers, and graunters, & thereof to make certificate in the high court of chancerie, once in euerie yeere.

Chancelour

3. Iust. of p.

Quorum

Account

Certificate Chancerie

Prouided alwaies, that wheras by reason of this act, the common gaoles of euerie shire within this realme, are like to be greatly pestered with a more number of prisoners, then heretofore hath bin, for that the said vagabonds and other lewde persons before recited, shal vpon their apprehension be committed to the common gaole of the same shire where they are so taken and apprehended, and that in most shires of this realme the common gaoles are in such townes, where there be a great number of poore people, more the they are well able to sustaine with their reliefe, & in some shires the assises are kept far distant from the place where the common gaoles are, by reason wherof, the said prisoners are like to famish for want of sustenance, if they be not therfore prouided: For remedy wherof, be it therefore enacted by the authority aforesaid, that it shal and may be lawfull for the Justices of P. of euerie shire within this realme at their general quarter Sessions of the peace to be holden within the same shires, or the most part of the said Justices being then present, to rate & tare euerie parish within the said shires, at such reasonable sums of money, for and towards the reliefe of the said prisoners, as they shall thinke conuenient by their discretions: so that the said taxation and rate doth not extende aboue sixe pence or 8. pence by the weeke out of euerie parish: and that the Churchwardens of euery parish win this realme for the time being, shall euery sunday-leuie the same, and once euerie quarter in the yere pay to the high constable or head officers of euerie towne, parish, hundred, riding, or wapentake within this realme, al such summes of money, as their parish shalbe rated and taxed, for and towards the reliefe of the saide prisoners within their said seuerall parishes: And that the said high constables and head officers, and euery of them, shal pay al such summes of money by them paide by ye said Churchwardens, at euery quarter generall sessions to be holden within the said seuerall shires, to such sufficient persons dwelling nigh the said gaoles, as shall be appointed by ye said Justices in their said open quarter sessions, to be there readie to receiue the said monie, so collected, as is aforesaid, and that the collectors for the saide prisoners, shal truely distribute & pay al such summes of monie, as they & euery of them shall receiue for the reliefe of the said prisoners, as aforesaid, vpon paine as well ye saide Churchwardens of euerie Parish, constables & head officers of euerie hundred, or wapentake, as also the said collectors appointed for the collection & contribution of the said prisoners so making default, as aforesaid, to forfait v.li. the one moitie thereof shall be to the vse of the K. Maiestie her heires and successours, and the other moitie to the relefe of the prisoners: any statute, law, custome, vse, or other thing to the contrarie, in any wise notwithstanding.

Gaoles

Prisoners

Parochie Churchwardens

Constables

Sessions

Collectors

Forf. Moitie

Prouided alwaies, that the Justices of peace within any countie of this realme, or Wales, shal not intromit or enter into anie citie, borough, place or towne corporate, where be any Justice or Justices of peace, for any such citie, borough, place or towne corporat, for the execution of anie branch, article, or sentence of this act, for or concerning any offence, matter, or cause growing or arising, within the precincts, liberties, or iurisdiction of such citie, borough, place or town corporat, but that it may & shal be lawfull to the Justice & Justices of peace, Maiors, Bailifes, or other head officers of those Cities, Boroughes, Places and Townes corporate, where there be Justice or Justices, to proceed to the execution of this acte, within the precinct and compalle of their liberties, in such maner and forme as the Justices of peace in any countie may or ought to do within the same Countie by vertue of this Acte: any matter or thing in this act expressed, to the contrarie thereof not withstanding. And that euerie Justice & Justices of the peace, within euerie such Citie, borough, place, and Towne corporate, for euerie offence

Iust. of p.

Iust. of p.

Cities

offence by them, or any of them to be committed, contrarie to the intent and meaning of this statute, shall be punishable, & chargeable as other Justices of peace at large in the counties, are by this act aboue appointed to be.

Citie Towne

Prouided alwaies, and be it further enacted by the authoritie aforesaid, that if it shal chance any citie or towne corporate, to haue in it more poore folks then the inhabitants thereof shall be able to relieue, that in such case vpon certificate thereof made, and of the number and names of the persons, which they be so surcharged, vnto the Justices of the peace, of the countie in which such citie or towne corporate shall lie and bee situate, at their quarter Sessions of the peace, by two Justices of peace of the said countie, and the Maior or other head officer of the said citie or towne corporate: the Justices may by their discretions in the same sessions, take order, appoint, and cause the same poore folke so certified, to be prouided for, and relieued, by giuing of licence to begge, or otherwise in some other place or places of the saide countie, out of such citie or towne corporate so surcharged. Prouided alway, that this act, or any thing therein contained, shal not extend to the poore people, for the time being in the hospitall, called Saint Thomas hospitall, otherwise called the kings hospitall in the borough of Southwarke, neere adioining to the citie of London, but that the Maior, comminalty and citizens of the said citie of London for the time being, shall and may onely haue the rule, order, and gouernement of the saide hospital, and of the poore people therin for the time being: anie thing in this acte to the contrarie notwithstanding.

2. Iust. of p. Maior

Licence

Hospital South. warke

Prouided alwaies that this acte, or anie thing therin contained, or anie authority therby giuen, shal not in any wise extend to diminish crite, preiudice, or hinder John Dutton of Dutton, in the county of Chester Esquire, his heires, or assignes, for, touching, or concerning anie libertie, priuiledge, preeminence, authoritie, iurisdiction, or inheritance, which the saide John Dutton now lawfully vseth or hath, or lawfully may or ought to vse within the C. Palantine of Chester, & the countie of the citie of Chester, or either of them, by reason of any ancient charters of any K. of this land, or by reaso of any prescriptiō, or other lawful vsage or title whatsoeuer.

John Dutton

Countie Palantine

This act to indure for seuen yeres, and from thence to the end of the next parliament then next following. An. 14. El. cap. 5. This act is explained, augmented, & further continued by 18. El cap. 3. as followeth here 10. An. 27. Eliz. cap. 11. this acte is continued vnto the ende of the next parliament. And An. 29. Eliz. cap. 5. This acte is continued vnto the end of the next parliament. And Anno 31. Eliz. cap. 10. This acte is continued to the ende of the nexte parliament. And Anno 35. El. cap. 7. This acte is continued to the ende of the parliament next insuing, with the prouiso or clause here following 11.

10 ¶ For some better explanation, and for some needfull addition to the statute concerning the punishmēt of vagabonds and relefe of the poore, made in the session of parliament, holden the 14. yeere of the Queens Maiesties raigne, (before 9.) Be it ordained, declared, and enacted by authoritie of this present parliament, in maner and form following, that is to say, First, concerning bastards, begotten and borne out of lawfull matrimonie (an offence against Gods law and mans law) the said bastardes being nowe left to bee kept at the charges of the parish where they be borne, to the great burden of the same parish, and in defrauding of the relefe of the impotent and aged true poore of the parish, and to the euil example and encouragement of lewde life: It is ordained & enacted by the authoritie aforesaid, that two Justices of the peace, whereof one to be of the Quorum, in or next vnto the limits where the parish Church is, within which parish such bastard shal be born, (vpon examination of the cause and circumstance) shall and may by their discretion take order, aswel for the punishment of the mother and reputed father of such bastard childe, as also for the better relefe of euerie such parish in part or in all, and shall and may likewise by like discretion, take order for the keeping of euerie such bastard childe, by charging such mother or reputed father with the paiment of money weekely, or other sustentation for the relefe of such childe, in such wise as they shall thinke meete and conuenient. And if after the same order by them subscribed vnder their hands, any of said persons, vz. mother or reputed father, vpō notice therof, shal not for their part obserue and performe the said order: that then euery such partie so making default, in not performing of the said order, to bee committed

Bastards

2. Iust. of p. Quorum

Discretion Punish

Order

to

to ſwarue to the cõmon gaole, there to re-
Mainprize main wtout baile or mainprize, except he,
she, or they shal put in sufficient suerty to
performe the said order, or els personallie
Sessions to appeare at the nert generall Sessions
of the peace, to be holden in that countie,
where such order shall be taken, and also
to abide such order as the said Justices of
the P. or the more part of them then and
there shall take in ỳ behalf (if they then &
there shal take any) and that if at the said
sessions the said Justices shall take no o-
ther order, then to abide and performe the
order before made, as is aboue said.

Rogues Also concerning rogues, in as much as
by the former act, they are to be conueied
Constable to the gaole or prison by the constable, or
other officer, at the charges of the parish
where such Rogue is apprehended, for a-
uoiding of great trauaile and charges ri-
sing thereby, many are suffered to passe &
winked at: Be it ordained and enacted by
the authoritie of this present parliament,
that from henceforth euerie such Rogue
apprehended, shalbe conueied by the con-
stable or other officers of ỳ Parish where
such apprehension shalbe, but to the con-
stable, tithingman, or other officer of the
Nert towne nert townesship or parish in the nert hun-
dred, & so from one hundred to another, by
the Constables, tithingmen, or officers of
euerie such township or parish which shal
be nert in euerie such hundred, the direct
way, vntil they shal come to the gaole or
prison appointed for such rogues and va-
gabonds. & that euery such constable, ti-
thingman, & officer, shal accordingly con-
Rogue uey such rogue and vagabond, vnder the
paine & penalties by the said former estatute limited, to the Constable, tithingmã,
or other officer, in whose Parish such
Rogue or vagabond shal be first apprehẽ-
ded. And as concerning persons inquira-
ble of, as of a rogue in the second degree, if
any such person shal after his first connic-
tion, either by curing or alteration of the
marke of any such person, or by alteration
of name, or denying to bee the same per-
son, or by any other waies or meanes goe
about to auoid the hauing of his or their
further punishment, that the same or any
Triall such other allegation, shalbe considered of
and tried by the Jurie, vpon the arraign-
ment, as parcel of their euidence: and as
they shall in their consciences finde the
prowes, circumstances, & euidences, so to
Verdict giue their verdict, which shalbe a suffici-
ent trial in law, without any further cer-
tificate or triall of the former recorde or
conuiction, frõ any other county or place,
or by any other meane. And moreouer, Second degree
that if the Rogue in the second degree in-
dicted, & by confessiõ or verdict afterwards
conuicted, shall afterward a Thirde, or
Fourth, or other time after, be indicted &
conuicted of rogish life: that thẽ such per-
son the third, or more often times, indic-
ted and conuicted as a rogue, shal suffer to
all respects as a felon, without allowãce Felon
of the benefit of clergie. Clergie

Also to the intent youth may bee accu- Worke
stomed & brought vp in labour and worke,
& then not like to grow to be idle rogues,
and to the intent also that such as be al-
readie growen vp in idleneſſe, & so rogues
at this present, may not haue any iuſt ex-
cuſe, in saying that they cannot get anie
seruice or worke, and then without anie
fauour or tollleration worthy to be execu-
ted, and that other poore and needie per-
sons, being willing to worke may be set
on worke: Be it ordained and enacted by
the authoritie aforesaide, that in euerie ci- Citie Towne
tie & towne corporate within this realme,
a competent store & stock of Wool, Hemp, Stocke
Flare, Yron, or other stuffe, by the ap-
pointment and order of the Maior, Bai- Maior Bailife Justices
lifes, Justices, or other head officers, ha-
uing rule in the said cities or townes cor-
porate, (of themselues, and all other inha-
bitants within their seuerall authorities, Tare
to be tared, leuied, and gathered) shall be
prouided. And that likewise in euerie o-
ther market towne, or other place, with-
in euery countie of this realme, (whereto Just. of p. Sessions
the Justices of peace, or greater part of
them, in their general sessions yerely nert
after Easter, within euery limit shall bee
thought meete and conuenient) a like com-
petent store and stocke of Wooll, Hempe,
Flare, Iron, or other stuffe, as the countrey is most meete for, by appointment
& order of the said Justices of peace, or the
greater parte of them in their generall
sessions (of all the inhabitãts within their
seuerall authorities, to be tared, leuied, &
gathered) shall bee prouided. The saide
stores and stockes in such cities & townes
corporate, to be committed to the handes
and custodie of such persons, as shall by Custody Maior Bailife
the Maior, Bailifes, Justices, or other
head officers, hauing authoritie in euerie
such citie or towne corporate, be appoin-
ted, & in other townes & places, to such per-
sons, as to the said Justices of the peace, Just. of p.
or the greater part of them, in their saide

generall

generall sessions of the peace in their seue-
ral counties shall be by them appointed:
Which saide persons so appointed as a-
foresaid, shall haue power and authoritie
(by the aduise of them who doe appoint
them) to dispose, order, and giue rules, for
the deuision and maner of working of the
said stocks & stores, who shal from hence-
forth be called the collectors & gouernors
of the poore, to the intent euerie such poore
& needie person, olde or young, able to doe
any worke standing in necessitie of relief,
shall not for want of worke go abroad ei-
ther begging, or committing pilferings,
or other misdemeanor, liuing in idlenes:
which collectors & gouerners of the poore,
frō time to time (as cause requireth) shal
and may of the same stock and store deli-
uer to such poore & needie person, a compe-
tent portion to bee wrought into yarne,
or other matter, within such time, and in
such sorte, as in their discretions shall bee
from time to time limited and prefired, &
the same afterwards being wrought, to
be from time to time deliuered to the said
collectors and gouerners of the poore, for
which they shall make paiment to them
which worke the same, according to the
desert of the worke, and of newe deliuer
more to be wrought: and so from time to
time to deliuer stuffe vnwrought, and re-
ceiue the same againe wrought, as oft as
cause shall require, which Hempe, woll,
flaxe, or other stuffe wrought from time
to time shalbe sold by the said collectors &
gouerners of ỹ poore, either at some mar-
ket, or other place, & at such time as they
shal think méete, & with the money com-
ming of the sale, to buy more stuffe, in such
wise as the stocks or store shal not be de-
caied in value. And if hereafter any such
person able to do any such worke, shal re-
fuse to worke, or shall go abroad begging,
or liue idlely, or taking such worke, shall
spoile or imbesell the same, in such wise ỹ
after motiō giuen, the minister & church-
wardens of the parish, and collectors and
gouernours of the poore or the more part
of them shall thinke the same person not
meete to haue any more worke deliuered
out of the same store and stocke: and then
vpon certificate thereof made vnder their
hands, & brought by one of the said Col-
lectors and gouerners of the poore, to the
hands of such person or persons, as shall
in that county haue the ouersight and go-
uernment of one of the houses of correc-
tion, hereafter mentioned in this acte, in
conuenient apparel méete for such a bodie
to weare, he, she, or they, from such town,
place or parish shall be receiued into such
house of correction there to bee straitelie
kept as wel in diet as in worke, & also pu-
nished frō time to time as to the said per-
sons, hauing the ouersight and gouerne-
ment of the saide house of correction, shall
be appointed, as hereafter in this acte is
declared. Al which stocks & stores, shalbe
prouided and deliuered to the hands of the
said collectors & gouerners of the poore be-
fore the first day of Nouember next com-
ming, and at al times hereafter as occasi-
on shall serue: And that euery person re-
fusing to pay, or not paying such summe
of money towardes the said stockes and
stores, as vpon them or anie of them shal
be by order aforesaid tared, and at such
time as by the same order shall be appoin-
ted, shal for euery default, forfaite double
so much as he or they shall be so tared vn-
to. And moreouer be it ordained and en-
acted by the authoritie aforesaid, that vn-
in euerie countie of this realme, one, two
or more abiding houses, or places conue-
nient in some market Towne or corpo-
rate Towne, or other place or places, by
purchase, lease, building, or otherwise by
the appointment and order of the Iustī-
ces of peace, or the more parte of them in
their said generall Sessions (of the inha-
bitants within their seueral authorities,
to be tared, leuied, and gathered) shall be
prouided and called the house or houses of
correction, and also stocke and store, and
implements to be in like sorte also prouī-
ded, for setting on worke and punishing,
not onely of those which by the Collectors
and gouerners of the poore, for causes a-
foresaid to the saide houses of correction,
shall bee brought, but also of such as be, or
shall be inhabiting in no parish, or be, or
shal be taken as rogues, or once punished
as Rogues, & by reason of the vncertain-
tie of their birth, or of their dwelling by
the space of three yeeres, or for any other
cause ought to be abiding and kept with-
in the same countie: which said house or
houses of correction, with stockes, stores,
& implements appointed for such houses
of correction, shall be prouided in euerie
countie, vnin one yere next after this pre-
sent session of parliament (if the same con-
uenientlie may be) and if in the said time ỹ
same cannot conueniently be, thē within
such time as to the Iust. of peace, or the
more part of them, in their said generall

sessions

Apparell
Correct
Gouerners
Refuse
forf. Double
Counties
Houses
Market towne
Iust. of p.
Tare
Houses of correction
Stocks
Rogues
Iust. of p.

sessions of ỳ peace in euerie county, within their seuerall iurisdictions, shall bee thought mẽte & conuenient, so as it excẽde not two yeres after taxation in such Countie for that purpose made, or els the money leuied to be repaied. And ỳ euerie person refusing to pay, or not paying, (such summe of money, towards the making, obtaining, & furnishing of the saide houses of correction, & buying of stocks & stores, and for the releefe & sustẽtation of such persons as shall be appointed to the said houses of correction, vpõ them or any of them shalbe by order aforesaid tared, & at such time, as by the same order shall be appointed) shal for euerie default forfaite double so much as he or they shalbe so tared vnto. And be it also further enacted by the authority aforesaid, that the saide Iustices of peace, or the more part of them in their said general sessions, in euery countie shal & may appoint from time to time, persons which shall be ouerseers of euery such house of correctiõ, which said persons shalbe called the censors & wardẽs of the houses of correction, & shall haue the rule, gouernment, & order of such houses of correction, according to such orders as by the said Iustices of peace, or the more part of them in their generall sessions in euerie coũtie, shalbe prescribed: And shal also by like authority appoint others for the gathering of such mony, as shalbe tared vpon any person or persons within their seuerall iurisdictions, towards the maintenance of ỳ said houses of correction, which shalbe called the collectors for the houses of correction: and if any person or persons refuse to be collector and gouernour of the poore, or censor and warden, or collector of or for any the houses of correction: that euerie person so refusing, shal forfait and lose the summe of v li. And bee it further enacted, &c. that all and singuler person and persons, appointed by the authoritie of this act to be any collector & gouernour of the poore, or censor and warden, or collector for any the houses of correction, in any Countie, Citie, towne corporate, or other place in this Realme, shall as often as they or anie of them shalbe called therto by the persons hauing the appointmẽt of them, make a iust account of all such summe or sums of monie or other things, as they or any of them haue gathered, had, or raised in commoditie within their seueral collections or charge: and if anie such collector and gouernour of the poore, collector, censor, or Warden, of or for the houses of correction, refuse to make such account, or neglect the same by the space of fourteen daies next after request therfore to him made, or shall not within one weeke after such account rendered, yeelde and pay the whole arrerages, which hee or they vpon such account shall bee found in to such person or persons, as they shall be appointed vnto by them, before whom their said account shalbe taken: that then the said collector, gouernour, censor, or Warden to be committed to any vsuall gaole within the said countie, there to remaine without baile or mainprise, till he haue made his account & paiment of such arrerages as he hath receiued: Vpon the making of which account, it shall & may be lawful to such persons as haue the appointment of the saide collectors and gouernours of the poore, censors, wardens, and collectors of the houses of correction, euery of them in their authority, to allow as well such reasonable allowance to euerie the said collectors and gouernours of the poore, censors, wardens, and collectors of the houses of correction, for such money as they or anie of them haue imploied or disbursed in the execution of the said seueral offices, as also such reasonable fees and wages for their paines taken in that behalfe, as to them shall bee thought conuenient and reasonable.

And be it further enacted &c. that al the forfaitures by force of this act being forfaited by anie person or persons charged with any paiment toward the stockes & stores appointed for the relief of the poore, shall bee imploied in the prouision of the stockes and stores appointed by this acte, in such place where the money by the non paiment wherof the forfaitures did grow was payable, and the forfaitures likewise of all persons being, or being chosen to be collectors & gouernours of the poore, to bee imploied in the prouision of the stocks and stores, wherof they were chosen to be collectors and gouerners: and al forfeitures by force of this act being forfaited by anie person or persons, charged towards the sustentation of anie house of correction, and the forfaitures of all persons being, or being chosen to be censors and wardens, & collectors of or for anie house of correction, shalbe imploied in the maintenance and furtherance of the said houses of correction. All which said forfaitures shalbe leuied by distresse and sale of

the

the goods of the offender, as neere as they can, to the value forfaited by warrant from such persons, as haue by reason of their seuerall iurisdictions the nominatiō of the said collectors, gouerners, censors, & wardens, & the taxation of the said persons, which shall commit the saide forfaitures, to any person or persons by thē appointed, to be directed vpō certificat therof made, and the partie called thereunto.

And because it is to be hoped, that manie well disposed persons, vnderstanding the good successe which will grow by setting people on worke, and auoiding of idlenesse, will from time to time giue the sustentation and maintenāce of the same good purpose and intent: And for their better encouragement of the same, bee it ordained and enacted by the authoritie of this present parliament, that it shall bee lawful for euery such person as shall bee seised of anie manors, landes, tenements, or other hereditaments whatsoeuer in fee simple, in possession, reuersion, or remainder, holden in fee socage of the M. Maiestie, her heires or successors, or of any other person or persons, or bodie politike, in his or their owne right, & to his and their owne vse, for & during the space of 20. yeres next ensuing, to make feoffements, graunts, or any other assurances or conueiances, or by last will in writing, to giue and bequeath in fee simple all, or any part of the saide landes, tenements, and hereditaments to any bodie politike or corporate, and their successours in this Realme, and the dominions of the same now erected, or hereafter to be erected or founded, or to anie other persons, & their heires, to and for the prouision, sustentation, or maintenāce of any of the said houses of correction, or abiding houses, or of any of the said stocks and stores, to the vses aforsaid, and none other, without any licence of Mortmaine therein to be obtained, or any writ of ad quod dampnum to be sued out for the same, the acts de terra ad mamum mortuā non ponend. or anie other act or statute, law, custome or vsage, heretofore had or made to the contrary, in any wise notwithstāding. Sauing to our said soueraigne Ladie, her heires & successours, and to the Lords of the fee, all their rents and seruices going out of the sayde lands, tenements and hereditaments, so to be amortized as aforesaid.

Gine

20. yeres

feoffements Grants

Mortmaine

And be it further enacted by the authoritie aforesaid, that whereas by the saide former recited estatute, no paine is limmited for anie impotent person, which hauing a competent allowance prouided for him and her within his parish, shall notwithstanding without licence wander abroad loytering and begging: Be it likewise enacted by the authoritie aforesaide, that euery such person, shall for his or her such first offence bee whipped, & so returned home againe to his, her, or their parish: And if such person shal then eftsoons offend, being prouided for as aforesaid, thē to suffer as a Roague in the first degree ought to doe by the saide former estatute. And if the said persons shall then eftsones offend, then to suffer such paines & forfaitures as a Roague in the second degree ought to doe by the same former estatute, and so such further paines and penalties, as by the said former estatute to rogues & vagabonds is limited, which said offences shalbe tried, inquired of, heard and determined, as ỳ like offences of other rogues and vagabonds, by the said former estatute are appointed to be tried, inquired of, heard and determined.

Impotent person

Whipped

Paines

Prouided alwaies, that this act, nor any thing herein contained, shall extende to make any person or persons accessarie or accessaries to any felonie made by this estatute, nor that any attainder by any the said felonies, shal worke or be any corruption of blod in the issues or line of the persons attainted.

Accessarie

Corrupt blood

Prouided alwaies, and be it &c. that it shal & may be lawfull to the L. Steward of the houshold of her Maiestie, her heires and successours, or to the Commissioners within the vierge, to haue, exercise & vse all such authoritie within the said vierge, in execution as well of this Acte as of the said former recited acte, as any Justice of peace hath, or may haue, vse, or exercise elswhere within their seuerall shires, according to the limitation of the said estatutes: The saide Statutes or any thing therein contained to the contrarie notwithstanding.

L. Steward

Commissioners

And wheras the said former act is made to endure but for 7. yeres frō the making of the said acte, and from thence vntill the end of the next Parliament then next following, it is now enacted by the authoritie aforesaid, that as well the said former acte as this acte, shall haue continuance from the end of this present session of parliament vntil the end of 7. yeres thē next insuing, & from thence vntil the end of the

next

next parliament then following.

Just. of P. Provided alwaies, and be it enacted by the authority aforsaid, that if any Justice of the peace assembled at any of the saide sessions next after Easter, shal from thence depart (before conference had, touching the execution of this statute) he shall for Forf. euerie such offence forfeit fine pound, to bee recouered and leuied as a fine vpon indictment and conuictiō of trespasse, and to be imployed to the vse of ỳ prouision & furniture of the house or houses of correction in such countie.

Prouided also, and for the furtherance of the good intention of this present acte (in some help toward the charges of prouision and furnishing of the premisses) & to the intent one kinde of malefactors in the common wealth may be reformed at some charges of other offenders: Bee it further enacted by the authoritie aforsaid, Forfeitures that all & singuler penalties and forfaitures, in any wise limitted to growe or come to her Maiestie, for any offēce hereafter to be cōmitted against any of those penal statutes which her Maiestie by her proclamation from time to time for that purpose shal limit and appoint, shalbe recouered and leuied as aforesaide, and imploied, the one moitie to ỳ vse of such person or persons as shall prosecute the same by action, suite, or information, or by giuing of euidence vpon indictment & trauerse of indictment: and the other moitie Moitie to and for the prouision and furnishing of the stocks of monie or other stuffe for the poore, & of the house or houses of correctiō, Just. of P. in such maner and forme as by the Justices at the said sessions after Easter next ensuing after such recouerie, shalbe limited, any former penall statute, prouision, ordinance or other thing to the contrarie * hereof in anie wise notwithstanding. An. 18. Eliz. cap. 3. And. An. 27. Eliz. cap. 11. This acte was continued vntill the ende of the next parliament. And An. 28. Eliz. cap. 5 it is continued vntill the end of the next parliament. And An. 31. Eliz. cap. 10. it is continued vntill the end of the next parliament. And An. 35. Eliz. cap. 7. it is continued to the end of the parliament next insuing, with prouiso and addition here following 11.

11 ¶ Prouided &c. and be it enacted &c. that so much of the said statute made in ỳ 14. yeere of her Maiesties raigne, intituled, An acte for the punishment of Vagabonds, and for the relefe of the poore impotent, (before 9.) and of the said statute made in the 18. yeere of her Maiesties raigne, intituled, An acte for setting the poore on worke, and for auoiding of idlenesse, (before 10.) as concerneth the punishment of vagabonds, by gaoling, boaring thorow the eare, and death in the second degree, & euerie matter, clause, article, & prouision in the said statute contained, concerning the same, shall so farre forth onlie as they concerne the same frō henceforth be repealed, cease, and bee vtterly void.

And be it also enacted &c. that it shalbe lawfull for euery person for & during the space of twentie yeeres next ensuing, to make feoffemēts, grants, or any other assurances, or by his last will in writing to giue and bequeath in fee simple, aswell to the vse of the poore, as for the prouision, sustentation, or maintenance of any house of correction, or abiding house, or of anie stocks or stores, all or any part of such his lands, tenemēts, and hereditaments, and in such maner & forme as hee might haue done, to & for the prouision, sustentation, or maintenāce of any houses of correctiō, or abiding houses, or of any stockes or stores by force of the said statute (viz. of 18. El. before 10.) An. 35. El. cap. 7.

¶ Vacations of Bishopricks and Religious houses.

Patrons All patrons of abbeis which haue the K. charters of Englād of aduowson, or haue olde tenure, or possession in the same, shal haue the custody of them when they fal void, as it hath bin accustomed, & as it is before declared. Mag. char. cap. 33.

Eschetors 2 ¶ We wil and grant for vs & for our heires that at al times from henceforth, when such voidances shall happen, ỳ our eschetors, & the Eschetors of our heires, which for the time shalbe, shall enter and do to be wel kept the said voidāces, without doing waste or destruction in the manors, parkes, ponds, or woods. And ỳ they Hunt fell no vnderwood, nor hunt in the parkes Fish or warens, nor fish in ponds, nor free fishings, nor shal take no fine of the tenants free nor bound: but shal keepe and saue as much as pertaineth to the said voidances Oppression without doing harme or any maner of oppression. An. 14. E. 3. cap. 4. pro clero.

Deane 3 ¶ If the deane and chapter of churches cathedral, priors, & suppriors, prioresses, and our suppriorelles, & conuents of

priorelates,

prelates, abbies, or priories, whose voidance perteineth to vs & our heires, will render to vs & our heires the valure of the said voidances, as other will reasonably yeeld: then the Chancellor & the Treasurer shal haue power to let to ỳ said Deane & chapter, prior or supprior, priorelle or supprioresse, & couent, the saide voidances by good and sufficient suretie, so that they shal haue the same before all other, yelding to vs the valure, according as shalbe found by remembrances of the Eschequer, or by inquest to be taken vpon the same, if neede be, without making fine. And in case they wil not accord to yeld ỳ valure, nor finde such suretie: then the Chauncellor & Treasurer shal do to be ordeined the good keeping of such voidances by eschetors or other sufficiẽt keepers, to answere the king of that to him perteineth reasonably, without doing waste or destructiõ, or other thing, which may turne in diherison of the churches wherof such voidances shal happẽ. An. 14. E. 3. pro clero. ca. 4.

Suretie Valure

Chancellor Treasurer

4 ¶ We will, and by these present letters do grant ful power to our said Chancellor & Treasurer, which taking to them out of our councell such as to them shall seeme best to be taken, by good informatiõ of remembrances of the Eschec & other informations as to them best shall seeme, shal let the vacations of archbishoprics, bishoprics, abbies, priories, & other houses, whose voidances pertaineth to vs, to the Deane and chapter, prior, or suprior, priorelle or supprioresse & couent to yeld a certaine of euery voidance by the yeere, quarter, or moneth, during the vacatiõs, according as to them best shal seem, without making any fine. And that no eschetor nor other minister in the time of vacations, shal haue cause nor matter to enter, or therof to meddle, to doe any thing, which shalbe in preiudice of the churches whereof such voidances shal happen. Sauing to vs & to our heires ỳ knightes fees, aduowsons of churches, escheats, wards, marriages, reliefes & seruices of the saide fees. An. 14. E. 3. ca. 5. pro clero.

Chancellor Treasurer

Vacations

Eschetor

Knights fee

Aduowsons

¶ Viands.

ANno 37. Ed. 3. cap. 8. An act was made concerning diet for seruãts, but it was repealed by 38. E. 3. cap. 2.

¶ View.

FOr view of land, it is ordeined and prouided, that from henceforth view shall not be granted, but in case where the view is necessary, as if one lose land by default, and hee that loseth, moueth a writ to demaund the same land. And in case where one by an exception dilatory abateth a writ after the view, as by non tenure, or misnaming of the town, or such like, if he purchase another writ in this case & in the case before mentioned, from henceforth ỳ view shal not be granted, if he had view in the first writs. In a writte of dower, where the demaund is of land that ỳ husband alened to the tenaunt or his aunceftors, where ỳ tenant ought not to be ignorant, what lande the husband did alien to him or his ancester, though the husbãd died not seised, yet from henceforth view shal not be granted. In a writ of entry also, that is abated because the demandant misnamed the entry, if hee purchase an other writ of entrie, if the tenant had view in the first writ, he shall not haue it in the second. In all writs also where lands be demaunded by reason of a lease made by ỳ demandant or his ancester, vnto ỳ tenant & not to his ancester, as that which he leased to him, being within age, not whole of minde, being in prison, & such like, view shal not be granted hereafter: but if ỳ demise were made to his ancester, the view shal lie as it hath don before. W. 2. ca. 48.

Non tenure Misnamr

Dower

Writs

View

2 ¶ View shall not bee graunted in a writ of ward, in a writ of customes & seruices, in a writ of aduowson of a church: but in case when there be more churches then one in a town, & al of one Saint. In a writ of dowrie to bee assigned, and in a writ of Nuper obijt, statuẽ de visu terræ, & essoine de seruitio Domini Regis.

Ward Custome Aduowson

Nuper obijt

¶ Villenage.

THat notwithstanding adiournemẽt made in Eyre by writ of Libertate probanda purchased in fauour of villeines to delay the Lord of their actions of such villeines, the same lords shal be receiued to allege the execution of villenage, against their villeins in al writs, whether that the saide writs of Libertate probanda were purchased by deceit or in other maner. And that the lords may seise the bodies of their villeines, aswel as they might before that the writs of Libertate probanda were ordeined or purchased. An. 25. E. 3. cap. 18. stat.

Execution

Libertate probanda

2 ¶ No writte be abated by exception of knowledge of villenage, if ỳ demandãt

Abate

or plaintife wil auerre that he that alledged the exception was free the day of the writ purchased. An. 37. E. 3. ca. 17.

3 ¶ At the grieuous complaint of the Lords & Commons of this realme, aswel men of holy Church as other, made in the parliament of that, that in many seignories, & parts of the realm of England, the villeines and land tenants in villenage, which owe seruices & customes to their Lords, haue now late withdrawen, & doe dayly withdraw their seruices & customs due to their said Lords, by comfort & procuremēt of other their counsellers, maintainers, abbetters in the countrey, which haue taken hire and profit of the said villeins & land tenants, and by colour of certein exemplifications made out of ỳ booke of domesday of the Manors and Townes where they haue bēen dwelling, & by vertue of the same exemplifications, & their euil interpretations of the same, they affirme them to be quit & vtterly discharged of all maner of seruage, do as well of their body as of their said tenures, & will not suffer any distresse or other iustice to be made vpon them, but do manace ỳ Ministers of their Lords of life & of member, & (which more is) gathered themselues together in great routs, and agree by such confederacie, that euery one shall aide other to resist their Lordes with strong hand, & much other harme they do in sundry maner to the great dammage of their said lords, & euil example to the other to begin such riots, so that if due remedy bee not the rather prouided vpon the same rebels, great mischiefe (which God prohibit) may therof spring through the realm: It is ordeined & stablished, that the Lords which feele themselues griued, shal haue especial cōmissions vnder the great seale to the Iustices of peace, or to other sufficient persons, to enquire of all such rebels & of their offences & their counsellers, procurers, maintainers, and abbetters. and to imprison all those that thereof shal bee indicted before them, as well for the time past, as for the time to come, without deliuering them out of prison by mainprise, baile, or otherwise, without assent of their Lordes, till they thereof be attainted or acquited. And that the same Iustices haue power to heare and determine as well at the kings suite as at the suite of the partie.

Prouided alwayes, that if the saide villeines or land tenants, rebels, be thereof attainted at the suite of the saide lordes, they shal in no wise be deliuered till they haue made a fine to the king, & also they to haue the assent of their lords aforesaid. And as to the said counsellers, procurers, mainteiners, & abbetters, such proces, & in like manner, shalbe made of them, which therof shalbe attainted, so that they be in no wise deliuered from prison, till they haue made fine to the king, & grēe to the Lord so grieued, according as their estate & the quantitie of their offence doeth require, if the same Lordes will sue against them by writ or by bil. Sauing alwaies, as to the said fines, the franchises & liberties of lords which haue fines & amerciaments of their tenants. And as the saide exemplifications made & purchased as afore is said, which were caused to come in the parliament, & to be declared in ỳ saide parliament, that the same may not nor ought to auaile or hold place to ỳ saide villeins or land tenants, as to the franchise of their bodies, nor to change the conditiō of their tenure, & customes of old time due, nor to do prejudice to ỳ said lordes to haue their seruices and customes as they were wont of old time. And it is ordeined that vpon this declaration, the said Lords shal haue letters patents vnder the great seal, as many & such as they shall nede, if they the same require. An. 1. E. 2. ca. 6.

Lordes
Commissions Iustices of peace Rebels
Iurysd.
Mainprise
Fine
Franchises
Tenure
Letters patents

4 ¶ Whereas diuers villeins & nieis as well of great Lords as of other people, as wel spirituall as temporall, do flie within cities, townes, & places infranchised, as the Citie of London, and other like, and faine diuers suites against their lords, to the intent to make them free by the aunswer of ỳ Lords: It is accorded & assented that the Lords nor other shall not be forbarred of their villeines, because of their answere in law. An. 9. R. 2. ca. 2.

Nieis
Cities London Suites

¶ Vitaile and Vitailers.

For the common profit of the people, it is agreed, that no minister in citie nor borow, that by reason of his office ought to keepe assises of wines & vitailes, as long as hee shalbee attendant vpon his office, shall not buy or sell wines nor vitailes neither in grosse nor by retaile. And if any doe, and be thereof conuict, the merchandising wherof he is conuict, shalbe forfait to the king, & the third part thereof shalbe deliuered to the party that sued the offender, as the Kings gift, and in such case he that wil sue for a thing so

Officer
Buy
Forf. Third part

so forfaited, shalbe receiued. And ẏ Chancellor, Treasurer, Barons of the Exchequer, Justices of either bench, & Justices assigned to take assises, shall admit such plaints by writs, & without writs, & shal determine them, & shal performe al things cõteined in these articles, in forme aboue said, & neuertheless the king may assigne his Justices to execute this thing in Cities & Boroughes, when & where it pleaseth him. An. 12. E. 2. cap. 6.

Chancellor Treasurer Justices

2 ¶ Be it enacted that Butchers, fishmongers, Hostlers, bruers, bakers, poulters, and al other sellers of all maner vitaile, shalbe bound to sel the same vitaile for a reasonable price, hauing respect to ẏ price that such vitailes to be solde at, in places adioyning. So that the same sellers haue a moderate gaines. & not excessiue, reasonably to be required according to the distance of the place from whence the said vitailes be carried. And if any sell such vitailes in any other maner, & thereof to be conuict in the maner and forme aforesaid, (which see in Labourers. 1.) hee shal pay the double of the same that hee so receiued to the partie damnified, or in default of him, to any other that will pursue in this behalfe: And the Maiors and bailises of cities, boroughs, merchãt townes, and of the portes of the Sea & other places. shall haue power to enquire of all & singuler which shall in any thing offende the same, and to leuie the saide paine to the vse of them, at whose suite such offenders shall be conuict.

Vitailers Price Fort. Maiors Bailifes Enquire

And in case that the same Maiors and bailises be negligent in doing execution of the premisses, & thereof be conuict before our Justices by vs to be assigned: then the same Maiors & Bailises shall be compelled by the same Justices to pay the treble of the thing so solde, to the party damnified, or to any other in default of him, that wil pursue. And neuertheless towards vs they shalbe grieuously punished. An. 23. E. 3. cap. 6.

Negligent Punish

3 ¶ For the great & outragious dearth of vitailes, which hostlers, herbergers, & other regrators of vitailes make through the realme, to the great dammage of the people passing through the realme: It is accorded and stablished, that the Justices learned in the law, which be good & conuenient, shalbe newly chosen to enquire of the deeds & outrages of such hostlers, regrators, labourers, & al other comprised in the statute another time therof made, & them to punish, and moreouer to do right to the king & his people, sauing alwayes to euery Lord & other, their franchises in al points. An. 27. E. 3. ca. 3.

Dearth Justices Regrators Punish Franchise ★

4 ¶ Euery man that bringeth vitails, whatsoeuer they be, to the citie, (See of London) by land or by water, may freely sel ẏ same to whom shal please him without being interrupted or impeached by Fisher, Butcher, Poulter, or any other.

Citie Sell

And that the Maior & aldermen of the citie, may rule & redresse the defaultes of Fishers, Butchers & Poulters, as they do of those that sel bread, ale, or wine, notwithstanding charters of franchises, and statutes, customes, or other priuileges made or vsed to the contrary. And that ẏ said Maior & aldermen do & put the same in execution, vpon the paine late ordeined touching the citie of London. so that punishment of such bee not made because of any singuler profit. An. 31. E. 3. cap. 10.

Maior London

5 ¶ All maner forreines & aliens, being of the amitie of ẏ king & of his realme, & comming within the said citie of Londõ, & other cities, boroughs & townes within the said realme, as well within liberties as without, with fish & all maner of other victuals, there tarrying, & going againe to their owne countries, shall from henceforth be vnder the safegard & the especiall protection of the king.

Forreins Aliens London M. protectiõ

And there it shalbe lawful to them and euery of them, & by the strength of these presents, they may from henceforth cut their fishes & vitailes aforesaide, without impeachment & denying of any man, or in pieces, and in part, in all, at retaile, or in grosse, as to them best shal séeme, to sell & make their profite, any charters, statutes, ordinances, priuileges or customes, made or had to the contrary notwithstanding. An. 6. R. 2. cap. 10.

Retaile

Note by An. 7. R. 2. cap. 11. this last Acte was repealed. But it was after reuiued as hereafter appeareth 9. & 11.

6 ¶ All the Vinteners and vitailers as well fishers as other, comming with their vitailes to the citie of London, shall be from henceforth vnder the gouernãce and rule of the Maior and Aldermen of the saide Citie for the time being, as in times past it hath beene vsed. Anno 7. Rich. 2. cap. 11.

Vinteners Victaylers London Maior

7 ¶ All the Statutes of vitailers made as wel in the time of our soueraigne Lord the king that now is, as in the time of his noble grandfather not repealed, shall bee

Vitailers

firmely holden, kept, and duely executed. And that the said vitailers be duely iustified by the Iustices of peace aswell at the suite of the king, as of the partie, according as the said Statuts do require. An. 12.R.2.cap.3.

Iust. of P.

Vitaylers

8 ¶ As touching vitailers, it is accorded, that they shal haue reasonable gaines after the discretion and limitation of the

Iust. of P.

said Iustices (videlicet, the Iustices of peace) and no more, vpon paine to be grieuously punished after the discretion of the said Iustices where no paine is limitted in certaine before this time vpon the saide vitailers. And that shirifes, stewards of lords of franchises, Maiors & bailifs, & all other that haue authoritie to kepe the assise of bread & ale, and the correction of the same, shal take no amerciament nor fine for no default touching the assise, for the which a man or woman by ỹ law ought to haue bodily penance, according as it is heretofore ordeined by statute, but they shal iudge them to ỹ same bodily penance as the default requireth, & shal do due execution thereof. And that Maiors, Bailifes, & Stewards of franchise, & all other that haue the order and surueying of vitailes in cities, boroughs, market townes, & elsewhere, where vitailes be sold in the realme, shal put the statute made the 23. yeere of the reigne of King Edwarde, grandfather to our Soueraigne Lord the king that now is, which beginneth, Because a great part of the people, touching the estate of vitailers and hostlers, and other sellers of vitailes (before 2.) in due execution.

Shirifes
Stewards
Maiors
Bailifes

Hostler
Horsebread

And that no hostler make horsebread in his hostry nor without, but bakers shall make it, and the assise therof shal be kept, and that the weight be reasonable after the price of the corne in the market, and

Hey
Oates

that the same hostlers shal sell hey & oates after a reasonable price, so that they take not but one halfepeny ouer the common price in the market, and that they take nothing for litter. Anno 13.Rich.2.ca.8. This article concerning horsebread is somwhat altered, as appeareth Horsebread 1. And see there 10. more.

*

9 ¶ The said statutes (See An.6.R.2. ca.10.before 9.) be firmely holden, kept, & duely executed after the forme and effect thereof, notwithstanding the letters patents late granted to the contrary to persons of London, by the said late king Richard vpõ his last passage toward Irelãd. Anno.1.H.4.cap.17.

10 ¶ The statute of vitailers & hostlers, & other sellers of vitailes, made the xiii. yere of ỹ said king Richard (before 8.) be holden & kept, & put in due execution: and if any hostler do the contrary, & that duely proued, the same hostler shall from time to time incurre the paine of the treble value of the bread made by him in his house, or elsewhere, contrary to the saide statute, and also the same hostler shall incurre the quatreble value of that that he hath taken ouer an halfepeny of euery bushel of oates aboue the common price in the market, & that aswel at the suite of the king as of the party. An.4.H.4.ca.25. But see some alteration concerning horsebread. Horsebread 1.

Hostler

Forf.

*

11 ¶ The said Statutes (S.An.6.R.2. cap.2. And Anno 1.H.4.ca.17. before 5. and 9.) shalbe firmely holden & kept, any other statutes or ordinances made to the contrary notwithstanding. Ioyned to the same, that if any man disturbe any forren or alien to sel their fish in grosse, or at retaile, in part or in whole, contrary to the said ordinances, & of that be duely attainted at the suite of the king, or of the party, that then he shal forfait x.li. And he that will sue for our soueraigne Lord ỹ king, or for himselfe, shal haue the one half, and the king the other halfe. And such suite shalbe taken for any offence done in the citie of London against the said ordinãce for him which will sue for our soueraigne Lorde the king, or for himselfe, in what countie that pleaseth him of the counties of Middlesex, Hertforde, Eſſex, Kent, Surrey, or in the Citie of London. Anno 14.H.6.cap.6.

Diſturbe
Alien
Retaile

Forf.

Wouth

London

12 ¶ The Iustices of peace through the realme, shal two times euery yeere doe openly to be proclaimed in their Sessions, all the Statutes of hostlers and vitailers before this time made, and not reuoked. An.23.H.6.cap.13.

Iust. of P.

Sessions
Proclayme

*

13 ¶ Whereas Maiors & other gouernours of cities & townes of substance, haue in their leetes there holden, the surueying of vitailes, & correction of the same, & now of late diuers for their singular gaine to oppresse vitailers, & to infringe the foresaid liberties, haue obtained ỹ kings letters patents to be surueyers & correcters of such matters, & thereby commit great extortions: For remedy thereof, be it ec. That al ỹ letters patents granted by him to any person or persons of any office of

Letters patents

searching

Searcher Wine

searching or surueying of wine, ale, beere, or any other vitaile, shalbe vtterly voide & of none effect. And that no person, other then such gouernours before rehearsed, or other intituled by point of charter, from the feast of Easter next comming, by colour of such letters patents so obtained, or afterward to bee obtained, as before is saide, shall vse or exercise any such office, vpon paine of forfaiture for euery default xl.li. The one halfe thereof to our Soueraigne Lord the king, to be imployed onely to the vse of his house, the other halfe to him that in this behalfe will sue for the same by action of debt, wherein like processe, rule & demeanour shalbe had, as is commonly vsed in other actions of debt at the common law. And that the defendãt in any such actiõ shall not be receiued nor admitted to his law: nor that any protection or essoine of the kings seruice bee to him in any wise allowed. An. 12. E. 4. ca. 8.

Pottis

Vitailer Officer

14 ¶ Whensoeuer and as often as any vitailer is chosẽ to beare any office within any citie, borough, or towne corporate, which for the time that he shall stand & be in such office, should haue the assessing & correctiõ for selling of vitailes, that then two discreet & honest persons of the same citie, borough or towne corporate, not being vitailers, ne any of them being a vitailer, shalbe chosen by the comminalty of the same citie, borough or towne corporate, in like forme as the said officer shalbe chosen, which two persons, with the said officer, shalbe sworne, truely to sesse & set the prices & assises of vitaile there, for the time that any such vitailer shall abide in the said office. And that then it shalbee lawfull to all & euery of the saide officers, after the same vitailes bee set & sessed by the same officer & the said two persons, or one of the same two persons, the other being absent, to merchant & sell wines, and all other vitaile in grosse, & at retaile during the time that he shal bee in any such office, without any thing therefore to forfait: the said statute, act or ordinance, or any other statute to the contrarie made in any wise notwithstanding. Prouided alway, that this act or any thing therin cõteined, extend not to discharge any minister of the cities of London, Yorke, & Couentrie, nor none of them, for any wine or vitaile to be sold by any retaile, within any of the said cities of Londõ, Yorke, and Couentry. An. 3. H. 8. ca. 8.

Vitailers

London Yorke: Couentrie

Retaile

15 ¶ Upon euery complaint made of any inhancing of prices of such vitailes, without ground or cause reasonable in any part of this realme, or in any other the kings dominions, the Lord Chancellor of England, the Lord Treasurer, the Lorde president of the kinges most honorable councel, the Lorde priuie seale, the Lorde steward, the lord Chamberlein, & al other Lords of the kings councel, the treasurer & controller of the kings most honorable house, the chancellor of the duchie of Lancaster, the kings Iustices of either bench, the chancellour, chamberleines, vnder treasurer, & the barons of the kings Eschequer, or seuen of them at ỳ least, wherof the Lord chancellour, the lord Treasurer, the lord President of the kings councell, or the Lord priuie seale to be one, shal haue power & authoritie frõ time to time, as the case shal require, to set & taxe reasonable prices of al such kindes of vitailes aboue specified, how they shalbe solde in grosse or by retaile, for rekefe of ỳ kings subiects: And that after such prices set & taxed, in forme afore saide, proclamation shalbe made in the kings name, vnder the great seale, of the said prices in such parts of this realme, as shalbe conuenient for ỳ same. And be it &c. ỳ all farmers, owners, broggers, & all other vitailers whatsoeuer, hauing or keeping any of the kindes of vitailes before rehearsed, to the intent to sel, shal sell the same to such the kinges subiects as wil buy them at such prices as shalbe set & taxed by the said proclamatiõ, vpon the paines to be expressed and limitted in the saide proclamation, to bee lost, forfeited & leuied to the kings vse, in such wise as by the same proclamation shal be declared.

Prices

Chancellor Treasurer K. counsell

Iustices

Taxe

Proclamation

Prouided alway, that this acte nor any thing therein conteined, shal not be hurtful to Maiors, shirifes, bailifes, or other officers of cities, boroughs, or towns corporat, nor to any person or persons, or bodies politike, hauing authoritie to set prices of such vitailes, or of any of them, but that they & euery of them may set prices therof, as if this act had neuer bin had nor made. And be it &c. That no person nor persons, vnlesse it be by licence vnder the kings great seale, frõ henceforth shal carry or conuey, or cause to be carried or conueyed, any corne, beanes, muttons, beals, porks, or any of the aboue saide vitailes, to any the parts beyond the sea, except onely for the vitailing of the towne of Callis, Guisnes, Hammes, & the marches of the

Maiors Shirifes Bailifes

Licence

Conney

Vitaile

Callis

same. And except for the vitailing of Maisters, Mariners, & ỳ merchants of ships, passing the seas, & also except barrelled butter & meale to be carried to the partes of Ireland, as hath bin accustomed, vpon paine of forfaiting of the value of ỳ thing conueyed & carried into the partes of beyond the sea, contrary to this act, the one halfe therof to the vse of our Soueraigne Lord, and the other halfe to the party that wil sue for the same by bil, plaint, writ or information, in any of the kings courtes. In which suites the defendant shall not wage his law, nor any protectiõ or essoine for him shalbe allowed. An. 25 H. 8. ca. 2.

Ships

Ireland Forf.

Mottie

☞ 16 ¶ Whereas sundry good statutes haue bẽn heretofore made against transporting and conueying out of this realme beyond the seas any maner of vitaile, vpõ great forfeitures, and neuertheleſſe sundry couetous persons seeking their owne gaine, do stil transport innumerable quãtities both of corne and other vitaile, and of wood, whereby they be growen to excessiue prices, & woonderfull dearth: For remedy thereof, be it &c. that no maner of person or persons after the twentie day of January next comming, shal carry and transport out of this realme, by any ship, crayer, or other vessell whatsoeuer, into any place in the partes beyond the seas, or into the realm of Scotlãd, any wheat, rie, barley, or other corne or graine growing within this realme, or any malt made within the same, or any bẽre, butter, cheese, herring, or wood (except onely to & for the vitailing & furniture of the towne of Callis, Hammes, and Guisnes, & the towne of Barwike, and the marches of ỳ same) without sufficient and lawfull authoritie to doe, vpon the paines and penalties hereafter ensuing, that is to say, the owner and owners of the said ships & other vessels, to forfait the saide shippes, crayers, and other vessels, with all their apparels to them & euery of them belonging, wherin the said corne, butter, cheese, herring, vitaile or wood, shalbee so transported & carried, and the owners & owner of the said corne, butter, cheese, herring, & wood, to forfait the double value of the same, so carried & conueyed, & the maister & mariners of euery of the saide ships, crayers and vessels, for euery such offence to forfait all their goods, and to be imprisoned by the space of one whole yere without baile or mainprise.

Corne

Vitaile

Barwicke

Forf.

Owner of shipps

Owner of the corne

Forf.

Maister and mariners

Forf.

Imprison Mainprise

And be it &c. that if any person or persons, after the said twentie day of January, do carry and conuey away by boate, crayer, or other vessell, or otherwise, any wheat, rie, barley, malt, or other corne or graine, or any bẽre, butter, cheese, herring, or wood, to any ship or vessell, being on the seas, or in any hauen, creeke or other place of the border of this realme to be transported, carried and conueyed into any place, in the parties beyond the seas, or into the Realme of Scotland, without sufficient authoritie so to doe: that then euery owner of the saide vitailes, corne & other things aboue saide so transported or carried, and the owner and owners of euery such boate or vessell, and the boatemen and mariners of the same shall lose, forfait and suffer all such forfaitures, paines and penalties as is aboue rehearsed, the one moitie of all and euery which forfaiture or forfaitures to be to the king and Quẽns highnesse, their heires & successors, & the other moitie to him or them that will sue for the same, by bill, information or action of debt, or otherwise, in any of the King and Quẽnes highnesse courtes of record, in which action, bill, or suite, the defendant shall not wage his lawe, nor haue any essoine or protection to him allowed.

Conuey

Owner of the vitailes

Owner of the vessell

Forf.

Mottie

And be it &c. that if any person or persons shal obtaine of the king & Quẽnes Maiesties, their heires & successours, or of any of them, any licence to carry & transport any corne, vitaile, or wood into any parties beyond the seas, that if he or they to whom any such licence shalbe granted, or any other to whom such person or persons hauing such licence, shal giue, grant or sell his or their said licence vnto, shall carrie & conuey, or cause to be carried and conueyed any more corne, vitaile or wood, then shalbe conteined in his or their saide licence, shal forfait the treble value of the said corne, vitaile or wood, so carryed and transported, without sufficient authority, & shal suffer imprisonment for one whole yere in the common gaole, where he shall be apprehẽded, there to remaine without baile or mainprise.

Licence

Forf.

Imprisonment

Mainprise

And be it &c. that no maner of person or persons, after the said twenty day of January, that shal obteine, or haue any such licẽce for trãsporting & carying any corn, vitaile or wood into any parties beyond ỳ seas, shall ship, lade & fraught the same, or any part therof, at sundry places within this realme, but at one place certaine, vpon

Fraught

Place

Forf. vpon paine of forfeiture of the said corne, vitaile, & wood, & all his goods & cattels, the one moitie thereof to the King and Quenes Maiesties, their heires & successours, & the other moitie to him or them that will sue for the same by action of debt, bill, plaint, information, or otherwise, wherein no wager of law, essoine, or protection shalbe to him allowed.

Moitie

And for the better execution of this act, Iust. of P. be it &c. that all & singuler Iustices of P. as well within the liberties as without, within their seuerall authorities & commissions at any time within three yeres next after such offences committed, shall haue full power & authoritie to enquire alwel by the othes of xii. lawfull men, as also to heare & examine the maister, maisters, & mariners of ỳ said ships, crayers, & other vessels, and all & euery other person & persons of al and singuler the offenders against this present act, to heare and determine the same offences, as they may and ought to heare & determine any other trespasses and offences.

3. yeres

Enquire

Examine

Mariners

Diers & ter.

Prouided alwaies, & be it &c. that at all time & times hereafter, when the comon price of corne within this realme, is, that wheate shall not exceede the price of vi.s. viii.d. the quarter, & rie iiii.s. the quarter, and barley iii.s the quarter, it shalbe lawful to euery person & persons to carry and transport ouer the Sea to any place beyond the Seas, at their pleasure, any of the said kindes of corne, so that it be not to the kings and Quenes enemies.

Price

Transport

Prouided alwaies, & be it &c. that this act or any thing therein conteined, shall not extend to any person or persons for ỳ necessarie vitailing of any ship, ships, or other vessels, but that they, and euery of them may vitaile the saide shippes and vessels, as they might haue done before the making of this present act: This acte or any thing therein conteined to the contrary notwithstanding.

Vitaile

Prouided alwayes, & be it &c. that this act or any thing therin contained, shal not be prejudicial or hurtful to the lord great admirall of Englande for the time being, or to the King & Quenes Maiesties iurisdiction of the admiraltie, but that the said Lord Admirall, or his deputie or deputies may & shall exercise, vse & execute all kind of iurisdiction belonging to ỳ sea, according to his or their Commissions, as they might lawfully haue don heretofore. This act or any thing therin conteined to the contrary notwithstanding. An. 1. & 2 P. & M. cap. 5. See Shippes 13. some owners of shippes excused from the penaltie of this statute. And also, See in Shippes 13. & 14. libertie giuen to the Queenes Subiectes concerning transporting of graine. And see Corne 8. their libertie further inlarged in a speciall maner to be vsed.

Admirall

¶ Vnion and seuering of Churches.

AVnion or consolidation of 2. churches in one, or of a Church & chappell in one, that one of them not being above the yerely value of fiue pounds, as it is rated and valued at to the kings highnesse, in his court of the first fruites and tenthes, and not distant from the other aboue one mile in any place or places within this Realme of Englande, may be from henceforth had or made by the assent of the ordinarie or ordinaries of the diocesse, where such churches & chappels standen, and by the assents of the incumbents of them, and of all such as haue iust right, title and interest to the patronages of the same churches and chappels being then of full age. And that al such vnions and consolidations, had or made of two churches in one, or of a Church and chappell in one, as is aforesaide, shall bee good, sufficient, lawful, firme, stable, and auailable in the lawe, to remaine, endure and continue for euer vnited and knit in one, in such maner and forme as by writing or writings vnder the seale of such ordinaries, incumbents & patrons it shall be declared and set forth.

Church

vi. pounds

One mile

Ordinary

Incumbent

Patrons

And be it &c. that al vnions & consolidations of all churches and chappels which haue heretofore bin vnited or knit together in one, by the assent of ỳ ordinaries, incumbents, & true & lawfull patrons in fée simple of them as is aforesaid, shal also remaine, & be from henceforth adiudged & deemed in the lawe to endure and continue for euer vnited & knit in one, without any dissolution, vndoing, vnknitting, or repeale of them, or of any of them by any manner of meane or way, sauing to the kings Maiestie, his heires & successors, all the tenthes & first fruites of all such churches & chappels, as bee heretofore vnited or consolidated in one, or that hereafter shalbe vnited & consolidated in one, according to the same, or such like rates & valuations as ỳ same churches & chappels,

Tenthes

First fruits

of any of them nowe are rated or valued at, to the kings said Maiestie, in his saide highnes court of the first fruites & tenths.

Citie

Maiors Shirifes

Assent

Common seals

Incumbent

Prouided alway that all vnions & consolidations, & euery of them hereafter to be had or made of any Church or chappell within any citie or towne corporate, within this realme of England, without the assent of the Maiors, shirifes, & communaltie of the citie, where such Churches, church, or chappel be or shalbe: Or without the assent of such bodies corporate of other townes corporat, where such churches, church or chappel be or shalbe, by the names of their corporations in writing vnder their common seale, shalbe clerely void & of no force ne effect, any thing before expressed, or any ordinance, law, custome or statute to the contrary therof in any wise notwithstanding.

Prouided also, that where the inhabitants of any such poore parish, or the more part of them, within one yere next after the vnion or consolidation of the same parish, by their writing sufficiēt in the law, shall assure the incumbent of the said parish for the yerely payment of so much money, as with the summe that the said parish is rated & valued at in the kings highnes saide court of the first fruits & tenthes, shall amount to the ful summe of viii.li. sterling to be leuied & payed yerely by the said inhabitants to the saide incumbent and his successors: that then al such vnions or cōsolidations hereafter to be had or made of any such poore parish as is aforesaid, shal be void & of none effect, any thing, statute or ordinance, to the contrary hereof in any wise notwithstanding.

Prouided alwaies, that this said prouiso shal not extend to any vnion or consolidation of any Church or chappell had or made before the making of this estatute, any thing in the saide prouiso mentioned to the contrary therof notwithstanding. An. 37. H. 8. cap. 19.

2 ¶ In Anno. 1. Ed. 6. was an act made (not printed) for vniting the parish churches of Onger & Grensted in Esser. But by An. 1. M. 2. parliamento. cap. 10. that statute was repealed. And by this statute of An. 1. M. these two churches were seuered as they were before. And diuers things at large be in this statute of An. 1. M. concerning these matters.

3 ¶ In An. 1. Ed. 6. cap. 9. was an act made for vniting of certeine parish churches in Yorke, with diuers articles concerning that matter.

Yorke

And after Anno 1. M. 1. parliamento. cap. 15. an Acte was made for the reedifying of the parish Church of Saint Clins in Stangate in Yorke, which was put downe by the former Statute.

¶ Vniuersities.

Purueyour Badger

Victuall

Cambridge Oxford

v. miles

Corne

Fork.

Imprison

Mainprise Chancellor Vicechancellor

Iust. of P.

Punish

Poitis

FRom hencefoorth no manner of purueyour, taker, badger, loader, or other minister, may or shall take or bargaine for any kindes of victual or graine, in any of ỳ said markets or towne of Cambridge & the Citie of Oxford, nor shal take or bargaine for any victual win the compasse of fiue mile thereto adioyning, without the consent, agreement or good wil of the owner or owners, neither shal attempt to carrie, take away, or bargaine for any manner of graine or other victual bought or prouided within the said space of fiue miles by any comon minister of any Colledge, Hostell or Hall, to bee spent within any of the saide Colledges, Hostels, or Halles, vpon paine of the forfeiture of the quadruple value of any such maner graines or victual so taken or bargained for, in any of the saide marches, or within ỳ said space of fiue miles, against the wil of the owners, as is aboue said or attempted to be taken, carried away or bargained for, being prouided as is aboue said, for to be spent in any the Colledges, Hostels, or Halles: And further shall suffer imprisonment for the space of three moneths without baile or mainprise, and that the Chauncellor or Vicechancellor, or his Commissary for the time being, in either of the saide Vniuersities, with two Justices of peace of the Countie, wherein the said Vniuersities be set, shal haue full power by authority of this Act, to enquire by the othes of twelue men, of & vpon the defaults and offences committed contrary to the tenour thereof, and to see due punishmēt and reformation therof in forme aforesaide, from time to time. The one halfe of which foresaid forfeitures to be to the common treasure of either the saide Vniuersities respectiuely to the fault cōmitted against this their priuiledge, the other halfe to the partie that will sue for the same by action of debt, bill, plaint, or otherwise in any Court of Record, or before the foresaide Chauncellour, his Vice-Chauncellour, or Commissarie for the time being, and two Justices of peace, as is before expressed.

Prouided

Prouided that this act shal not be put in execution at any time or times whensoeuer your Maiestie or the heires & successors of your Maiestie our soueraigne Lady shall please to come to any of both the saide Vniuersities, or within seuen miles of either of them, but shall bee in suspence during that time onely and not longer.

Queene

Prouided alwaies and bee it &c. that this acte or any thing therein contained, shall not in any wise be preiudicial or hurtfull to the Maiors, bailiffes, & comminalty of the citie of Orford, nor to the Maior and comminalty of the towne of Cambridge, or to their successors, for and concerning any of their liberties or priuiledges, but that they and euery of them, & their successors respectiuely may haue, and vse the same in such manner & forme as they or any of them might or ought to haue done before the making of this act, any thing in this acte contained to the contrary notwithstanding. An. 2. & 3. P. & M. cap. 15.

Maior Bailife

2 Be it enacted and ordeined by the authority of this present parliament that from henceforth no manner of purueiour, taker, badger, loader, poulter, or other minister for the Quenes Maiestie, her heires or successors, or any other cõmon poulter shal, or may take, or bargaine for any kinde of victuall or graine in any of the said markets or towns of Cambridge and the citie of Orford, or either of them, nor shall take or bargaine for any victual or graine within the compas of the foresaide fiue miles thereunto adioyning, without the consent, agreement, good wil and licence of either of the saide Chancellors, or vicechauncellors for the time being, in writing had & obtained, vnder the seale or seales of the office of the saide chancellour or vicechancellor of either of the said vniuersities, and in no other forme then in the said licence in writing shal be contained & expressed, so as the same giue not to any of the foresaide purueyors, takers, badgers, loaders, poulters, or others, any further authority and power, then they haue or may lawfully vse, in other parts of ẏ same cõtrey, being without the said limitts of fiue miles, neither shal attempt to carrie, take away, or bargaine for any maner of graine, and other victual bought and prouided within ẏ said space of fiue miles by any cõmon minister of anie Colledge, Hostell or Hall, to bee spent within any of the saide Colledges Hostels or Halles, without like licence & assent, and in no other forme then is next aforesaid mẽtioned, vpon like paines, forfeitures and imprisonments, & to like vses as are limited and ordained by the said former statut (viz. 2 and 3. Phil. and Ma. before 1.) And that the said chauncellors or vicechancellors for the time being of either of the said Vniuersities, with two Iustices of peace of the said Vniuersities, Citie, towne or countie, wherein the saide Vniuersities be set, shall haue like power and authoritie by this act to inquire vpon the defaults & offences contrary to the tenour hereof, and to see due punishment & reformation thereof in forme aforesaid, as was to them limitted & appointed by the said former act.

Purueior Badger

Victalle

Licence Chancellor

Come

Paynes

Vicechauncellour

Iust. of P.

Enquire

And bee it further by the authoritie aforesaide enacted and ordained, that if any person or persons within the said precinct of fiue miles, shall refuse reasonably to serue the necessarie prouision of the saide Vniuersities, according to the true meaning of this present acte: that then it shall be lawful to any of the Quenes Maiesties takers or purueyors, to prouide any corne or victuall of any such person or persons, within any part of the precinct aforesaid, for the vse of the Quenes Maiestie, as shall bee declared and notified to the saide purueyors or takers, to bee persons not worthy of the said priuiledge, for not reasonable seruing the necessities of the saide Vniuersities, by the Chancellor or Vicechancellor for the time being, of either of the said Vniuersities, with the assent and consent of two Iustices of Peace resiant within eyther of the saide Vniuersities, Citie, town or Countie, vnder the hands and seales of the saide Chauncellour or Vicechauncellour, and the saide two Iustices of Peace, as the said purueyors or takers lawfully may in any other place, without the said precinct of fiue miles and not otherwise. The said former act, or any thing therein contained, or anie other clause, article, sentence or matter whatsoeuer to the contrary notwithstanding.

v. miles Refuse

Purueyors

Iust. of P.

Prouided that this acte shall not be put in execution at anie time or times whensoeuer the Quenes Maiestie, her heires or successours shall come to anie of both the sayde Vniuersities, or within seuen miles of eyther of them, but shall bee in suspence during that time onely and no longer.

Queene

Suspence

Prouided alwaies, and be it enacted by ẏ authority aforesaid, that this act or any thing

thing therein contained shall not in any wise be prejudiciall or hurtfull to the Maior, bailifes and comminalty of the Citie of Oxford, nor to the Maior or cõminalty of the towne of Cambridge, or to their successors, for and concerning any of their liberties or priuiledges: but that they & euery of them, & their successors, respectiuely may haue and vse the same, in such maner and forme as they or any of them might or ought to haue done before the making of this act, any thing in this acte contained to the contrary notwithstanding. Maior Bailifes

Prouided alwaies that this act shal continue vntill the last day of the next parliament. An.13.El.cap.21. And An.27.Eliz. cap.11. This acte was continued vntill the end of the next Parliament. And An.28. Eliz.cap.5. it is continued vntill the ende of the next Parliament. And An.31.Eliz.cap. 10. it is continued to the end of the next Parliament. And An.35.El.ca.7. it is continued to the ende of the Parliament next insuing.

For the better maintenãce of learning, & the better releefe of schollers in the vniuersities of Cambridge & Oxford, and the colledges of Winchester, & Eaton: Be it enacted &c. that no maister, Prouost, president, warden, deane, gouernour, rector, or chiefe ruler of any colledge, cathedrall church, hall, or house of learning, in any of the vniuersities aforesaid, nor no prouost, warde, or other head officer of the said colledges of Winchester or Eaton, nor the corporation of any of the same, by what title, stile, or name soeuer they nowe bee, shall, or may be called, after thend of this present session of parliamẽt, shal make any lease for life, liues, or yeres, of any their lands, tenements, or other hereditamẽts, to the which any tithes, errable land, medow, or pasture doth or shall appertaine, except that the one third part at the least of the old rent be reserued & paid in corne, for ỳ said colleges, cathedrall church, halls and houses, that is to say, in good wheate, after vi.s. viii.d. the quarter, or vnder, and good malt after v.s. the quarter or vnder, to be deliuered yerely vpon dales prefixed at ỳ said colleges, cathedrall church, halles or houses, & for default thereof to paye to the said colleges, cathedral church, halles or houses in ready money, at the election of the said lessees, their executors, & administrators & assignes after the rate, as the best wheat & malt in the market of Cambridge, for the rents that are to be paid to the vse of the house or houses there, within the market of Oxford, for the rents that are to bee paide to the vse of the house or houses there, and in ỳ market of Winchester, for the rentes that are to be paide to the vse of the house or houses there, and in the market of Windsor, for the rents that are to bee paide to the vse of the house or houses at Eaton, is or shal be sold the next market day before the said rent shall bee due without fraud or deceipt: and that all leases otherwise hereafter to bee made, & all collaterall bondes or assurance to the contrary by any of the said corporations, shalbe voyd in law to al intents and purposes. The same wheat, malt, or the mony comming of the same, to be expended to the vse of the releefe of the commons and dyet of ỳ said colledges, cathedral church, halles, & houses only, and by no fraud nor colour, let nor sold away from the profit of the said colledges, cathedral church, halles and houses, and the fellowes & schollers in the same, and the vse aforesaide, vpon paine of depriuation to the gouernor and chiefe rulers of the saide colledges, cathedrall church, halles and houses, and all other thereto consenting. Head officer Leafe Rent Corne Lefes Bondes Voyde Master Deprive

Prouided alwaies that this acte, or any thing therin contained, shal not extend or be in any wise prejudiciall to any lease to bee made of a Barne called Hounken Barne, with a certaine portion of tithes, rising, growing, & being in the parish of Southwicke in the county of Sussex, being parcel of the possessions of Magdalen Colledge in Oxford, so that the terme demised in & by the said lease exceede not the number of ten yeres, from and after the feast of S. Michaell the Archangell next comming, any thing herein specified to the contrary notwithstanding. Prouided also that this act shal not extend to any lease to be made by the President & schollers of the colledge of Saint John Baptist in Oxford, to any heire male of Sir Thomas White, late knight & Alderman of London, founder of the saide colledge, which lease shall be made according to the meaning of the foundation and statutes of the said colledge of the manor of Fifield, & no other hereditamẽts. An.18.El.cap.6. Sir Thomas White

¶ Voucher.

IT is prouided, that none being vouched to warrãty before our Iusticers, in plea Warranty

Amerced of land or tenements, shall bee amerced from henceforth, because he was not present when he was vouched to warranty, except the first day of the comming of the Justicers. But if the party vouched bee Shirife within the shire, then the shirife shall bee commanded to cause him to come within the third or fourth day, according to the distance of the place, as it was wont to be done in the circuit of ỹ Justicers. And if he dwel without the shire, then he shall Summons haue reasonable sũmons of fifténe daies at the least, after the discretion of the Justicers, and the common law. Marle. cap. 26. An. 52. H. 3.

2 ¶ Forasmuch as many people are delayed of their right by false vouching to Mortdaun- warranty, It is prouided, that in writs of cestour possession, first of al in a writ of Mortdaũcestour, of cosinage, of aiel, Nuper obijt, of Cosinage Aiel intrusiõ, & other like writs, wherby lands or tenements are demanded which ought Nuper obijt to discend, reuert, remaine or eschete by ỹ death of any ancestor, or otherwise, if the Intrusion tenant vouch to warranty, & the demandant counterpleadeth him, and wil auerre by assise, & by the countrey, or otherwise, as the court wil award, that ỹ tenant or his ancestour (whose heire he is) was the first that entred after the death of him of Auerment whose seison he demaundeth: The auerrement of the demaundant shalbe receiued, if the tenant will abide thereupon, and if not, he shal bee further compelled to an other answere, if he haue not his warrantour present, that wil warrant him freely and incontinent entrie into the warrãty. Sauing vnto the demaundant his exceptions against him, if he will vouch further, as he had before against the first tenant. From henceforth in al maner of writtes of entry, which make mention of degrées, Line none shal vouch out of the line, or in other writs of entrie, where no mẽtion is made of degrées, which writtes shall not bee maintained but in cases where the other writs of degrées cãnot lie nor hold place. Right And in a writ of right, if is prouided, that if the tenant vouch to warranty, & the demandant will counterplead him, & be ready to auerre by the countrey, that he that is vouched, nor his auncestors, had neuer seison of the land or tenement demanded, fée or seruice by the handes of the tenaunt or his ancestors, since the time of him, on whose seison the demaundant declareth, vntill the time that the writ was purchased, & the plea mooued, whereby he might haue infeoffed ỹ tenant or his auncestors: Then let the auerment of the demandant be receiued, if the tenant will abide thereupon, and if not, the tenant shalbe further compelled vnto an other answere, if he be not present that will warrant him freely and not incontinẽt entry in answere. Sauing vnto the demandant his exceptiõs against him, as hee had afore against ỹ first tenant. And the said exception shall haue Exception place in a writ of Mortdauncestour, & in other writtes before named, as wel as in writs that concerne right.

And if percase the tenant haue a déede that cõpriseth warranty of an other man, which is bounde in any of these cases before mentioned to the warranty of his elder degrée, his recouery by a writ of warranty of charters out of the kings Chancery shalbe saued to him, at what time soeuer he will purchase it, howbeit the plea shal not be delayed therefore. W. 1. ca. 39. An. 3. Ed. 1.

3 ¶ If a man bee impleaded for land in the same Citie, & doth vouch a forraine Citie to warrãtie, he shal come into the Chan- Forreine cery, and haue a writ to summon his war- Chancery rantour at a certaine daye before the Ju- Summon stices of the bench, and an other writte to Maior the Maior and baylifes, that they shal sur- Bailifes cease in the matter that is before them by writ, vntil the cause of the warranty bee determined before the Justices of the bench, then shall hee that is vouched bee London commaunded to goe into London to answere vnto the chiefe plea. And a writte shall bee awarded for the demaundant by the Justicers vnto the Maior and bailifs, that they shall proceéde in the plea. And if the demandãt recouer against the tenant, the tenant shal come before ỹ Justicers of the bench, which shall direct a writ to the Maior and bailifs, that if the tenant haue lost his land, thy shal cause ỹ land to be extended, & valued, and shall returne the extent at a certaine day into the bench, & after it shalbe cõmanded to the shirife of the Shirife shire (where the warrantée was summoned) that he shal cause the patty that doth vouch, to haue as much of the land of the warrantor in value as he lost. Glouc. cap. 12. Anno 6. E. 1.

4 ¶ When any demaundeth lande against another, & the party that is impleaded, voucheth to warrantie, & the warrãtour denieth his warrantie, and the plea hangeth long betwéene the tenant & the warrãtor: And at length when it is tried, Warrantis

that

that the vouchée is bound to warranty by the lãwe and custome of this Realme hitherto vsed, there was none other punishment assigned for the vouchée, that denied his warranty, but onely that he should warrantise, & should be amerced, because he did not warrãt before, which was prejudiciall vnto the demandant, because hee suffered often times great delayes by collusion betweene the tenant & the warrantour: Wherefore our soueraigne lord the king hath ordayned, that like as the tenãt should lose the lande being in demaunde, in case where he vouched, and the vouchée could discharge himselfe of the warranty, in the same wise shal the warrãtour lose, in case where he denyeth his warranty, & it be found & tried against him that hee is bounden to warrantise. And if an inquest bee depending betweene the tenaunt and warrantour, and the demaundant will require a writ for to cause the iury to come, it shall be granted him. W.2.cap.6. Anno 13.Ed.1.

Denie

Enquest

5 ¶ Where as the tenaunt in a plea of land heretofore had vouched one to warrantie, and thereupon the demaundaunt would auerre, that hee, nor none of his ancestours (since the time that the auncestour of the demaundant was seised) was in possession of the saide lands, neyther in demeane nor in seruice, if the party vouched were present, and would warrantise the land frely vnto the tenant, such auerment of the demandant hath not been vsed to be admitted, except the party vouched had bẽn absent, and that by reason of a certaine statute of ẏ kings lately made amongst other statutes of Westminster 1.cap.39.

Auerre

Wherefore our soueraigne lord the king considering the fraud, deceipt, and malice, and also his owne damage and disherison of his crowne, that in the saide case hath many times happened in his court, & dayly doth, whereas some holding of the king in chiefe by an whole Barony, in a plea hanging before the Iustices of the bench vpon their demand to vouch particularly knaues vnknowen & straungers (which they wil bring forth) of whom neither they nor their auncestors had neuer any thing in the lands, that they warranted, nor in any other lands or tenemẽts within this realme, neither in demeane nor in seruice, as hath bin testified by diuers of the kings faithfull subiects, so that by such cautell, fraud & malice, the same tenants holding by an entire Barony, do defraud the king of ẏ amerciamẽt that they should incurre if the demaundant should recouer against them, and likewise when such persons haue warranted, that is to wit, euery one for his portion that he ought to warrant, he may defend himselfe by the body of his seruant, procured and hired by them that hold Baronies, and so vpon one writ and one demand, there were two or three wages of battailes, the which was a right hard and perillous example for poore men in time comming that shalbe demandãts against great and rich men, which wil defend themselues by the malice aforesaide: And the demandãt cannot haue his auerment against such warrantours, when they bee vouched in forme aforesayde, because they be present and will warrantise frely, by his common counsel hath ordayned, and from henceforth, that is to say, from the feast of S. Hillarie, the twentie yeere of his raigne, hee hath straightely commaunded, that whatsoeuer tenant do vouch, and the demandant will auerre in forme before rehearsed, his auerment shal be admitted, whether the party vouched be absent or present, without any respect had thereunto. Anno 20.Edward.1. Statute of vouchers.

Thiefe

Knaues Strangers

Deedes

Warrantie

6 ¶ In dædes also where is contained dedi & concesi tale tenementum without homage, or without a clause that contayneth warranty, and to be holden of the giuers & their heires by a certaine seruice: It is agreed, that the giuers & their heires shal be bounden to warrantie. And where is contayned Dedi & concesi &c. to bee holden of the chiefe lordes of the Fée, or of other, and not of the feoffors or of theyr heires reseruing no seruice without homage, or without the foresaid clause, their heirs shal not be bounden to warrantie, notwithstanding the feoffour during his owne life by force of his owne gift shal be bounden to warrant, statut. bigami. Anno 4.E.1.cap.6.

Feoffour

7 ¶ If one being impleaded in the citie of London, do vouch a forraine to warrãtie, the Maior and the Bayliffes shall adiourne the parties before ẏ Iusticers of ẏ bẽch at a certaine day, & shal send their record thither. And the Iusticers shall cause the warrantour to bee summoned before them, and shal try the warrantie. And the Maior and the bailifes in the meane time shal surcease in the matter that dependeth afore them by writ, vntil such time as the warrantie

London Forreine Maior Bailiefs Adiourne

warrantie bee determined before the Iusticers of the bench. And when the matter shalbe determined, commaundement shal be giuen to the vouchée to depart into the Citie, and to answere vnto the first plea. And the demandant at his suite shal haue a writ from the Iustices of the bench vnto the Maior and Bailifes, that they shal procéede in the plea. And if the demaundant recouer, the tenant shall come to the Iusticers of the bench, and haue a writ to the Maior and Bailiffes, that in case the tenant haue lost his land, they shall cause it to be extended, and returne the same extent vnto the bench at a certaine day, and after it shal be commaunded to the shirife of the Shire where the warrantie was summoned, that he shall cause the tenant to haue of the lands of the warrantour to like value. And if it fortune that the tenant make default at the daye that is assigned him in the bench, then shall there go forth a writ from the Iusticers of the bench to the Maior and Bayliffes, to seise the land demanded, into the kings handes by a pety cape, and to summon the tenant that he bee at the hoistings at a certaine day, whereat the Iustices shal bee aduised to giue iudgment, vpon the same default, if he cannot saue it: and in case he can saue it, then the Iusticers shall bee certified thereof by their record, and by the same recorde they shall pleade the warrantie. Anno 9. E. 1.

Writ
Shirife
Value
Seise
Pety cape Hoistings

8 ¶ From henceforth if the tenaunt vouch to warranty a dead man, & the demandants will auerre that the vouchée is dead, or that there is none such, their auerrement shalbe receiued without more delay. An. 14. E. 3. cap. 18.

Dead man Auerre

¶ Vpholsters.

NO person ne persons shall make, ordaine, vtter, ne put to sale in fayres nor in markets vin this his said realme, any fetherbedes, bolsters, or pillowes, except they bee stuffed with one manner stuffe, that is to say, with dry pulled fethers or else with cleane downe alone, & with no scalded fethers nor sendowne, nor none other vnlawfull and corrupt stuffe as is afore rehearsed (S. horse heremites, haire, deere haire and goats haire, which is wrought in lime fattes, but vtterly to bee damned for euer, except if any person or persons, for their owne proper vse in their houses, make or do to be made any of the foresaid corrupt and vnlawfull stuffe and wares, so they be not offered to be sold in faires & markets vpon paine of forfaiture.) And also in like wise quilts, mattresses, and cushions be stuffed with one manner of stuffe, that is to saye, with cleane wool, or with cleane flockes alone, and with none such vnlawful stuffe afore rehearsed, vpon paine of losse and forfaiture of such vnlawfull wares and marchandises. Anno 11. H. 7. cap. 9.

Faires Markets Fetherbeds
Forf.
Quilts Mattresses Cushions
Forf.

2 ¶ No person or persons whatsoeuer, shal make to the intēt to sel, or offer to be sold, anie fetherbed, bolster, or pillow, except the same bee stuffed with dry pulled fethers or cleane downe onely, without mingling of scalded fethers, sendowne, thistle downe, sand, lime, grauel, vnlawfull or corrupt stuffe, haire or anie other, vpon paine of forf. of all such fetherbeds, bolsters, and pillowes, and euery of them so offered to be solde, or the value thereof.

Fetherbed
Forf.

And be it &c. that from and after the said day no person or persons shal make to the intent to sell, or offer, or put to sale anie quilt, mattresse, or cushions, which shalbe stuffed with any other stuffe, then fethers, woll, or flockes alone, vpon, paine of forfaiture of all & euery such quilts, mattresses or cushions, so solde or stuffed to bee sold, or the value thereof. The moitie &c. to the King &c. the other moitie &c. to such &c as will sue &c. wherein &c. Anno 5. Ed. 6. cap. 23.

Quilt Mattresse Cushions
Forf.
Moitie

¶ Vses.

AN. 4. H. 4. ca. 7. it was enacted for disseisies to haue their actions vpon disseisin against ỳ pernour of the profits during their liues. And other actiōs of pleas of land to be brought against the pernour of the profits within the yere after the action accrued. See of this matter, Feoffements 1.

Pernour profites

2 ¶ Anno 11. H. 6. cap. 4. that all actions grounded vpon nouel disseisin should be maintainable against the pernour of the profits.

Nouell disseisin

3 ¶ An. 1. R. 2. cap. 5. it is enacted that where he was seised ioyntly with other to the vse of any person, ỳ his interest should vest in his other cofeffees: And where hee was sole seised to the vse of any, that his interest should vest in him that had ỳ vse.

4 ¶ Euery estate, feoffement, gift, release, graunt, leases and confirmations of lands, tenemēts, rents, seruices, or other

Feoffement Release Graunt Leas

heredi-

hereditaments, made or had, or hereafter to bee made or had by any perſon or perſons being of full age, of whole memory, at large and not in dureſſe to any perſon or perſons, and all recoueries and executions had or made, ſhal be good and effectuall to him to whome it is made, had, or giuen, and to al other to his vſe, againſt the ſeller, feoffer, donor, or graunter of the ſame, and againſt the ſellers, feoffers, donors, or grantors and his and their heires clayming the ſame, only as heire or heirs to the ſame ſellers, feoffers, donors, or grauntors and euery of them: and againſt all other hauing or clayming any title or intereſt in the ſame, only to the vſe of the ſame ſeller, feoffer, donor, or grauntor, or ſellers, feoffers, donors, or grauntors, or his or their ſaide heires at the time of the bargaine, ſale, couenant, gift or graunt made, ſauing to euery perſon and perſons

Right Tayle

ſuch right, title, action or intereſt by reaſon of anie gift in tayle thereof made as they ought to haue, if this act had not been made. An. 1. R. 3. cap. 1.

Formedon

5 ¶ Anno 1. H. 7. cap. 1. Formedon was giuen againſt the pernour of the profits, & he & his heire to haue voucher, ayde priер, age and aduantage, as tenant in poſſeſſiō: And recoueries againſt the pernour of the profits to be as good as though he were tenant in poſſeſſion.

Gifts

6 ¶ All deedes of gift of goods and cattels made or to be made of truſt to the vſe of the perſon or perſons that made the ſame deed of gift, be voyde & of none effect.

Voyd

Anno 3. H. 7. cap. 4.

Execution

7 ¶ Anno 19. H. 7 cap. 15. an Acte was made, that execution for debts & recognizances & ſtatutes ſhould be ſued of landes in vſe. And that the lords of whom the landes were holden in ſocage, ſhould after the death of him that had the vſe, haue reliefe and herriot and other ſeruices. And the lord of the villeine that purchaſed landes in vſe might enter into the land.

Lords

Relefe. Herriot Villeins

8 ¶ Anno 1. H. 8. cap. 15. it is enacted that thoſe to whoſe vſe Empſon or Dudley were ſeiſed of lands &c. might enter and make eſtates therof to other to their vſes notwithſtanding the attaindors of Empſon & Dudley, And that their coſeffées to other vſes to bee ſeiſed of to the former vſes of the whole notwithſtanding the ſaid attaindors, with one exception to the Lord Fitzwater &c.

Empſon Dudley

9 ¶ Where by the common lawes of this Realme, lands, tenements and hereditaments, be not deuiſeable by teſtament nor ought to bee transferred from one to another, but by ſolemne liuery and ſeiſon, matter of Record, writing ſufficient made bona fide, without couin or fraud: Yet neuertheleſſe diuers and ſundry imaginations, ſubtill inuentions and practiſes haue been vſed, whereby the hereditaments of the realme haue been conueyed from one to another by fraudulent feoffements, fines, recoueries, & other aſſurances craftily made to ſecret vſes, intents, & truſts, & alſo by willes & teſtaments ſometime made by nude parolx & wordes, ſometime by ſignes & tokens, and ſome time by writing, and for the moſt parte made by ſuch perſons as bee viſited with ſickeneſſe in their extreme agonies and paynes, or at ſuch time as they haue had ſcantly ante good memory or remembrance, at which time they being prouoked by gredy and couetous perſons lying in awaite about them, do many times diſpoſe indiſcretely and vnaduiſedly their landes and inheritances: By reaſon whereof, and by occaſion of which fraudulent feoffmēts, fines, recoueries, and other like aſſurances to vſes, confidences, & truſtes, diuers & many heires haue been iniuſtly at ſundry times diſherited, ỳ lords haue loſt their wards, marriages, reliefes, herriots, eſchetes, aides, pur faire fits Chiualer, & pur file marrier, & ſcantly anie perſon can bee certainely aſſured of any lands by them purchaſed, nor knowen ſurely againſt whom they ſhal vſe their actiōs or executions for their rights, titles, and dueties. Alſo men married haue loſt their tenures by ỳ curteſie, women their dowers, manifeſt periurie by trial of ſuch ſecret wils, and vſes haue been cōmitted: The kings highnes hath loſt the profites & aduantages of the lands of perſons attainted, & of the lands craftely put in feoffement to the vſes of aliens borne, & alſo the profits of waſt for a yere & a day of lāds of felons attainted, and the lords their eſchetes therof, & many other inconuenientes haue happened and dayly doe increaſe among the kings ſubiects, to their great trouble & vnquietnes, and to the vtter ſubuerſion of the ancient common lawes of this realme: For the extirping & extinguiſhment of al ſuch ſubtil practiſed feoffementes, fines, recoueries, abuſes, and errors heretofore vſed and accuſtomed in this Realme, to the ſubuerſion of the good and ancient lawes of the ſame, & to the intent that the kings

Teſtament

high-

highneſſe, or any other his ſubiects of this realme, ſhall not in any wiſe hereafter by any meanes or inuention, be deceiued, damaged, or hurted by reaſon of ſuch truſts, vſes, or confidences: It may pleaſe the kings moſt royall Maieſtie, that it maie be enacted &c. in manner & forme followin, that is to ſay, that where any perſon or perſons ſtand or be ſeiſed, or at anie time hereafter ſhall happen to bee ſeiſed of & in any honors, caſtles, manors, lands, tenements, rents, ſeruices, reuerſiõs, remainders, or other hereditaments to the vſe, confidence or truſt of any other perſon or perſons, or of any body politike, by reaſon of anie bargaine, ſale, feoffements, fine, recouerie, couenant, contract, agreement, will, or otherwiſe, by any maner meanes whatſoeuer it be, that in euery ſuch caſe, al & euery ſuch perſon & perſons, & bodies politike, that haue or hereafter ſhal haue any ſuch vſe, cõfidence, or truſt in fee ſimple, fee taile, for terme of life, or of yeres, or otherwiſe, or anie vſe, confidence, or truſt in remainder, or reuerter, ſhal from henceforth ſtand, be ſeiſed, deemed and adiudged in lawful ſeiſon, eſtate & poſſeſſion of & in the ſame honors, caſtels, manors, lands, tenements, rents, ſeruices, reuerſions, remainders, & hereditamentes with their appurtenances, to all intents, conſtructions and purpoſes in the law, of and in ſuch like eſtates as they had or ſhall haue in vſe, truſt or cõfidence, of, or in the ſame. And that the eſtate, title, right, and poſſeſſion, that was in ſuch perſon or perſons, that were & hereafter ſhal bee ſeaſed of any lands, tenemẽts, or hereditamẽts, to the vſe, confidence or truſt of anie ſuch perſon or perſons, or of any body politike, bee from henceforth cleerely deemed and adiudged to be in him or them that haue or hereafter ſhall haue ſuch vſe, confidence or truſt, after ſuch qualitie, maner, forme, and conditions, as they had before in or to the vſe, confidence or truſt that was in them.

Truſt

Adiudged

Eſtate

Vſe Truſt

And be it &c. that where diuers & manie perſons be or hereafter ſhall happen to be ioyntly ſeiſed, of & in any lands, tenemẽts, rents, reuerſiõs, remainders, or other hereditamẽts to the vſe, confidence or truſt of any of them, that be ſo ioyntly ſeiſed: that in euery ſuch caſe, that thoſe perſõ or perſõs, which haue or hereafter ſhal haue any ſuch vſe, cõfidence or truſt in any ſuch landes, tenementes, rentes, reuerſions, remaynders, or hereditaments, ſhal from henceforth haue and bee deemed and adiudged to haue only to him or them y haue or hereafter ſhal haue ſuch vſe, confidence or truſt, ſuch eſtate, poſſeſſion & ſeiſon, of & in the ſame lands, tenements, rents, reuerſions, remaynders, or other hereditaments in like nature, maner & forme, conditions & courſe, as he or they had before in the vſe, confidence or truſt of the ſame lands, tenements, or hereditaments, ſauing & reſeruing to al & ſinguler perſons & bodies politike, their heires & ſucceſſours, other then thoſe perſon or perſons, which be ſeiſed, or hereafter ſhalbe ſeiſed of anie lands, tenements, or hereditaments, to any vſe, confidence or truſt, all ſuch right, ticle, entrie, intereſt, poſſeſſiõ, rents & action, as they or any of them haue had before the making of this acte.

Jointly

Truſt

Right Entrie

And alſo ſauing to al and ſinguler thoſe perſons, and to their heires, which be or hereafter ſhalbe ſeiſed to any vſe, all ſuch former rights, title, intereſt, poſſeſſion, rents, cuſtomes, ſeruices, & actiõs, as they or anie of them might haue had to his or their owne proper vſe, in or to anie manors, lands, tenemẽts, rents, or hereditaments, whereof they be, or hereafter ſhal be ſeiſed to any other vſe, as if this preſẽt act had neuer bin had ne made, any thing contayned in this act to the contrary notwithſtanding. And where alſo diuers perſons ſtand and bee ſeiſed of & in any lands, tenements, or hereditaments, in fee ſimple or otherwiſe, to the vſe or intent that ſome other perſon or perſons ſhall haue & receiue yerely to them, and to his or their heires, one annuall rent of x.li. or more, or leſſe out of the ſame lands and tenemẽts, and ſome other perſon one other annuall rent to him and his aſſignes for terme of life or yeres, or for ſome other ſpeciall time, according to ſuch intent and vſe as hath bẽn heretofore declared, limited and made thereof: Be it &c. that in euery ſuch caſe the ſame perſons, their heires and aſſignes that haue ſuch vſe and intereſt to haue and receiue any ſuch annual rents, out of any lands, tenements or hereditaments, that they and euery of them, their heires and aſſignes bee adiudged and deemed to bee in poſſeſſion and ſeiſon of the ſame rent, of & in ſuch like eſtate as they had in the title, intereſt or vſe of the ſaide rent or profit, and as if a ſufficient graunt or other lawful conueyance had bin made and executed to them by ſuch as were or ſhalbe ſeiſed to the vſe or intẽt of any ſuch

Vſe Right

Rent

Poſſeſſion

rent

Truſt

rent to be had, made or paid, according to the very truſt and intent therof. And that all and euery ſuch perſon and perſons, as haue, or hereafter ſhal haue any title, vſe, & intereſt, in or to any ſuch rent or profit, ſhall lawfully diſtraine for non payment of the ſaid rent, and in their owne names make auowries, or by their bailifes or ſeruants make conſſance and iuſtificatiõs, & haue all other ſutes, entries and remedies for ſuch rents, as if the ſame rents had bẽn actually and really graunted to them with ſufficiẽt clauſes of diſtres, rẽentrie or otherwiſe, according to ſuch conditions, paynes or other thing limitted and appointed vpon the truſt and intent for payment or ſuretie of ſuch rent.

Diſtraine

Auowry

And bee it &c. that whereas diuers perſons haue purchaſed or haue eſtate made and conueyed of and in diuers lands, tenements & hereditaments vnto them and to their wiues, and the heirs of the huſband, or to the huſbande and to the wife, and to the heires of their two bodies begotten, or to the heires of one of their bodies begotten, or to the huſband and to the wife for terme of their liues, or for terme of life of the ſaide wife: Or where any ſuch eſtate or purchaſe of any lands, tenemẽts or hereditaments hath bẽne or hereafter ſhall bee made to any huſband and to his wife, in manner and forme aboue expreſſed, or to any other perſon or perſons, and to their heires and aſſignes, to the vſe & behoofe of the ſaide huſband and wife, or to the vſe of the wife, as is before rehearſed, for the ioynter of the wife: that then in euery ſuch caſe, euery woman married, hauing ſuch ioynter made or hereafter to be made, ſhall not claime nor haue title to haue any dower of the reſidue of the lãds, tenements or hereditaments that at anie time were her ſaid huſbãds, by whom ſhe hath any ſuch ioynter, nor ſhall demaund nor clayme her dower of & againſt them that haue the lands & inheritances of her ſaide huſbande. But if ſhe haue no ſuch ioynter, then ſhe ſhal be admitted & inabled to purſue, haue, & demand her dower by writte of dower, after the due courſe and order of the common lawes of this Realme, this acte or any law or prouiſion made to the contrary thereof notwithſtanding.

Tayle

Ioynter

Woman

Dower

Prouided alwaies that if any ſuch woman be lawfully expulſed or euicted from her ſaid ioynter, or from any part thereof, without any fraud or couin by lawful entrie, action, or by diſcontinuance of her huſband: then euery ſuch woman ſhall be endowed of aſmuch of the reſidue of her huſbands tenementes or hereditamentes whereof ſhe was before dowable, as the ſame lands and tenements ſo euicted and expulſed, ſhall amount or extend vnto.

Euicted Ioynter

Dower

Prouided alſo, that this acte nor anie thing therein contayned or expreſſed, extend or be in any wiſe hurtful or preiudiciall to any woman or women heretofore being married, of, for or concerning ſuch right, title, vſe, intereſt or poſſeſſion, as they or any of them haue, clayme, or pretende to haue, for her or their ioynter or dower, of, in, or to any manors, lands, tenements or other hereditamentes of anie of their late huſbands being now dead or deceaſed, any thing contained to this acte to the contrary notwithſtanding.

Womẽ

Ioynter Dower

Prouided alſo, that if any wife haue or hereafter ſhal haue any manors, lãds, tenements, or hereditaments vnto her giuen or aſſured after marriage for terme of her life, or otherwiſe in ioynter, except the ſame aſſurance be to her made by acte of Parliament, and the ſaide wife after that fortune to ouerliue the ſame her huſband, in whoſe time the ſaid ioynter was made or aſſured vnto her: that then the ſame wife ſo ouerliuing, ſhal and may at her libertie after the death of her ſaid huſband, refuſe to haue and take the landes, and tenements ſo to her giuen, appointed or aſſured, during the couerture for terme of her life, or otherwiſe in ioynter, except the ſame aſſurance be to her made by acte of Parliament as is aforeſaide, and thereupon to haue, aſke, demaund and take her dower by writ of dower, or otherwiſe, according to the common law, of and in all ſuch lands, tenemẽts, and hereditamẽts, as her huſband was and ſtood ſeiſed of any ſtate of inheritance, at anie time during the couerture, any thing cõtayned in this acte to the contrary in any wiſe notwithſtanding.

Wife Lands

Act of parliament

Refuſe

Ioynter

Dower

Prouided alſo that this preſent act, nor any thing therin contayned extend nor be in any time hereafter interpreted, expounded or takẽ to extinct, releaſe, diſcharge or ſuſpend any ſtatute, recogniſance or other bond by the execution of anie ſtatute of, or in any lands, tenementes, or hereditaments, by the authority of this act, to anie perſon or perſons, or bodies politike, anie thing contained in this act to the contrary thereof notwithſtanding.

Statute Recog.

And

And forasmuch as great ambiguities and doubts may arise of the validitie and invalidity of willes heretofore made of any landes, tenements, hereditaments, to the great trouble of the kings Subiects: the kings most royall Maiestie minding the tranquility and rest of his loving subiects, of his most excellent and accustomed godnes is pleased and contented, that it be et that al maner true & iust willes and Testaments heretofore made by any person or persons deceased, or that shall decease before the first daye of May. that shalbe in the yere of our Lord God, 1536 of any lands, tenements, or other hereditaments, shalbe taken and accepted good and effectuall in the law after such fashion, maner and forme, as they were commonlie taken and vsed at any time within 40. yeeres next afore the making of this act, anie thing contained in this acte, or in the preamble thereof, or any opinion of the common lawe to the contrarie thereof not withstanding.

Willes
Testamēts
40. yeeres

Prouided alwaies that the kings highnes shal not haue, demaund, or take anie aduantage or profit for or by occasion of the executing of any estate onelie by authoritie of this acte, to any person or persons, or bodies politike, which now haue, or on this side the saide first day of Maie, which shall bee in the yeere of our Lorde God, a thousand fiue hundred thirtie and fiue, shal haue any vse or vses, trustes or confidences in anie maners, landes, tenements, or hereditaments holden of the K. highnes by reason of primer seison, liuerie, ouster le maine, fine for alienation, relefe or heriot, but that fines or alienations, reliefes and heriots shall be paide to the kings highnes. And also liueries and ouster le maines shalbe sued for vses, trust and confidentes to be made and executed in possession by authority of this act, after or from the said first day of May, of landes and tenements, and other hereditaments holden of the king, in such like maner and forme, to all intents, constructions, and purposes, as hath heretofore been vsed or accustomed, by the order of the lawes of this realme.

Vse
Trust
Primer seison
Liuerie
Ouster le maine
Relefe
Heriot

Prouided also, that no other person or persons, or bodies politike, of whom any lands, tenements or hereditaments, be or hereafter shalbe holde, mediate or immediate, shall in anie wise demand or take any fine, relefe, or heriot for or by occasion of the execution of any estate by the authoritie of this act, to any person or persons, or bodies politike, before the said first day of May, which shall be in the yeere of our Lord God, a thousand fiue hundred thirty and fiue. And be it et that all and singuler person and persons, and bodies politike, which at anie time on this side the saide first day of May, which shalbe in the yere of our Lord God, a thousand fiue hundred thirtie and fiue, shal haue anie estate vnto them executed of and in anie landes, tenements or hereditaments, by the authoritie of this act, shal and may haue and take the same or like aduantage, benefite, voucher, aide pier, remedie, commoditie and profit, by action, entrie, conditiō, or otherwise to al intents, constructions and purposes, as the person or persons seised to their vse, of or in any such lands, tenemēts or hereditamēts, so executed, had, should, might or ought to haue had at the time of the execution of the estate thereof by authoritie of this acte, against anie other person or persons, of or for anie waste, disseison, trespasse, condition broken, or anie other offence, cause or thing concerning or touching the said landes or tenements, so executed by the authoritie of this acte.

Fine
Fine
Aduantage

Prouided also, and be it enacted, etc. that actions now depending against anie person or persons seised of or in anie landes, tenements or hereditaments, to anie vse, trust or confidence, shall not abate, nor be discharged for or by reason of executing of anie estate thereof by authoritie of this acte, before the saide first date of Maie, which shall bee in the yeere of our Lorde GOD, a thousand fiue hundred thirtie and fiue, anie thing contayned in this act to the contrarie not withstanding.

Actions

Prouided also, that this Acte nor anie thing therein contayned, shall not be preiudiciall to the Kings Highnesse for wardships of heires now being within age, nor for liueries, or for ouster le maines to bee sued by anie person or persons now being within age, or full age, of anie landes or tenements vnto the same heire or heires nowe alreadie disseised, anie thing in this acte contayned to the contrarie not withstanding.

Wardships
Liuerie
Ouster le maine

Prouided also, and be it et. that all and singuler recognisances heretofore knowledged, taken or made to the Kinges vse, for, or concerning anie recoueries of anie landes, tenementes or hereditamentes, heretofore vsed or had, by writte or writs of entrie vpon disseisin in le post, shall frō

Recog.

Uoid henceforth bee vtterly voide and of none effect to all intents, constructions and purposes.

Prouided also, that this acte nor anie thing therein contained, bee in any wise preiudiciall or hurtfull to anie person or persons borne in Wales or the Marches of the same, which shall haue anie estate to them executed by authoritie of this act, in any lands, tenements or other hereditaments within this realme, whereof anie other person or persons voide stand or bee seised to the vse of anie such person or persons borne in Wales, or the Marches of the same, but that the same person or persons borne in Wales, or the Marches of the same, shall or may lawfully haue, retaine, and keepe the same landes, tenements or other hereditaments, whereof estate shall bee so vnto them executed by the authoritie of this act, according to the tenour of the same: anie thing in this act contayned, or in anie other acte or prouision heretofore had or made to the contrarie not withstanding. Anno 27. Hen. 8. cap. 10.

¶ Vsurie.

FRom henceforth the vsurie shall not runne against anie within age, from the time of the death of his ancestor (whose heire he is) vnto his lawfull age. Howeuertheles that the paiment of the principall debt with the vsurie that was before the death of his ancestor (whose heire he is) shall not remaine vnpaied by reason of this. Merton cap. 5. An. 20. H. 3.

2 ¶ None from henceforth shall lende anie thing to vsurie vpon lands, rents, or other thing. And that no vsurie continue from Saint Edwards tide last past forward, but the couenants afore made shal stand, but the vsurie shall cease. And that all those which owe debt to Iewes vpon gages moueable, redeeme them between this and Easter at the farthest, or els that they be forfaited. And if anie Iewe lende for vsurie against this establishment, the king by himselfe, nor by none of his shall meddle to helpe him to his debt, but will punish him at his pleasure for the trespasse. And to the Christian wil doe right to recouer him his gage. Statut. de Iudaismo.

3 ¶ An. 3. H. 7. cap. 5. was an act made against vsurie. But it was after repealed. An. 1 Hen. 7. cap. 8. here.

4 ¶ That all vnlawfull cheuissances and vsurie be damned, and none to bee vsed vpon paine or forfaiture of the value of the money or goods so cheuised or lent; the said forfaiture to ronne vpon the seller or lender thereof. And also forasmuch as diuers English and estrangers Brokers which beene named and assigned to occupie lawfull Brocage, beene inducers and bargaine makers of vnlawfull cheuisance and vsurie, and in some parte of vnlawfull exchanges, to the hurt of our said Soueraigne Lord, and this his said realme: Therefore it is &c. that all such Brokers dealing vnlawfully of anie of the premisses be put aparte, and neuer to occupie as Brokers within this realme, as they may be espied and found in cities, boroughes and townes, by Maiors, Bailifes, or anie of them, or of their Ministers where such bargaines be vsed. And that euerie Brocher that is found defective in making of vnlawfull brocage, shall forfait for euerie default twentie pound, and haue imprisonment for halfe a yeere. And furthermore, to be punished by the pillorie, or otherwise to their open rebuke and shame: the King to haue the one halfe of euerie of the said forfaites, and the partie that will sue, the other halfe of the same, by action of debt in the Common lawe, and the defendant in the same action bee not admitted to wage his law, ne essoine, ne protection bee for the same defendant allowed. Anno 3. Hen. 7. capit. 6. See here 6. a repeale.

Chenisance

Fork. Seller

Brokers

Fork. Imprison

Pillorie

Moitie

5 ¶ All manner of person or persons lending money to and for a time, taking for the same loane any thing more besides or aboue the money lente by way of contract or couenant at the time of the same loane, saving lawfull penalties for non paiment of the same monie lent. and that all maner of person and persons which hereafter sell anie goods, cattels, or merchandises for anie person or persons being in necessitie, and the seller himselfe, or by his broker or factor in that behalfe again buy the same goods, cattels, or merchandises of the same person to whome they were sold being in necessity, or his broker or factor in that behalfe, within three moneths after they been solde, for a lesse sum of money then they were solde for, knowing the same goods so bought againe afore by the same buyer or buiers, to bee solde after the forme aforesaid, and that euerie person and persons lending or taking anie

Under age

Loane

Penalties

Sell

Buy

3. moneths

Landes Vuertie

any money to any perſon or perſons, to a certaine time, & taketh lands, tenements, or anie hereditamentes, or other bondes, for vuertie, profit, and ſure paiment of his or their money lent at the time aſſigned without condition or aduenture, and alſo at the time of the ſame loane or taking of the ſaide money, couenanteth, appointeth, or contracteth, that he or they that ſo lend or taketh money, ſhall haue the reuenues and profites of the landes, tenements or hereditamentes of him that ſo borroweth or taketh money, by a certaine time, that then euery perſon hereafter vpon any of the premiſſes conuicted, forfaite the money, or the value in money of the ſaid money, goods, cattels, merchandiſes, as is aboueſaid, ſo ſolde or lent after ſuch value as they bee ſolde or lent, for anie forme aforeſaide, whereof the king ſhall haue the one moity of the ſame forfaiture, and the partie that wil ſue, the other moitie: And if no man wil ſue, then the king to haue the whole. And this ſuite for the ſaid penaltie and forfaiture to be aſwel at the kings ſuite, as anie other that wil ſue by informatiõ in anie of the kings courts of record, and ſuch proces to be had in the ſame, as is vſed in other actions of debt at the common lawe in the ſame Courts. Prouided alway, that in the Courtes of Chancery and Eſchequer, they ſhal make ſuch proces as hath been vſed afore time in informations afore them commenced, wherein the defendant ſhal not wage his law, nor protection, ne eſſoine de ſeruice le Roy in the ſame allowable. And that the ſame acte and ordinance made the ſaid third yeere (See Anno 3. H. 7. cap. 5. before 3.) and all thinges therein contained, be from henceforth vtterlie voide and of none effect. Reſeruing alwaies to the ſpiritual iuriſdiction their lawfull puniſhments in euerie cauſe of vſurie. Anno 11. H 7. cap. 8. But this is alſo repealed, as here followeth 6.

Forf.

Wottie

Proces

Spirituall iuriſdiction

☞

6 ¶ Where diuers actes haue bene made for the auoiding and puniſhment of vſurie, being a thing vnlawfull, and of other corrupt bargaines, ſhiftes, and cheuiſances, which bee ſo obſcure in termes, and ſo manie queſtions growen vpon the ſame, and of ſo little effect, that little puniſhment, but rather encouragement to offenders hath enſued thereby: For reformation thereof, be it &c. that all and euerie acts, ſtatutes, and lawes heretofore made, of, for, or concerning Vſurie, ſhiftes, corrupt bargaines, cheuiſances, & euerie of them, and al paines, forfaitures, and penalties concerning the ſame and euerie part thereof, ſhall from henceforth be vtterly void and of none effect to all intents, conſtructions and purpoſes.

Shiftes

Reprale

Void

And be it &c. that no perſon ne perſons of what eſtate, degree, or condition ſoeuer he, or they be, from &c. ſhall by himſelfe, factor, atturney, ſeruant, or deputie ſell his merchandiſes or wares to anie perſon or perſons, and within three moneths next after by himſelfe, factor, atturney, deputy, or by anie other perſon or perſons to his vſe and behoſe, buy the ſame merchandiſes or wares, or anie parte or parcel thereof, vpon a leſſer price, knowing them to be the ſame wares or merchandiſes, that he before did ſo bargaine and ſell, vpon the pains and forfaitures hereafter limited in this eſtatute.

Sell

3. moneths

Buy

And be it &c. that no perſon or perſons of what eſtate &c. by way or meane of any corrupt bargaine, loane, eſchange, cheuiſance, ſhift of intereſt of any wares, merchandiſe, or other thing or things whatſoeuer, or by any other corrupt or deceitfull way or meane, or by any couin, engine, or deceitfull way or conueiance, ſhall haue, receiue, accept, or take in lucre or gaines, for the forbearing or giuing daie of payment of one whole yere, of, and for his or their money or other thing, that ſhall bee due for the ſame wares, merchandiſes, or other thing or things aboue the ſumme of ten pound in the hundred, and ſo after that rate & not aboue, of, and for a more or leſſe ſumme, or for a longer or ſhorter time, & no more greater game or ſumme therupon to be had, vpon the paines and forfaitures hereafter in this act mentioned and contained.

Loane

Gaines

x.li. the 100

And be it &c. that if any perſon or perſons, at any time after &c. doe bargaine and ſell, or lay to morgage by any way or meane anie manors, landes, tenements, or hereditaments to any perſon or perſons, vpon condition of paiment or non paiment of any ſumme or ſummes of money to be had, paied, or made, at anie daie certaine, or before any ſuch day by him that ſhall ſo bargaine, ſell, or lay to morgage the ſame manors, lands, tenements, or hereditaments, that the ſame perſon or perſons, to whome anie ſuch manours, landes, tenementes, or hereditamentes ſhall bee ſo bargained, ſolde, or layed to morgage, ſhall not by reaſon therof, haue

Sell Morgage Lands

ne take in lucre or gaines of the issues, reuenues, & profits of the same manours, landes, tenementes, or hereditaments a- boue the summe of ten pound in the hun- dred for one whole yeere, and so after the rate abouesaid for a more or lesser summe, or for a longer or shorter time & no more, nor otherwise, vpon the paines, forfai- tures, & penalties hereafter in this pre- sent estatute limitted and expressed. And be it &c. that if any person or persons, of what estate &c. shall do anie acte or actes, thing or things, contrarie to the tenour, forme, and effect of this estatute, or of anie clause, article or sentence contained in the same, that then al and euery offender and offenders therin, or in anie parte thereof, shall forfaite and lose for euerie such of- fence the treble value of the wares, mer- chandises, and other thing or things so bargained, solde, eschanged or shifted, and the treble value of the issues and profits of the said manors, lands, tenements, and hereditaments so had, taken or receiued by reason of anie such bargaine, sale, or morgage, and also shall haue & suffer im- prisonment of his bodie, and make fine & raunsome at the kings will and pleasure. The moitie of which forfaiture of the said treble value, shall be to the king, and the other moitie to him or them that will sue for the same in anie the Kings Courtes of Record, by action of debt, bill, plaint or in- formation &c. in which &c. no wager &c. Prouided alway, and bee it &c. that this acte, ne anie thing therein contained, shall not in anie wise extend to anie lawful ob- ligation indorsed with a condition, nor to anie statute or recognisance made and to be made for the paiment of a lesser summe, so that the same obligation, statute, or re- cognisance be made for a true, iust, and perfect debte, or for the performance of a- nie other true couenants, made or to bee made vpon a iust and true intent had be- twéene the parties, other then in cases of vsurie, interest, corrupt bargaines, shifte, or cheuisance, ne yet shall extende to anie recouerie, fine, feoffement, release, confir- mation, or graunt made or to be made vp- on condition with a true intent, other thē to such recoueries, fines, feoffements, re- leases, confirmations and grants, as shal be made vpon condition extending to v- surie, interest, corrupt bargaines, shiftes, or cheuisance, any thing in this statute contained, or any law, statute or ordinãce heretofore had, vsed, or made to the con- trarie notwithstanding. An. 37. H. 8. cap. 9. This acte was repealed by 5. E. 6. cap. 20. here following 7. But it is reuiued againe for a time by 13. El. ca. 8. here following 8.

£. li. the 100

Forf.

3. value

Imprison

Moitie

Obligation

¶ Where in the 37. yeere of the raigne of the late King Henrie the eight (before 6.) amongst other actes and sta- tutes then made, it was enacted by au- thoritie of parliament, that no person or persons at anie time after the last day of Ianuary, in the said 37. yere, should haue, receiue, accept, or take in lucre, or gains, for the loane, forbearing, or giuing day of payment of anie summe of money, for one whole yeere, aboue the summe of tenne pound in the hundred, and so after that rate, and not aboue, of, and for a more, or lesse summe, or for longer or shorter time, vpon the paines and forfaitures in the saide acte mentioned and contained. The which act was not meant or intended for the maintenance and allowance of vsu- rie, as diuers persons, blinded with inor- dinate loue of themselues, haue and yet doe mistake the same, but rather was made and intended against all sortes and kindes of vsurie, as a thing vnlawfull, as by the title and preamble of the said act it doth plainly appeare. And yet neuerthe- lesse the same was by the said act permit- ted, for the auoiding of a more euil and in- conuenience, that before that time was v- sed and exercised. But forasmuch as vsury is by the word of God vtterly prohibited, as a vice most odious and detestable, as in diuers places of the holie Scripture it is euident to be seen, which thing by no godlie teachings and perswasions can sinke into the hearts of diuers greedie, vncha- ritable, and couetous persons of this Realme, nor yet by anie terrible threat- nings of Gods wrath and vengeãce, that iustlie hangeth ouer this realme, for the great and open vsurie therein dailie vsed and practised, they will forsake such filthy gaine and lucre, vnlesse some temporall punishment bee prouided and ordained in that behalfe. For reformation whereof, be it enacted by the authoritie of this pre- sent Parliament, that from the first day of May, which shall be in the yeere of our Lorde GOD, a thousand fiue hundred fiftie and two, the saide Acte and Sta- tute, concerning onelie vsurie, lucre, or gaines of or for the loane, forbearing, or giuing of daies of anie summe or summes of money, be vtterly abrogated, void, and repealed.

Repealed

And

And furthermore bee it enacted by the authoritie aforesaide, that from and after the saide first day of May next comming, no person or persons, of what estate, degree, qualitie or conditiō soeuer he or they be, by anie corrupt, colourable, or deceitful conueiance, sleight, or engine, or by anie way or meane, shal lend, giue, set out, deliuer, or forbeare anie summe or sums of money, to anie person or persons, or to anie corporation or bodie politike, to or for anie maner of vsurie, increase, lucre, gaine or interest, to bee had, received, or hoped for, ouer and aboue the summe or summes so lent, giuen, set out, deliuered, or forborne, vpon paine of forfaiture the value, aswell of the summe or summes so lent, giuen, set out, deliuered, or forborne, as also of the vsurie, increase, lucre, gaine or interest thereof, and also vpon paine of imprisonment of the bodie or bodies of euerie such offender or offenders, and also to make fine & ransome at the kings will and pleasure. The moitie of which forfaiture of the said value, shall be to the king, and the other moitie to the partie that wil sue for ẏ same in anie of the kings courts of record, by action of debt, bill, plaint, or information, wherein no wager of lawe, essoine, or protection shall be allowed or admitted. Anno 5. and 6. E. 6. cap. 20. This acte is repealed for a time by 13. El. cap. 8. as here followeth 8.

Lend

Lucre

Forf.

Moitie

8 ¶ Where in 37. H. 8. (before 6.) a good act was made for the reformation of vsurie, wherby especially the corrupt cheuisance and bargaining by way of sale of wares, and shifts of interest was wel expressed, which was repealed by another act made 5. & 7. E. 6. (before 7.) against vsurie, which latter acte hath not done the good that was hoped for, aswell for that there was no prouision against such shifts of interest and sale of wares, as also for that there is no difference of forfaiture, vpon greater or lesser exactions, by reason of loanes vpon vsurie: Be it enacted, that the statute made in the sixt and sixt yere of the raigne of king Edward the sixt, and euerie branch and article of the same, frō and after the fiue & twentie day of June next comming, shalbe vtterly abrogated, repealed, and made voide: and that the said act made in the said 37. yeere of king Henrie the eight, from and after the saide fiue and twentie day of June nexte comming, shall bee reuiued, and stande in full force, strength and effect.

And be it further enacted, that al bonds, contracts and assurances collateral, or other to be made for paiment of anie principall, or money to be lent, or couenant to be performed, vpon or for any vsurie in lending or doing of any thing against the said acte now reuiued, vpon or by which loane or doing, there shall be reserued or taken aboue the rate of tenne pounds for the hundred for one whole yeere, shall bee vtterlie voide.

x. li. the 100

And be it further enacted, that all brokers, solicitors, & driuers of bargaynes for contractes or other doing against the said statute now reuiued, whereupon shal be reserued or taken more then after the rate of ten pound, for the loane of an hundred pound for a yere, shalbe to al intents and purposes iudged and punished, and vsed as counsellers, Atturnies, or aduocats in anie case of Premunire.

Brokers

Premunire

And forasmuch as all vsurie being forbidden by the law of God, is sinne and detestable: Be it enacted, that al vsury, loan and forbearing of money, or giuing daies for forbearing of money by way of loane, cheuisance, shifts, sale of wares, contract, or other doings whatsoeuer for gaine, mētioned in ẏ said statute, which is now reuiued, wherupon is not reserued, or take, or couenanted to be reserued, paied, or giuen to the lender, contracter, shifter, forbearer, or deliuerer, aboue the sum of ten pound for the loane or forbearing of one hundred pound for one yeere, or after that rate, for a more or lesser sum or time, shal be from the fiue and twenty day of June next comming, punished in forme following, that is to say, that euery such offēder against this brāch of this present statute, shal forfait so much as shalbe reserued by way of vsurie, aboue the principal for any money so to be lent or forborne. All such forfaitures to be recouered and imploied, as is limited for forfaitures by ẏ saide former statute now reuiued.

x. li. & vnder

Forf.

And be it further enacted, that Justices of Oier and Terminer, and Justices of assise in their circuites, Justices of Peace in their Sessions, Maiors, Shirifes, and Bailifs of cities, shal also haue ful power and authoritie to inquire, heare, and determine of all and singuler offences committed against the said Statute nowe reuiued.

Just. of oier
Just. of ass.
Just. of P.

Maiors
Sherifes
Bailifes

And be it further enacted, that the saide statute now reuiued, shal be most largely and strongly construed for the repressing

of vsurie, and against al persons that shal offend against the true meaning of ẏ said statute by anie way or deuise, directly, or indirectly.

Prouided alway, that this statute doth non ertẽd, nor shalbe expounded to extend vnto any allowances or paiments for the finding of orphanes, according to the ancient rates or customs of the citie of London, or any other citie where like order is for the custodie of orphanes, & their goods, as is in the said citie of London.

Orphanes

London

Prouided alwaies, and be it further enacted &c. that if anie person or persons, shall from and after the saide 25. daie of June, offend contrarie to the saide statute reuiued by this present acte, made in the 37. yere of the raigne of the said late king Henrie the eight: that then all and euery such offender or offenders shall and maie also be punished and corrected, according to the Ecclesiasticall lawes heretofore made against vsurie. And that al and euery person and persons, offending in vsury, shiftes, or chenisance against this present acte, and not taking or receiuing, but only after the rate of ten pound in the hundred, or vnder, for a yere, shall be only punished by the paines and forfaitures prouided and appointed by this acte, against such as shall not take or receiue ouer and aboue the rate of x.li. in the hundred for a yere, and not otherwise. This acte to continue and endure for and during the space of fiue yeres next after the end of this present Parliament, and from thence vnto the end of the first Session of the Parliament then next ensuing.

Punish

And be it further enacted by the authoritie aforesaid, that if this present act shal not be continued in the first session of the Parliament next ensuing the said terme of fiue yeeres, and then in the same Session no other Statute or prouision made against vsurie, or corrupt chenisance: that then all and euerie the lawes and Statutes repealed by this acte, shall remaine and bee of such like force and effect, as if this present act had neuer bin had ne made. An. 13. El. cap. 8. and Anno 27. El. cap. 11. This acte is continued vntill the end of the next Parliament, and Anno 28. El. cap. 5. it is continued vntill the ende of the nexte Parliament. And Anno 31. Eliz. cap. 10. it is continued to the ende of the next Parliament. And Anno 35. Eliz. cap. 7. it is continued to the ende of the Parliament next ensuing.

¶ Wager of lawe.

NO Bailife from henceforth shall put any man to his open lawe, nor to an othe vpon his owne bare saying, without faithful witnesses brought in for ẏ same, Anno 9. H. 3. Magna charta cap. 28.

Bailife

Lawe

Witnesses

2 ¶ Whereas much people be grieued & attached by their bodie in the citty of Lõdon, at the suite of the people of the same Citie, surmising to them that they be debtors, and that wil they proue by their papers, wheras they haue no dẽde nor taile: It is assented, that euery man be receiued to his law by people sufficient of his condition against such papers, and the creansour shall take suertie by another way if he wil, without putting ẏ partie to plead to the inquest, if he will not of his owne grẽ. Anno 38. E. 2. cap. 5.

London

Papers

Suertie

Enquest

3 ¶ Anno 6. R. 2. stat. 2. cap. 4. It was enacted, that in actiõs supposed to be done by anie in the late insurrection, the defendant with thre or foure witnesses might wage his lawe.

Insurrectiõ

4 ¶ To eschewe diuers mischiefes, which haue bẽn, and bee from day to daie aswel within the citie of Londõ as within other Cities and other places within the Realme of England, of that that diuers fained suites of debt haue bin taken, aswel by the people of the said Cities, as of other places against diuers people, surmising them by their said suite, that they ought to haue accompted before Auditors assigned of diuers receipts, duties, and contractes had betwirt them, and that they were founde in arrerages vpon the same accompt in diuers great summes, surmising by the same suites sometime their apprentices, and sometime other of their seruants to be the Auditors, where there was neuer receipt nor duetie betwirt such parties, and where the saide apprentices and seruaunts did nothing know of such accompt, to the intente to make them, against whome such suites were taken, to put them in inquest in the same suites, and to put them from the waging of their lawe in such case: By reason whereof, by such fauourable inquestes taken thereupon of the neighbours of those that haue taken such suits, hath beene condemned in manie great summes, to the great impouirishing and destruction of them: It is ordained and established, that the Justices of the kings

London

Suites

Justices

Court

Court and other Iudges, before whome such suites and actions shalbe sued and taken, in all such cases in Cities, and Boroughs, shall haue power to examine the Atturnies and other whom please them, and thereupon to receiue the defendants to their law, or to trie the same by inquest after the discretion of the Iustices & Iudges aforesaid. Anno 5. H. 4. cap. 8. Where wager of lawe is put out in anie action, see in euery such title as anie such action is spoken of.

Atturnies

¶ Wales.

IN the second volume of the booke of old statutes is a long act made An. 12. E. 1. entituled, Statuta Walliæ, wherein it appeareth that Wales was then incorporated and united vnto England, and there be many good lawes concerning the deuision of Wales into counties, and concerning diuers offices & officers, and concerning trial, and concerning the deuisiõs of actions, and the forme of many writs, and the proceeding therein, much like to the lawes of England: which see there.

2 ¶ All the Lordes of the Marches of Wales shal be perpetually attendants & annered to the crown of Englãd, as they and their ancestors haue bin at all times before this. and not to the principalitie of Wales, in whose hands soeuer the same principalitie bee, or hereafter shall come. An. 28. E. 3. cap. 2.

Lords

Crowne

3 ¶ From henceforth no whole Welshman, borne in Wales, and hauing father and mother borne in Wales, shall purchase landes & tenements, within the Towne of Chester, Salop, Bridgenorth, Ludlowe, Leominstre, Hereford, Glocester, Worcester, nor other market townes ioining to the marches of Wales, nor in the suburbs of the same, vpon pain of forfaiture of the same landes and tenements to the Lords of whom such lands or tenements be holden in chiefe. And also that no such Welshmen bee from henceforth chosen or receiued to bee Citizen or Burgesse in anie Citie, Borough, or market towne, and that such Welshmen which nowe bee in any such Citie, Borough, or Franchised Towne, being Citizens or Burgesses, shal find sufficient suertie, and put a good caution of their good abearing, aswel towards our Soueraign Lord the king, and his heires of his realme of England, as for to hold their loialtie to the gouernors of such Cities, Boroughes, or Townes for the time being, in saluation of the same Cities, Boroughs, or towns, if the same Welshman wil dwel therein, so that none of them from henceforth be receiued nor accepted to no office of Maior. Bailifes, Chamberlaine, Constable, or keeper of the gates, or of the Gaole, nor to the common counsel of such Cities, boroughs, or townes, nor that hee bee in no wise made other occupier or officer in the same, nor that none of the said Welshmẽ frõ henceforth beare any maner armour within such Citie, Borough, or market towne, vpon paine of forfaiture of the same armour, and imprisonment, til they haue made fine in this behalfe. Anno 2. H. 4. cap. 12.

Chester

Forf.

Citizen

Suertie

Good abearing

Loyaltie

Office

Maior

Bailike

Constable

Armour

Forf.

Imprisonment

4 ¶ Vpon a grieuous complaint made to our Soueraigne Lord the King by the commons in the parliamẽt, how the people of Wales, sometime by day and sometime by night, come within the Counties ioining vpon the Marches of Wales, and doe take diuers distresses of horses, oxen, kine, shæpe, swine and other their goods to a great number, and the same do leade, driue, and carrie away to the segniories where they bee resiant, and there withhold them til agreement be made at their wil, and that aswel of them that haue not offended, as of them that haue offended, and also the said people of Wales doe daily arrest the people of the saide Counties comming with their merchandises, or other their goods and cattels, and affirme plaints against them of debts, couenãts, trespasses, and other actions, whereto they be neither parties nor pledges, to the intent to grieue them by diuers and outragious amerciaments and costes, to the great impouerishing and vtter vndoing of the people of the said Counties: Our Soueraigne Lord the King considering the mischieues aforesaid, and willing thereupon to prouide remedie, by the assent and aduise of the said Lords, and at the request of the said commons, hath ordained and established, that if anie people of the saide Counties be arrested and grieued, as afore is said, forthwith letters testimonials shal be made, reciting their grieuance directed to the gouernours or stewardes, where such offenders bee resiant, or the goods and cattels receiued in Wales, vnder the seales of the Shirifes of the saide counties, or of the Maiors and Bailifs of the Cities and Boroughs, or Stewards

Distresse Goods

Arrest

Testimonials

Shirifes

Stewards

of Franchiſes, where ſuch people ſo grie-
ued be dwelling, to the intent that the ſaid
Gouernours or Stewards ſhal doe to be
Deliuer deliuered to them their diſtreſſes, goods, &
cattels, ſo taken or arreſted. And if they
make not deliuerie of ſuch diſtreſſes, goods
and cattels ſo taken or arreſted, within
ſeuen daies after requeſt to them made,
then it ſhalbe lawful to the Engliſh peo-
Arreſt. ple ſo grieued, to arreſt al men that come
with goods and cattels of them of the ſeg-
niories of Wales, where ſuch offenders
be inhabiting or reſiant, and the ſame to
Retaine retaine, till that full agréement be made
to the ſaid parties grieued, with their
miſes, coſtes, & erpences, together with
their diſtreſſes, goods and cattels afore-
ſaid. Anno 2. H. 4. cap. 16.

5 ¶ If anie Welſhman from hence-
forth do enter into the counties adioining
to the ſame in the Realme of England, &
in the ſame do burn, kill, rauiſh, or cõmit
Felonie Treſpaſſe anie other felonie or treſpaſſe, whereof he
is attainted within the realme of Englãd
by the lawes of the ſame realme, by out-
lagarie or abiuration, and repaireth into
Wales, and abideth there, that vpon the
certification & recoords to be made by the
Iuſtices of our ſoueraigne Lord the king
England in England, before whom they ſhall be ſo
conuict, vnder the ſeales to the Lords and
miniſters, where ſuch felons ſhalbe found
in Wales, final execution be made vpon
the ſame felons by the ſame lords or mi-
niſters, and that vpon a grieuous paine.
An. 2. H. 4. cap. 17.

L. Marches 6 ¶ The Lordes of the Marches of
Wales ſhal ordaine and ſet ſufficient ſtuf-
fing and ward in their Caſtles and Seig-
niories of Wales, to the intent ỹ in time
to come no loſſe, riot, nor dammage come
to our ſoueraigne Lord the king, or to his
realme, nor to none of his liege people by
their tenants, reſiants, nor none other
Welſhmen in their default, as hath come
and be done for default of good gouernãce
in time paſt. An. 2. H. 4. cap. 18.

7 ¶ No whole Engliſhman by three
yeres next following ſhall be conuict at
the ſuit of any Welſhmã within Wales,
except it be by the iudgment of Engliſh
Iuſtices, by the iudgement of whole
Engliſhmẽ Inqueſt Engliſhmen Burgeſſes, or by Inqueſts
of Engliſh Boroughes and Townes of
the Segniories where ſuch Engliſhmen
be arreſted. Anno 2. H. 4. cap. 19.

8 ¶ From henceforth no Welſh-
Purchaſe man bee receiued to purchaſe landes nor
tenements within England, nor within
the Boroughes nor Engliſh Townes of
Wales, vpon paine to forfaite the ſame Forf.
purchaſes to the Lords of whom the ſaide
landes and tenements be holden, ſuch e-
ſtate as the ſaid purchaſer had in ỹ ſame,
nor that no Welſhman be accepted Bur-
geſſe, nor to haue any other liberty with- Burgeſſe
in the realme, nor within the Boroughs
and townes aforeſaide. Anno 2. Hen. 4.
cap. 20.

9 ¶ No Engliſhman liege to our So- Engliſhmẽ
ueraigne lord the king, be conuict by anie
Welſhman within franchiſe or without,
in any county, hundred, or Court within
the land of Wales, of whatſoeuer thing,
but by Engliſhmẽ and of the nert venue,
and by people of good fame, and not pro-
cured, nor that the Engliſh Burgeſſes Burgeſſes
which haue maried Welſh women, haue
Franchiſes with the Engliſh Burgeſſes.
An. 4. H. 4. cap. 26.

10 ¶ No waſter, rimor, minſtrell nor Vagabond
vagabond be in anie wiſe ſuſtained in the
land of Wales, to make commorthes nor
gathering vpõ the common people there.
Anno 4. H. 4. cap. 27.

11 ¶ No congregations be made nor Congrega-
ſuffered to bee made by the Welſhmen in tions
any place of Wales, for to make or take
any counſel, vnles it be for an euident and
neceſſarie cauſe, & by licence of the chiefe
officers and miniſters of the ſame Seig-
niorie, where ſuch thing ſhall be done, and
in the preſence of the ſame officers & mi-
niſters, vpon paine of impriſonment, and Imprſon Fine
to make fine and ranſome at the Kinges
will. Anno 4. H. 4. cap. 28.

12 ¶ From henceforth no Welſhman
be armed, nor beare defenſible armour to Armour
Market townes, Churches, nor congre-
gation in the ſame, nor in the high waies, High waies
in affray of the Countrey, or of the Kings
liege people, vpon pain of impriſonment, Imprſon Fine
and to make fine & ranſome at the Kings
will, except thoſe which be lawfull liege
people to our Soueraign Lord the King.
Anno 4. H. 4. cap. 29.

13 ¶ No Engliſhman nor Welſhmã
of what eſtate or condition that he be, ſend
or bring by colour of merchandiſe or other Vitaile Armour
way, any vitaile or armour to anie partie
of Wales, without the ſpeciall licence of
our ſoueraigne lord the K. or of his coun-
ſell, vnles it bee for ſtuffing or enforcing
of Caſtles, and Engliſh Townes vpon
pain of forfaiture of the ſame vitailes and Forf.
armour, & that in euerie parte of the mar-

ches,

ches of Wales & townes of the marches,
Constables there be English cõstables for to enquire, search and arrest al such vitailes & armor, & the same cõstables for their trauel shall haue the first part of such forfeitures so by them found. An.4.H.4.cap.30.

Castels 14 ¶ No Welshmã shall haue castle, fortresse, nor house defẽsiue of his own nor of other to keepe, otherwise thẽ was vsed in the time of K. Ed. cõquerer of Wales, (S.E.1.) vpõ paine of forfeiture of ỹ same.
Fork. Except bishops and other temporall lords
Bishops Lords for their owne bodies. An.4. H.4.cap.31.

Justice Chamberleine 15 ¶ No Welshman be made Justice, chãberlaine, chanceller, treasurer, shirife, steward, cõstable of castle, receiuer, eschéter, coroner, nor chiefe forester, nor other
Officer officer, nor keeper of ỹ records, nor lieutenant in any of the said offices in no part of Wales, nor of the coũceli of any English lord, notwithstãding any patent made to the contrary with this clause, nõ obstante
Bishops quod sit Wallicus natus, except bishops in Wales. And of those and other whom the king our Souereigne lord hath found his good & lawfull liege people, he will to be aduised by his councell. An.4.H.4.ca.32.

Garisons Castels 16 ¶ The garrisons of the castles and walled towns there, be prouided and stored sufficiẽtly of valiant English persons,
Englishmẽ strãgers to the seignories where the said castles be set, & not of any mixt man of the said parties or seignories in Wales, or ỹ marches of the same, till the saide land of Wales be otherwise iustified & appeased for the time to come. An.4.H.4.cap.33.

17 ¶ No Englishman married to any Welsh woman of the amity or aliance of Owen ap Gleindourdy, traitor to our souereigne lord, or to any other Welsh woman, after the rebellion of the said Owẽ,
Officer or that in time to come marrieth himselfe to any Welsh woman, be put in any office in Wales, or in the marches of the same. An.4.H.4.cap.34.

18 ¶ Touching felonies & robberies done within any seignories of Southwales, it is ordeined & stablished, that the people of the coũtrey where such felons be
Felons borne, receiued, or dwelling, shal take the same felons & bring them to the gaole of the same countrey, where they shalbe taken, or els they shalbe charged & make satisfaction of the felonies & robberies afore said to the parties, and that by the ordinance and award of the lord of the same seignories. An.9.H.4.cap.3.

19 ¶ No thiefe nor felon in Wales openly knowẽ, be not suffered to disclaime out of the seignorie where ỹ felony was Felons done, & that such maner of disclaiming be vtterly eschewed & taken away. And that aswel the said thieues opẽly knowen as other thieues be put to answere as priuy to ỹ indictmẽts or accusemẽts in ỹ same seignories where ỹ thieues be takẽ, wout being deliuered by disclaiming, or by letters of marke in any maner. An.9.H.4.cap.4.

20 ¶ An.1.H.5.c.6. it was enacted vpõ paines expressed in the statute, that no actiõ, sute or demand should be cõmenced by any Welshman against any of the kings subiects for killing of any of the rebels ỹ then late were in the rebellion in Wales.

21 ¶ Forasmuch as sithẽce the rebel- Rebels liõ of the Welshmen now late reformed, many of the rebels of Wales, with other their adherents, with force & armes in the maner of war, sometimes by day, & sometimes by night, haue come into the counties of Salop, Hereford, & Gloceſter, & in other places bordering vpõ the same coũtries, and in diuers woods & other places there hid themselues and lodged, and haue traitorously and feloniously takẽ many of the kings faithfull liege people, some in riding about their marchandises & doing their other businesse, & some in their houses, where they were abiding, doing their workes & their husbandry in Gods peace & the Kings, & those the Kings liege people so taken, haue brought out of their country to diuers parties of Wales, and them haue kept & withholdẽ with them in the moũtaines of those parties of Wales by half a yere, sometime more & sometime lesse, till they haue ransomed some of the said liege people to an C.li. & some more after their rate, in like maner as is vsed in time of warre, to the great damage and mischiefe of the people of the said counties and countries, and to an euill example, if it be not the rather remedied, as the king by the grieuous complaint of the cõmons hath perceiued: Our souereigne Lord the King, willing against all such offenders to ordeine a due punishment, hath ordeined and stablished, that the Iustices of Iust. of P. peace, within the counties of England assigned for the time, shall haue power to enquire, heare and determine al maner of Enquire Diet & ter. such treasons and felonies aswell at the Treason kings sute as at the parties. So that in Felonies case that such offenders will not appeare before the said Iustices to answere as the law requireth in this behalfe, till they be according

according to the custome of the Realme outlawed, thē the same Justices shall certifie by their letters vnder their seales to the officers of the seigniories, in which such outlawes be withdrawen, abiding or resiant, of the outlawry vpō them so pronounced. And that the same officers vpon that certification, take the bodies of those outlawes, and do execution vpon them in the same seigniorie, as the law demādeth, without fine or ransome in this behalfe to be made. An. 2. H. 5. cap. 5.

Execute

☞ 22 ¶ Whereas diuers dwelling in Wales & in the marches being indicted and outlawed of treasons & felonies, come into the coūtie of Hereford, and there buy and sell & abide there three or foure dayes at their pleasure, & returne againe without any let or execution made of them by the Shirifs or other, and so they be imboldened to commit any offence in the saide Countie: Bee it &c. that if the Shiriffe, Undershirife, or any Shirifes ministers, Maior and Bailifes of Townes and Boroughs, or anie other person conuersant within the said countie, know and see any such person indicted or outlawed, in anie place within the said countie, that he shal arrest, take and bring him to the Gaole within the said countie, and there shal deliuer him to the Gaoler after the lawe of the Realme. And if any such person indicted or outlawed, will disobey the arrest to be made in the forme aforesaid, that he against whom such disobeisance is made, shall leuie huy & crie. And that euery person that is cōuersant within the said coūtie that heareth the huy & crie, shall come and ayd him that leuied the said huy and crie to take the said offender, and shall doe their power that to doe. And if they cannot take him, they shal follow and pursue him out of the said Countie with huy and crie. And that the Shirife, Undershirife, and their Ministers, Maior and Bailifs, the conuersants and hearers of such huy & cries, shall make due execution of the said ordinance, according to their power, vpon the paine, that is to say, the said Shirife, Undershirife, and their ministers, Maior and Bailifes to make fine & ransome to the king, and the said persons cōuersants and hearers, that is to say, a Knight an hundred shillings, and Esquire fortie shillings, and all other inhabitants twentie shillings.

Shirife
Maior Bailife
Arrest
Disobey
Huy & cry
Execution
Fine
Knight Esquire

Iust. of P. And that the Justices of peace in ỳ said coūty for the time being shal haue power to enquire, heare and determine vpon the defaults and negligences of the said Shirife, Undershirife, and ministers, Maior & Bailifs, conuersants & hearers of the said huies and cries. And moreouer the king will that the Statute of Westminster 1. (which see in Robberie 1.) touching like matter, shall be put in execution. An. 23. H. 6. cap. 5.

Enquire Diet & trer.

23 ¶ The king hath approued, ratified & affirmed all maner of statutes made in any Parliament against Welshmē before this time not repealed. And moreouer hath ordeined by the authoritie aforesaid, that all grants of Franchises, Markets, Faires, & other liberties to buy or to sell, to bake or to brew, and to sell within the Townes of Northwales made to anie Welshman before this time, shall be void and of no value. And that all the villeines of our Soueraigne Lord the king within Northwales shalbe bound and cōstrained to doe such labours and seruices as they of right haue vsed to do of old time, notwithstanding any grant made to them, or anie vsage vsed by them of a later time to the cōtrary. And that such officers shall haue power to compel them to do such labours and seruices, as they haue vsed to compell them before this time lawfully. An. 25. H. 6. cap. 1.

Franchises Markets Faires
Void
Villeins
Labour Seruice

24 ¶ Where for lacke of diligent and sure custodie of Iurors sworne for triall of murderers and felons & their accessaries in Wales & the marches of the same, the friends of such offenders haue resorted to the Iurors, and so corrupted them many times: Be it &c. That forthwith vpon the charge giuen to anie enquest hereafter to bee taken and sworne before anie Justices, Steward, Lieutenant, or other officer within Wales, or the Marches of the same, of, for and vpon any trauers, against the king, or the triall of any recognisance broke, or any other forfeiture forfeited to the king, or of, for, or vpon ỳ trial of any murderer, felon or accessarie of felonie or murder, one officer or other person shall bee deputed & sworne in the presence of the said Justiciar or other officer, for the true and diligent keeping of the same Iurors. And that the same officer or other person so sworne without the speciall commandement of the said Justiciar or other officer, shall not doe or suffer to be ministred to ỳ same Iurors, any bread, drinke, or meate, fire or light, nor shall suffer the same Iurors to speake to anie person

Inquest
Trauers
Triall
Officer
Othe
Bread
Drinke
Iurors

person or persõs, nor the same officer nor other person sworne without the commãdement aforesaid, shall not speake to the said Jurors, but onely to demand of thẽ of their agreemẽt vnto such time as the same Jurors shal haue giuen their verdict, any vsage or custome heretofore vsed to the cõtrary notwithstãding. And if the same officer or other person so sworne in forme aforesaid, do not execute & accomplish the premisses in the othe before rehearsed in euery point and article, then the same officer or other persõ sworne, shalbe punished and imprisoned, and make fine & ransome to the kings highnesse by the discretion of the said Iusticiar, steward, lieutenãt, or other officer. And also be it &c. that if the same Jurors do acquit any such felon, murderer, or accessary, vpon whose triall they shall bée charged, or giue anie vntrue verdict against the King vpon the triall of any trauers, recognisance, or other forfeiture contrary to good & pregnãt euidence ministred to them by persons sworne before the said Iusticiar, steward, lieutenant, or other officers, or that the said Jurors or any of them do eat, drinke, or speake to, or with any other person or persons, then to such as be sworne with them, or otherwise misdemeane thẽselues after they be sworne, & before they haue giuẽ their verdict: that then the lord president, & other of the coũcell of the marches for the time being, vpõ notice or cõplaint thereof to them made, shal not onely haue power & authoritie by this present acte to call such Jurors before them, but also the same Iusticiar, steward, or other officers, afore whome any such acquitall, vntrue verdict, or misdemeanors shall happen to be made, shal haue ful power & authoritie to compell such Jurors, & euery of them, vpon paine of imprisonment to be bound thẽ by recognisance in a certain summe of money, by their discretions to be limited, that the same Jurors & euery of them, shal personally appeare at a certeine day by the same Iusticiar, steward, or other officer to be limited before the lord presidẽt & other of the coũcell aforesaid, for the time being, then and there to abide and stãd to such direction & order, as the same coũcell shall make, ordeine & decree of, in & vpon the same. And that the same councell shal thereupon haue authoritie and power, by examination or otherwise, to heare and determine all and euery such cause, & shall haue like authoritie to commit euery of the same Jurours to prison, or other punishment, as shall be thought most mæt, by the discretion of the said councell, or otherwise assesse to tare euery such Juror to his fine and raunsome by the same discretion, to be paid & leuied of their lands, goods and cattels, to the vse of the Kings highnesse. An. 26. H. 8. cap. 4.

Office
Imprison
Fine
Acquite
Verdict
Misdemean
L. president
Recog.
Councell
Diet & ter.
Tart
Court
Appears
Sessions
Iustice
Steward
Fort.
Distresse
Officers

2 § ¶ Forasmuch as the people of Wales & the marches of the same, perseuering in the perpetration of manifolde wickednesses, stand nèd of sharpe correction: Be it &c. that all and singuler person and persons dwelling or resiant within Wales, or in the lordships marchers of ỳ same from time to time, and at all times hereafter, vpon such monitiõ or warning giuen for the Court to be kept in Wales, or in any of the lordships marchers aforesaid, as before this time hath bæne vsed, shall personally repaire, resorte, and appeare before the Iustice, Steward, Lieutenant or other officer at al and euery sessions, court and courts to be holden before the same Iustice, Steward, or other officers in any whatsoeuer castle, fortresse or other place within Wales, or within the precinct, limits, and iurisdictions of euery the lordships marchers or seignories aforesaid, or the marches of the same, as by the said Iustice, steward, or other officers shalbe appointed, & then or there shal giue his or their personall attendance, to doe, execute, & accomplish, all and euery thing & things which to him or thẽ shall afferre and apperteine, vpon paine of such fines, forfeitures and amerciaments, as shalbe afferred, assessed and tared by the Iustice, steward, or other officer to the kings vse, if it be within any of the Kings lordships marchers. And if it be within any other lordships marchers, then to the vse of the Lord of the saide lordship marcher for the time being. The said forfeitures and amerciaments to be leuied, perceiued and taken by way of distresse of the goods and cattels of euery person not appearing at the said court or courts, or not doing, executing, or accomplishing his duetie, as is aboue said.

And for asmuch as the officers in ỳ lordships marchers in Wales, haue oft & sundry times heretofore vnlawfully eracted the kings subiects within such lordships, where they haue had rule or authoritie by many & sundry wales and means, and also cõmitted them to straight duresse & imprisonment for smal and light feined causes,

and

and ertortiouſly cõpelled them thereby to pay vnto them fines for their redẽptions, contrary to the lawe: Therefore be it &c. that if any ſteward, lieutenãt or any other officer of any lordſhip marcher, do faine, procure, or imagine any vntrue ſurmiſe againſt any perſon or perſons that ſhal ſo giue their perſonal attendance before thẽ at ſuch court or courts, and vpon the ſame vntrue ſurmiſe cõmit them to any durelle or impriſonment, contrary to the lawe, or cõtrary to the true and laudable cuſtome of that lordſhip, that then vpon ſute made vnto the kings commiſſioners or councel of the marches for the time being, by any ſuch perſon or perſons ſo impriſoned, or by any their friends, that then the ſame commiſſioners or coũcel ſhal haue full power & authoritie to ſend for ſuch ſteward, lieutenant, or officer, and alſo for the perſon or perſons ſo impriſoned. And if the ſame perſon or perſons ſo impriſoned, can euidently prowe before the ſaid councell, by good & ſubſtantial witneſſe, or otherwiſe, that his impriſonment was vpon any fained ſurmiſe without cauſe reaſonable or lawfull: that then the ſame cõmiſſioners, ſhal haue full power and authoritie to aſſeſſe the ſaid officer to pay to the ſaid perſon or perſons wrongfully impriſoned, 6.s. 8.d. for euery day of their impriſonment, or more, by the diſcretiõ of the ſaid commiſſioners, according to the hurtes & behauiour of the perſon or perſons impriſoned. And that the ſame commiſſioners ſhall ſet further fine vpon the ſaid officer to be paid to the kings vſe, as by their diſcretions ſhal be thought conuenient. And in caſe the ſame officers doe refuſe to appeare before the ſame commiſſioners incontinent after any commaundement to thẽ directed and deliuered, after any ſuch complaint made to the ſame commiſſioners: that then the ſame commiſſioners ſhall haue full power and authoritie vpon euery default made by any officer or officers, to aſſeſſe and ſet vpõ euery ſuch officer or officers making default, ſuch fine or fines to be leuied to thẽ Kings vſe, as by their diſcretions ſhalbe thought cõuenient. And that the ſame commiſſioners ſhall haue ful power and authoritie to cõpell the ſaid officer or officers by way of impriſonment, aſwell to pay ſuch fine as ſhall bee ſet and tared vpon them to the kings vſe, as to pay to euery perſon & perſons ſo impriſoned, ſuch ſummes of money as they ſhall bee ſeſſed to pay for their wrong impriſonment. And alſo be it &c. that no perſon or perſons dwelling or reſiãt within Wales or the lordſhips marchers of the ſame, of what eſtate, degree or condition ſoeuer he or they be of, cõming, reſorting or reparing vnto any ſeſſions or Court to be holden within Wales, or any lordſhips marchers of ẏ ſame, ſhall bring or beare, or cauſe to be brought or borne to the ſame ſeſſions or Court, or to any place within the diſtance of two miles frõ the ſame Seſſions or Court, nor to anie towne, church, faire, market, or other congregation, except it be vpon a huy or outcry made of any felony or robbery done or perpetrated, nor in ẏ high waies in affray of the kings peace or the kings liege people, any bill, long bow, croſbow, handgũ, ſword, ſtaffe, dagger, halberd, morilpike, ſpeare, or anie other maner of weapon, Weapon Armor
priuie coate, or armour defenſiue, vpon paine of forfeiture of the ſame weapon, Forf. Impriſon
priuie coat or armor, and to ſuffer impriſonment, and make fine & ranſome to the Kings Highneſſe by the diſcretion of the kings cõmiſſioners of his marches for the time being, except it be by the commandemẽt, licence, or aſſent of the ſaid Juſtices, Steward, or other officer, or of the Commiſſioners or councell of the marches for the time being.

And that no perſon or perſons frõ henceforth without licence of the ſaid commiſſioners in writing, ſhal within Wales or marches of the ſame, or in any ſhires adioyning to the ſame, require, procure, gather or leuie any commorth, bidall, tenants ale, or other collection or eraction of goods, cattels, money or any other thing, vnder colour of marrying or ſuffering of their children ſaying or ſinging their firſt Maſſes, or Goſpels of any Prieſtes or Clerks, or for redemption of any murder or any other felonie, or for any other maner of cauſe by what name or names ſoeuer they ſhall be called, nor ſhall make or procure to be made any games of rũning, Games
wreſtling, leaping, or any other games, the game of ſhooting onely excepted and forepriſed, vpon paine of one whole yeares impriſonment of euery perſon or perſons Impriſon
as ſhall gather or procure to be gathered any ſuch collection or eraction, or ſhall make or procure to bee made any games as is aforeſaid.

And further they & euery of them ſhall make ſuch fine, as by the diſcretion of the Fine
kings cõmiſſioners of his marches ſhall be

be thought conuenient.

Commissionors

And further the said commissioners by this present act, shall haue power and authoritie to heare and determine the said offences by their examination.

Dier & ter.

And that no person or persons shal hereafter at any time cast any thing into any court within Wales, or in any lordships marchers of the same, by the meane or name of an Arthell, by reason whereof ỳ court may be letted, disturbed, or discontinued for that time, vpon payne of one whole yeeres imprisonment of any such person or persons as shall cast or cause to be cast any such Arthell into anie court or courts, hereafter to be holdē wiñ Wales or lordships marchers of the same: Any custome before this time vsed to the contrary notwithstanding. And that all sessions & courts hereafter to be holdē within Wales or the lordships marchers of the same, shall be kept within the most surest and peaceable place within the same lordship marcher, where the said Justice, steward, or other officer shall appoint.

Court

Arthell

Imprison

Sessions Courts

Place

And for the punishment & spædy triall, aswell of the counterfeiters of any coyne currāt within this realme, washing, clipping, or minishing of the same, as of all & singuler felonies, murders, wilfull burning of houses, māslaughters, robberies, burglaries, rapes, and accessaries of the same, and other offences feloniously done, perpetrated & committed, or hereafter to be done, perpetrated & committed within any lordship marcher of Wales: Be it &c. that the Justices of the gaole deliuerie, & of the peace, and euery of thē for the time being, in the shire or shires of England, where the Kings writ runneth, next adioyning to the same lordship marcher or other place in Wales where such counterfeiting, washing, clipping or minishing of any coine currant within this realme, or murder hath bene or hereafter shalbe committed or done, or where any other felonies or accessaries shalbe hereafter cōmitted, perpetrated or done, shal haue frō henceforth ful power & authoritie at their sessions and gaole deliuerie, to enquire by verdict of xy. mē of the same shire or shires next adioyning within England where the kings writ runneth, there to cause all such counterfeiters, washers, clippers of money, felons, murderers and accessaries to the same, to be indicted according to the lawes of this lande, in like maner and forme as if the same petie treasons, murders, felonies, and accessaries to the same, had bene done, committed or perpetrated within any of the said Shires within the said Realme, & also to heare, determine, & iudge the same, according to the lawes of the realme. And that al forren pleas pleaded by any of the said malefactors and offenders, shall be tried and determined in the said shire or shires, and that the acquitall or fine making for any of the causes aforesaide, in any of the lordshippes marchers, shalbe no barre for anie person or persons being indicted in the said shire or shires, within two yeeres next after any such murder or felony done.

Juſt. of g. deliuerie

Juſt. of p.

Dier & ter.

Forren pleas

Barre

Two yeres

Sessions Enquire

Indict

Petie treason

Juſt. of P.

And further it is &c. that the said Justices of peace & gaole deliuery, and euery of them shall haue full power and authority to award all manner of processe, aswell of outlawrie as otherwise, against al & euery such offender and offenders, so indicted in maner and forme, and according to the customes and lawes vsed and accustomed within this realme of England. And that the said Justices or ỳ. of thē, afore whom any such offender shall happen to bee outlawed or attainted by vtlagarie, shall immediatly vpon the same outlawry or attainder direct & sende vnto the kings officers of his lordships marchers, or their deputie, or vnto the lord or lords marchers of the same lordship marcher, or to his or their officer or officers, or to their deputies, wherein such offence, murder, or felonie shall happen to be done, or where any such offender, murderer, or felon shal happen to be resiant, a certificate vnder the seales of them, or two of them, of any such outlawry or attainder, cōmanding them & euery of them by the same, vnder payne of forfeiture of an hundred pound to the king, to be leuied & perceiued, aswel of the goods, cattels, landes, and tenements of the same lord or lordes marchers, as of goods and cattels, lands and tenemēts of the kings officer there, to apprehend and attach, or cause to bee apprehended & attached the body or bodies of the same offender or offenders so outlawed or attainted, and safely to keepe or cause to be kept the same offender or offenders, till such cōuenient time before the next sessions of the kings Justices of his goale deliuerie of the Shire where such offender or offenders shal happē to be outlawed or attainted, as to the kings officer of his lordships marchers, or to their deputies, or vnto the lord marcher or lords marchers of the same

Two Juſt. of peace.

Certificate

Forf.

Attach

same Lordship marcher, or to his or their officer or officers, or their deputies, where such offender or offenders shalbe apprehended, attached, deteined & kept, shall be thought expedient for the conueiance and conducting of the same offender or offenders, in maner and forme following, to be deliuered from the kings officers or their deputies, or ỳ lord marcher or lords marchers, or his or their officer or officers, to other persons assigned by this acte to receiue & conuey such offender or offenders by indenture to be made betweene the deliuerer or deliuerers, & the receiuer or the receiuers. That is to say, ỳ the kings officers of his lordship marcher or their deputies, or the lord or lords marchers of the lordship marcher, or his or their officer or officers, or their deputies, where such offender or offenders shalbe apprehẽded, attached, deteined & kept, shall safely & surely conduct and conuey, or cause to be conducted & conueyed the same offender or offenders to the nexte lordship marcher toward the shire where the same offender or offenders shall happen to be outlawed or attainted. And that the kings officers of the same lordship marcher or their deputies, or the lord or lords marchers of the same lordship marcher, or his or their officer or officers or their deputies, shall receiue & safely and surely conduct and conuey the same offender or offenders to the next lordship marcher. And so the kings officers of euery lordship marcher, or their deputies, or the lord or lords marchers of the same lordship, or his or their officer or officers, or their deputies, to receiue, conduct and conuey safely & surely euery such offender or offenders from one Lordship marcher to another lordship marcher, by indenture, as is aforesaid, vnto the time that such offender or offẽders shal be safely deliuered before the said Justices of the gaole deliuerie, vpõ paine of forfeiture by euery of the kings officer or lord marcher, by whose default the same offẽder or offenders shal ne may not appeare before the same Justices at their saide Sessions, there to stãd & abide the order of the kings lawes, an hundred pound, to be leuied and perceiued of the goods and cattels, landes and tenements of the same officer or lord to the kings vse. And that all and euerie officer and officers, lord & lords, or other persons, to whome any certificate shalbe directed, as is abouesaid, shall at the nexte Sessions and gaole deliuerie to be holden after the apprehension or attachment of such offender or offenders, returne ỳ same certificate in due forme, & what he or they haue done in that behalfe, vpon the paine aforesaid. Sauing alwaies to all and euery offender or offenders, all and singuler trauerses, challenges, exceptions, aduantages, and all other pleas, to, of, and vpon the outlawrie pronounced or promulged against the same offender or offenders, in maner and forme as is and hath bene vsed & accustomed by the lawes of this realm, for any the kings subiects dwelling within the same realme.

Inuenture

Officer

Conduct

Sessions

Forf.

Prouided alwaies, & be it &c. that if any person or persons which shall happẽ hereafter to be indicted, outlawed, arreigned, cõuicted or attainted by vertue of this act, doe find such sufficient sureties before the kings Justices of his gaole deliuery, as by their discretion shalbe thought conuenient, that the same person or persons shall not from thencefwrth commit or doe any felonie, murder, or felonious offence, nor be accessarie to any felonie, murder or felonious offence, but at al times frõ thẽcefforth shall be of good behauior against the king our soueraigne Lord, his heires and successors, his & their lawes, and subiects: that then the same Justices of gaole deliuerie for the time being, with and by the assent, consent, and agreement of the said president, and two of the kings cõmissioners or Councell of the marches for the time being, or thrée of them at the least, whereof the Lord president, or one of the said councell to be one, shal & may by their discretion for one time onely, admit anie such offender to a certeine fine or summe of money on him by them to bee assessed & tared, to be surely paid to the kings vse, & shall haue full power & authoritie by this present act to discharge anie such offender or offenders, so arreigned, outlawed, conuicted and attainted of all & euery such felonie, murder, or felonious offence, & accessaries of the same, and of all exactions & punishments of death which the same offender or offenders should suffer by the commõ lawes of this realme, so the same offender or offenders stande not appealed of the said felony, murder, or felonious offence, or accessarie of the same offences at the time of his said discharge. And that euery such offender so discharged as is abouesaid, shalbe for the same offence or offences done within any of the kings lordships marchers, or anie other lordships

Sureties

Just. of g. deliuerie

Fine

Discharge

Appeals

marchers,

marchers, discharged as well against the kings Highnesse, his heires or successors, as against all the lords marchers for one time onely.

Provided alway, and be it enacted, that this present act, nor any thing therein conteyned, shall not extend ne take place to abridge, depryue or minorat any liberties, priuileges, or authoritie of any lord marcher, heretofore granted to the same lord, or lawfully vsed or accustomed by the said lord, or any his ancestors, vnles the foresaid offenders happen to be indicted, outlawed, arreigned, conuicted, or attainted, by force of this act, as is aboue said, within 2. yeeres next after such murder, or other felonious offence perpetrated, done or committed within ỳ said lordships marchers or any of them. Any thing in this present acte before rehearsed to the contrary notwithstanding.

Priuilege

Bounds

And further be it, &c. that all murders, robberies, felonies, and accessaries of the same, which shall happen hereafter to be done, perpetrated, or cõmitted within the shire of Mereonetb in Wales, shal & may be frõ henceforth enquired, heard and determined in the counties of Canaruan, or Angleſey, before the Kings Justice of Northwales, or his deputie for ỳ time being, by verdict or inquest, to be taken by the inhabitants of the same shires of Canaruan & Angleſey, or otherwise as by the discretion of the Justice there, or his deputie, shalbe thought conuenient.

Murders Felonies

Mertoneth

Justice

And that the same Justice or his deputy for the time being, shall haue full power and authoritie by his discretiõ, by force of this present act, to heare and determine al and euery the foresaid murders, felonies, robberies & accessaries in forme aforsaid. And where heretofore vpon diuers murders, robberies & felonies perpetrated and done, aswell within ỳ lordships marchers of Wales, as in other places of Wales without the same lordships, the offenders diuers times flee & escape from the same lordship, or other place where such offece was cõmitted, and haue repaired and resorted into another lordship marcher, and there by the ayd, cõfort and fauour of the said lord of the same lordship, or his officer or officers, haue bin abiding and resiant, into which lordships the same lords marchers haue and do pretend a custome and priuilege, that none of the Kinges ministers or subiects may enter to pursue, apprehend & attach any such offender there: vnto repaired, as is aforesaid, by reason whereof the same offenders haue not bene punished, to the examination and discouraging of other euill disposed people: It is therefore ordeined, that euery officer & officers, and their deputies, vpon commandement giuen by the comissioners or counsel of the marches for the time being, shall bring, send, or deliuer euery such offender to the officer of the lordship marcher, or other place where any such offence is or shall be cõmitted or done vpon the mettes, & bõdes of the said lordships, or to the said commissioners or counsell, according as the same officers by them shalbe commanded, vnder paine of forfeite of x. li. the same commandement or cõmission to be directed to any such officer to be sent, conueied and deliuered by a sergeant at armes, or a pursuiuant attendant on the said councell in the marches for the time being. An. 26. H. 8. cap. 6. See after 32.

Escape

Bounds

Forf.

Sergeant at armes Pursuiuant

26 ¶ An. 29. H. 8. cap. 11. an acte was made for punishing of Welshmen attẽpting assault or frayes vpon the inhabitats of Hereford, Glocester, & Shropshire, to endure to the last day of the next Parliament. And after it was continued. An. 28. H. 8. cap. 6. and 31. H. 8. cap. 7. and 33. H. 8. cap. 17. to endure to the last day of the next Parliament, and then it expired.

27 ¶ Where diuers & many forrests be in Wales, & the marches of the same, aswell of the inheritance and possessions of our said Soueraigne Lord the king, as of diuers others, being lords marchers; within which forrests, certaine vnreasonable customes and exactions haue bene of long time vnlawfully exacted & vsed, contrary both to the law of God and mã, to the exceſſe wrong and great impouerishing of diuers of the Kings true subiects: the effect of which said vnlawful exactions and customes be hereafter declared, that is to wit; It hath bene there vnlawfully vsed, that if it fortune any of the kings subiects to passe, go or ride thorow, or in any way or path of any of the said forrests, not hauing vpon him or the that so shall fortune to passe, go or ride, a token deliuered to him or them by the chiefe forresters, rulers, walkers or farmers, the which token shall be well knowen amõgst all them that are walkers and rulers vnder him or them, or that he or they that so shall fortune to passe, go or ride, in or throughout any of the said forrests, be not verely tributours, or chenslers; then he

Forrests

Customes

Token

Tributors

ye or they so going, riding or trauelling in or throughout any of the said forrests, hauing no lone, nor being perely tributers or chenlers, as is aforesaid, haue vsed to pay by vnlawfull exaction vnto the said forresters, rulers, walkers, and farmers of the said forrestes, a grieuous fine or reward. And if any person or persons not hauing such token or tokens, & not being a yerely tributer or chenler, as is aforesaid, should happen to be taken, sold or espied by any of the said forresters, rulers, walkers, or farmers, or their assignes, by the space of xxti. foote out of the hie way, the he or they so being taken, found or espied out of the hie way, within any of the said forrests, as is aforesaid, to forfeit and lose vnto the said forresters, rulers, walkers and farmers, all such money and golde as should by them be found vpon him or them so being taken in any of the said forrests, out of the hie way, as is aforesaid. And also the same person or persons so being taken or found out of the high way, to forfeit and lose a ioynt of one of his or their hands, or else to make fine therefore with the said forresters, rulers, walkers, & farmers, at the will & pleasure of the said rulers, walkers, or farmers. And it also that it happen any beast or quicke cattell to come, go, or escape into any of the said forrests by straye, or theefe stollen, or otherwise, the said forresters, rulers, walkers, or farmers, after knowledge to him or them giuen, haue likewise vnlawfully vsed to seise & take the same beasts or cattel, as his or their owne, & marke them with the marke of their forrest there vsed: & so seised, marked, taken, & them reteine as cattell forfeited vnto their owne vse, by reason whereof the owner and owners of the same cattel haue bin cleere without remedie for the hauing againe of the said cattell, except onely by the way of reception or buying againe of their owne cattel, contrarie to all equity & conscience: In consideration whereof, it may please &c. to enact &c. that from the feast of the Natiuity of S. John Baptist next comming, which shall bee in the yere of our Lorde God 1536. all the said vnlawfull customes to be determined, voide, and had for nought throughout all and euery the said forrests within Wales & the marches of the same. And that it shall be lawfull from thencefoorth to all and euery of the Kings true subiectes, and all other person or persons being in a league and amitie with our soueraigne Lord the king his heirs and successours kings of England, freely, quietly, and in peace to passe and repasse, trauel and go into and through the said forrests and euery of them, both on horsbacke and on foot, as well following & driuing of cattell, as with carrying of wares or otherwise, about their lawfull businesse and affaires, without any fine, forfeiture, toll, custome, exaction or other impositon to be taken, exacted or demanded of them, or of any of them, by the said forresters, rulers, walkers, farmers, or their assignes. And if it shall chance or happen any of the said forresters, rulers, walkers, farmers, or their assignes, or any of them, at any time after the said feast of S. John Baptist, to take any person or persons being y kings true subiectes, or otherwise in league and amitie with our said soueraigne Lord, his heires or successors kings of England, as is aforesaid, & exact and take of them, or any of the, any of the said forfeitures, fines, tolles, customes or exactions, as is aboue mentioned, & be thereof lawfully conuicted: that then he or they so doing and offending contrary to this acte, to incurre and stande in the dangers of the statute heretofore prouided for robberies by y kings high way, and the same to be tried before the Iustices of peace in the next Shire adioyning, according to the Lawes of this Realme of England.

Fo:st. Fo:st. Cu:stomes Exacted Fo:resters Exact Conuict Robberie Iust. of p.

And further bee it &c. that if any maner of beast or quicke cattell of any of y kings true subiects, or other the kings friendes, at any time after the said feast of the Natiuity of S. John Baptist, doe come into any of the said forrests by straye, theefe stollen, or otherwise, and there to be marked & seyed by anie of the same forresters, rulers, walkers, farmers, or their assignes, or anie of them, and the owner or owners of the same cattell, within one yeere & a day then next ensuing, chance to find the said cattel so taken, and lawfully proue the same to bee his or their owne proper cattel, that then the same cattel to be redelyuered to the owner or owners thereof, according to the auncient lawe of this realme of England, the said owner or owners reasonably paying for the keeping of such Cattell after the rate of the time that such cattell shall haue bin in the custodie and keeping of anie such Forresters, Rulers, walkers and Farmers, or his or their assignes, in such maner and forme as heretofore hath bene in like vsed

Yere & day Day Keeping

vsed to be don by the law of this Realme of estrayed cattel, claimed and proued by the owners within a yere & a day next after the seising of the same cattel. And if any of the said forresters, rulers, walkers, farmers, their assignes or any of them, do deny the deliuerance of any such cattel, by them or any of them so seised and marked within any of the said forrestes, after the owner or owners of them shal haue duly & lawfully proued them to be his or their own proper goods & cattels, as is aforesaid, that then euery such forrester, ruler, walker, farmer or assignes so doing & offending contrary to this act, to forfait & pay vnto the partie grieued, the double value of al such cattel, as shalbe so taken & marked, & not deliuered to the owner or owners, as is aforesaid. And that the partie grieued may haue his action of detinue at the Cõmon law, of, & for the same cattel, against euery such offender or offenders, & the same to be tried in the next shire adioynant: in which action the defendant shal not be admitted to wage his law, nor essoine, nor protection shalbe allowed for them: and like processe of Outlagarie to be had & made in the said action of detinue in the next shire adioynant against euery forrester, ruler, walker, farmer, or their assignes so offending, contrary to the tenor of this act, as in an action of trespas at the common law of this realm is vsed.

Forresters
Deny
Forf.
Detinue
Outlagary

Anno 27. H. 8. cap. 7.

28 ¶ Albeit the dominion, principalitie, and countie of Wales, iustly & rightly is, & euer hath bin incorporated, annexed, vnited, & subiect to & vnder the imperiall crowne of this realme, as a very member & ioynt of the same: Whereof the kings most royal Maiestie of meere droit & verie right, is very head, king, lord, and ruler: yet notwithstanding, because that in the same countrey, principalitie and dominion, diuers rights, vsages, lawes and customs, be farre discrepant from the lawes & customes of this realme, & also because that the people of the same dominiõ haue & do daily vse a speech nothing like ne consonant to the naturall mother tongue within this realme, some rude & ignorant people haue made distinction & diuersitie betwixt the kings subiects of this realm, and his subiectes of the said dominion and principalitie of Wales, whereby great discord, variance, debate, diuision, murmure, & sedition hath growen betweene his said subiects: his highnesse therfore, of a singular zeale, loue & fauor that he beareth toward his subiects of his saide dominion of Wales, minding and intending to reduce them to the perfect order, notice and knowledge of his lawes of this his Realme, and vtterly to extirpe al and singuler the sinister vsages and customes differing from the same, and to bring his said subiects of this his Realme, and of his said Dominion of Wales, to an amiable accord and vnitie, hath by the deliberate aduise, &c. ordained & c. that his saide countrey or dominion of Wales shalbe, stand and continue for euer from henceforth incorporated, vnited and annered to & with this his Realme of England. And that al and singuler person and persons borne & to be borne in the said principalitie, countrey or dominion of Wales, shall haue, enioy and inherite all and singuler frées doms, liberties, rights, priuiledges, and lawes within this Realme, and other the kings dominions, as other the kings subiectes naturally borne within the same, haue and enioy, and inherite. And that all and singuler person or persons inheritable to any manors, landes, tenements, rents, reuersions, seruices, or other hereditaments, which shall descend after the feast of all Saints next comming, within the saide principalitie, countrey, or dominion of Wales, or within any particular lordship, part or parcell of the saide countrey or dominion of Wales, shal for euer, from and after the said feast of al Saints, be inheritable to the said manors, landes, tenements, rents, reuersions and hereditaments after the English tenure, without diuision or partition & after the forme of the lawes of this realme of England, & not after the tenure, ne after the fourme of any Welsh lawes or customes. And that the lawes, ordinances and statuts of this realm of England for euer, and none other lawes, ordinances ne statutes, frõ and after the said feast of all Saints next comming, shall be had, vsed, practised and executed in the said countrey or dominiõ of Wales, and euery part thereof in like maner, forme, and order, as they haue bin and shalbe had, vsed, practised and executed in this Realme, and in such like maner and forme as hereafter by this acte shalbee further established and ordeined: any Acte, statute, vsage, custome, president, libertie, priuiledge, or other thing had, made, vsed, granted or suffered to the contrarie in any wise notwithstanding.

United
Borne
Inherite
Freedoms
Tenure

Marchers

And forasmuch as there be many and diuers lordships marchers, within the saide countrey or dominiõ of Wales, lying betwæne the shires of England, & ỳ shires of the said country or dominiõ of Wales, and being no parcel of any other Shires, where the lawes & due correction is vsed & had, by reason whereof hath ensued and hath bin practised, perpetrated, cõmitted & done within & among the said lordships & countreys to them adioyning, manifolde & diuers detestable murders, burning of houses, robberies, thestes, trespasses, routs, riots, vnlawful assemblies, embraceries, maintenãces, receiuing of felons, oppressions, ruptures of the peace, & manifold other malefactes, contrary to all lawes and iustice: And the said offenders thereupon making their refuge, frõ lordship to lordship, were & continued without punishment or correction:

Shire

For due reformation whereof, and forasmuch as diuers & many of the said lordships marchers be now in the hands and possession of our soueraigne lord the king, & the smallest number of them in the possession of other lordes: It is therefore &c. that diuers of the said lordships marchers shalbe vnited, annexed & ioyned to diuers of the shires of England, & diuers of the saide lordships marchers shalbee vnited, annexed & ioyned to diuers of the shires of the said countrey or dominiõ of Wales in manner & forme hereafter following. And that all the residue of the saide Lordships marchers within the saide countrey or dominion of Wales, shalbee seuered & diuided into certain particular Counties or shires, that is to say, the county or shire of Monmouth, the county or Shire of Brecknock, the county or shire of Radnor, the county or shire of Mountgomerie, the countie or shire of Denbigh.

Marchers United

Shires

Counties

And that the lordships, townships, parishes, commots & cantreds of Monmouth, Chepstow, Marthern, Lanihangell, Magor, Goldcliffe, Newport, Wenlog, Lanwern, Carlion, Vske, Treleck, Tintern, Skinfreth, Gronsmont, Whitcastel, Reglam, Calicote, Bilton, Abergauenny, Pemrose, Crenekeld, Wag & Yocuiflade in the said countrey of Wales, and al and singuler honors, lordships, castles, manors, lands, tenements & hereditaments, lying or being within ỳ compasse or precinct of ỳ saide lordships, townships, hamlets, parishes, commotes, and cantreds, & euery of them, in whose possession soeuer they be or shalbe, and euery part thereof, shal stand and be, from and after the saide feast of all Saints guildable, & shalbee reputed, accepted, named and taken, as parts & members of the said shire of Monmouth. And that the saide towne of Monmouth shalbee named, accepted, reputed, vsed, had and taken head and shire towne of the said County or shire of Monmouth. And that the Shirifes Countie or Shire court, of, and for the said shire and County of Monmouth, shall be holden & kept one time at the said towne of Monmouth, and the next time at the towne of Newport in the same county or shire, and so to be kept in the said two townes Alternis vicibus, and according to the lawes of this realm of Englãd for euer, & in none other place. And it is, &c. that all actions reals, that hereafter shall be obtained, perpetrated, or sued for any lands, tenements or hereditaments, or any other thing within the said countie or shire of Monmouth, and al actions personals, within the same shire or Countie, of the summe of xl. shillings or aboue, and all actions mixt, shalbe sued by originall Writ of the kings high court of Chauncerie of England, and heard, determined and tryed before the Kings Iustices of England, or by assise of Nisi prius within the saide Countie of Monmouth, in such like manner, forme and wise, as all other actions reals, personals, and actions mixt, sued, heard, determined and tried, in, or for any shire of this Realme of England.

Guildable

Monmouth

Countie Court

Actions reals

Personall

xl.s.

Originall

Chancery

And that the kings Iust. of his Bench, or of his common Bench at Westminster, shall haue full power & authoritie to direct all maner processe to the Shirifes and all other officers of the said countie of Monmouth, and also to direct writs of Venire facias, to the same Shirife, for the triall of euery issue ioyned before them, and also to award commissions of Nisi prius into the said Countie of Monmouth, for the triall of such issues ioyned before them, in like maner and forme as they do into euery shire of this Realme of England. And all and euery the kings subiectes and inhabitants within the saide Countie of Monmouth, shalbe for euer, from, and after the said feast of al Saints, obliged and bounden to bee obedient and attendant to the Lorde Chaunceller of England, the kings subiectes, and other of the kings most honourable counsel, and vnto all lawes, customes, ordinances and statutes

K. Iustices

Venire facias

Cõmissions

L. Chancellor

statutes of this realm of England, in like maner, forme & wise, as all other ỹ kings subiects within euery shire of this realme of England be obliged & bounden: any act, statute, vsage, custome, liberte, priuilege or any other thing to the contrary in any wise notwithstanding. And that the shirife of the countie shal hold plee of Replegiare, & all other sutes & plaints vnder xl. s. in his countie or shire Court, in like maner & forme as al other Shirifes do within this realme of England. And that the Shirife, Escheators & Coroners, that hereafter shalbee within the saide Countie or shire of Monmouth, shalbee obliged and bounden to execute the kings processes, & to make due returnes therof, & to vse and exercise their offices according to ỹ lawes and statutes of this realme of England, in all and euery thing as the Shirifs Escheators & Coroners be obliged & bound to doe in all and euery other Shire of this Realme of England. And that the shirife & Escheators of the said shire or Countie of Monmouth, that hereafter shall bee appointed by our Soueraigne lorde ỹ king, make their accounts of their saide offices in the kings Eschequer in Englande, in like maner and fourme as other shirifes & Escheators doe within this realme of England, and vpon such like paine and penaltie, as is vpon other shirifes and Escheators in euery other shire within this Realme of England.

Shirife
xl.s.
Escheators Coroners
Returnes
Shirife Escheators
Accompts

And it is &c. that the lordships, townships, parishes, commotes and cantredes of Brecknocke. Crecholwel, Cretowze, Penkelly, English Talgarth, Welch Targarth, Dinas, the Haie, Glinbough, Broyulles, Cantercely, Laddo, Blaullingby, Ecfrodue, Buelth and Langors in ỹ said Countrey & dominion of Wales, & all and singuler honours, lordships, castles, manors, lands, tenements & hereditaments, lying or being within the compasse or precinct of the said lordships, parishes, commotes & cantredes, or any of them, in whose possession soeuer they be or shalbe, & euery part thereof, shall stand and be for euer, from the saide feast of All Saints guildable, and shalbe reputed, accepted, named & taken as partes & members of the said countie or shire of Brecknocke. And that the said town of Brecknocke shalbe named, accepted, reputed, vsed, had & taken head & shire towne of the said countie or Shire of Brecknock. And that the shire Court, or Countie of, & for the said shire or countie of Brecknocke, shalbe holden and kept in the said town of Brecknock. And it is &c. that the lordships, townships, parishes, commotes, & cantredes of new Radnor, Elisterman, Elueles, Bonghzed, Glasebery, Glowdistre, Wighels Church, Meleneth, Blewagh, Knighton, Norton, Preston, Comothuder, Raider, Guethzonion & Stanage, in the saide countrey of Wales and euery of them, and al & singuler honours, lordships, castles, manors, landes, tenements and hereditaments, lying or being within the compasse or precinct of ỹ saide lordships, townships, parishes, cõmotes & cantreds, or any of them in whose possession soeuer they be or shalbe, and euery part thereof, shal stand & be for euer from the said feast of all Saints, guildable, and shal be reputed, accepted, named & taken as parts & members of the said countie or shire of Radnor. And that the saide towne of New Radnor shalbe named, accepted, reputed, vsed, had and taken head & shire towne of the said countie or shire of Radnor. And that the shire court or county of, and for the said countie or Shire of Radnor shalbe holdẽ and kept one time at the said towne of new Radnor, and the next time at the towne of Rother Gowy, in that same Countie or shire, & so to be kept in the same two townes Alternis vicibus for euer, and in none other place. And it is, &c. that the lordships, townships, parishes, commotes and cantredes of Mountgomerie, Bedewankery, Cawrland, Arnestle, Benilyoke, Doythure, Powesläd, Clomes land, Balelie, Tempcester and Alcester, in the saide countrey of Wales, and euery of them, and all and singuler honors, lordships, castles, manors, lands, tenements and hereditaments, lying, or being within the compasse or precinct of the said lordships, parishes, townships, commotes and cantreds, or any of them, in whose possession soeuer they be or shal be, and euery part thereof shall stand and be for euer, from the saide feast of All Saints guildable, and shalbee reputed, accepted, named and taken as partes and members of the saide Countie or Shire of Mountgomerie. And that the said town of Mountgomerie shall bee named, accepted, reputed, vsed, had and taken head and Shire towne of the saide Countie of Mountgomerie. And that the Countie or Shire court, of, and for the saide Countie or Shire of Mountgomerie, shal be holdẽ

Brecknocke
Guildable
Countie court
Radnor
Guildable
Countie court
Mountgomerie

and kept the firſt time at the ſaid towne of Mountgomerie, and the next time at the towne of Maghenleth in the ſame ſhire or countie, & ſo to be kept in the ſaide two townes Alternis vicibus for euer, and in none other place. And alſo it is, &c. that the Lordſhips, townſhips, pariſhes, cõmotes & cantredes of Denbighland, Ruthin, S. Aſſe, Bilthowen, Bromfield, Yale, Chirke, & Chirkeland, Hyleſdale & Holpeſdale, in the ſaid countie of Wales and euery of them, and all & ſinguler honors, lordſhips, caſtles, manors, lãds, tenemẽts & hereditaments lying or being within ỹ compaſſe, or precinct of the ſaid lordſhips, townſhips, commotes & cantreds, or any of them in whoſe poſſeſſion ſoeuer they be or ſhalbe, and euery part thereof ſhall ſtand & be for euer from the ſaid feaſt of al Saints guildable, & ſhalbe reputed, accepted, named & takẽ as parts & members of the ſaid county or ſhire of Denbigh. And that the ſaid town of Denbigh ſhalbe named, accepted, reputed, vſed, had & taken, head and ſhire town of the county or ſhire of Denbigh. And that the countie or ſhire court, of, and for the ſaid county or ſhire of Denbigh, ſhal be holden and kept the firſt time at the ſaide towne of Denbigh, & the nert time at the town of Wrixham in the ſaid ſhire or countie, and to be kept in the ſame two townes Alternis vicibus for euer, and in none other place.

Denbigh

And foraſmuch as the counties or ſhires of Brecknocke, Radnor, Mountgomerie, and Denbigh bee farre diſtant from the Citie of London, where the Lawes of England bee commonly vſed, miniſtred, exerciſed and executed, and for that the inhabitants of the ſaide ſhires of Brecknocke, and Radnor, Mountgomery and Denbigh, be not of ſubſtance, power and abilitie to trauaile out of their countreys to ſeeke the adminiſtration of Juſtice: It is therefore, &c. that the king our Soueraigne lorde ſhall haue one Chancery and Eſchequer at his caſtle of Brecknocke, and one other at his towne and caſtle of Denbigh. And that the ſhirifs, eſchetors, & other officers accomptants, of the counties of Brecknocke, and Radnor, Mountgomery, and Denbigh, from and after the ſaid feaſt of all Saints ſhall be yerely appointed by our Soueraigne lord the king, for and within euery of the ſaide Shires of Brecknocke, Radnor, Mountgomery, and Denbigh. And that the ſhirifs, eſchetors, & other officers accomptants of the Counties of Brecknock and Radnor, frõ & after the ſaide feaſt of all Saints, ſhall yerely make their account before ỹ kings Auditours & ſuch Chamberlaine or Barõ of the ſaid Eſchequer, as ſhalbe therupon appointed by our ſaide Soueraigne lorde the king, in ſuch like manner & forme, as ſhirifes, eſchetors, & other officers accõptants do yerely make their accounts in ỹ Kings Eſchequer at Weſtminſter, within this realme of Englande: and that the ſhirifes, eſchetors & other officers accõptants of the countie of Mountgomery & Denbigh, from and after the ſaide feaſt of all Saints, ſhal yerely make their accõpt before the kings Auditours, & ſuch chamberlaine or Baron of the ſaid Eſchequer, as ſhalbe thereunto appointed by our ſaid Soueraigne lorde the king in ſuch maner and fourme as ſhirifes, Eſchetors & other officers accomptants doe yerely make their accompts in the kings Eſchequer at Weſtminſter within this Realme of England. And that iuſtice ſhalbe miniſtred, vſed, exerciſed and executed vnto ỹ kings ſubiectes and inhabitants in euery of the ſaide Shires of Brecknock, Radnor, Mountgomerie and Denbigh, according to the lawes and ſtatutes of this Realme of England, and according to ſuch other cuſtomes and lawes now vſed in Wales aforeſaid, as the King our Soueraigne lorde, and his moſt honourable counſell ſhal allow and thinke expedient, requiſite and neceſſarie, by ſuch Juſticiar or Juſticers, as ſhalbe thereunto appointed by our ſaide Soueraigne Lorde the King, and after ſuch forme and faſhion as Juſtice is vſed and miniſtred to the kings Subiectes within the three ſhires of North Wales.

Accompt

Chancery Eſchequer

Shirifes Eſchetors

And alſo it is, &c. that the Lordſhips, townes, pariſhes, commotes, hundreds & cantreds of Oſweſter, Whetingtõ, Malbroke, Knoking, Elleſmere, Downe, and Churbury hũdred, in ỹ marches of Wales aforeſaid, and euery of them, and all & ſinguler honors, lordſhips, caſtels, manors, townes, hamlets, lands, tenements, & hereditamẽts, lying or being within ỹ compaſſe or precinct of ỹ ſaid lordſhips, towns pariſhes, commotes, hundreds and cantreds, or any of them, in whoſe poſſeſſion ſoeuer they be or ſhalbee, and euery part thereof, ſhall ſtand and bee for euer, from and after the ſaide feaſtes of all Saintes guildable, and ſhall bee vnited, annered, and adioyned to, and with the Countie of

Oſweſter

Salop

Salop

Salop as a member, part or parcel of the same, & that the saide lordships of Diwestre, Whettington, Malbroke, & Knoking with their members, shalbee taken, named & knowen by the name of ẏ hundred of Diwestre in the Countie of Salop, and the inhabitants therof shalbe attendant & do euery thing & things at euery sessions, assise, & gaole deliuery to be holden within the Countie of Salop, as the inhabitants of al other hundreds do within the said Countie of Salop, according to the lawes of this Realme of England.

Hundred Diwestre

Ellesmer

And that the lordship of Ellesmer, with the members of the same shalbee united, ioyned & knit to the hundred of Pimhill in the Countie of Salop, & shalbe taken, named, & knowen to be parcell of the same hundred, and the inhabitants thereof shal be attendant, and doe euery thing and things with the inhabitants of the saide hundred of Pimhil, as the inhabitants of the same hundred now do & vse, according to the lawes of this Realme of England. And that the lordship of Downe with the members shalbe united, ioyned, & knit to the hundred of Churbury in the county of Salop, and that the inhabitants of the said hundred of Churbury, and lordship of Downe shalbe attendant, and doe euery thing & things at euery sessions, assise, & gaole deliuery to be holden within ẏ saide countie of Salop, as the inhabitants of al other hundreds do within the said countie of Salop, according to the lawes of this Realme of England.

And that the said hundred of Churbury after the said feast of all Saints, nor the said hundred of Diwestre, nor yet ẏ lordshiẏ of Ellesmere shalbe in no wise otherwise priuiledged, nor haue no other liberties or priuiledge, but as hundreds united, annexed & knit to the saide countie of Salop, as other hundreds be within the saide Countie. And that the lordships, townes, parishes, commotes, hundreds, & cantreds of Ewias Lacy, Ewias Harold, Clifford, Winforton, Perdesley, Huntington, Whitney, Wigmore, Logharnes, and Stepulton, in the said marches of Wales & euery of them, & all & singuler honours, Lordships, castles, manours, lands, tenements & hereditaments, lying or being within the compasse or precinct of the said lordships, townes, parishes, commotes, hundreds & cantredes, or any of them in whose possession soeuer they be or shalbe, and euery part thereof shall stand & be for euer, from and after the saide feast of all Saints guildable, & shalbe united, annexed & adioyned to and with the countie of Herford, and as a member, part or parcel of the same countie of Herford, and that ẏ said lordships of Wigmore, & Logharnes, with their members shalbe take, named and knowen by the name & the hundred of Wigmore, and in the countie of Herford aforesaid. And that the inhabitants therof shalbe attendant & do euery thing and things at euery Sessions, Assise, and Gaole delinerie to be holden with the said Countie of Herford, as the inhabitants of all other hundreds doe within the sayd Countie of Herforde, according to the lawes of this realme of England.

Guildable

Herford

And that the whole lordship of Ewias Lacy, with the members shalbe take, named and knowen by the name of the hundred of Ewias Lacy within ẏ said county of Herford. And the inhabitants thereof shalbe attendant, and do euery thing and things at euery Sessions, Assise & gaole delinery to be holden within ẏ said county of Herford, as the inhabitants of all other hundreds doe within the saide county of Herford, according to the lawes of this Realme of England. And that the lordship of Ewias Harold with the members shalbe united, ioyned and knit to the hundred of Webtree in ẏ said county of Herford, and shalbe taken, named, & knowen to be parcel of the saide hundred of Webtree, and the inhabitants therof shalbe attendant and doe euery thing and things with the inhabitants of the same hundred of Webtree, as the inhabitants of the same hundred now doe, according to the lawes of this realme of England. And that the lordships of Clifford, Winforton, Perdesley, Whitney & Huntington, with their members, shalbe taken, named & knowen by the name of the hundred of Huntington within the Countie of Herford aforesaid: and that the inhabitants thereof shalbee attendant, and doe euery thing and things at euery Sessions, Assise, & gaole delinery to bee holden within the said countie of Herford, as the inhabitants of all other hundreds do within the saide Countie of Herforde, according to the lawes of this Realme of Englande. And that the saide hundred of Wigmore, with the members, and the saide hundred of Ewias Lacy, and the saide hundred of Huntington, and the saide lordship of Ewias Harold annexed vnto ẏ hundred

of Webtrée, after ẏ said feast of Al saints, shalbe in no wise otherwise ꝑiuiledged, noꝛ haue no other libertie, franchise, ne ꝑiuiledge: but as hundꝛeds vnited & annexed to the said countie of Herfoꝛd, & as other hundꝛeds be within the said countie of Herfoꝛd. And that the loꝛdships, townes and parishes of Wollaston, Tidnam, and Bechley in the said marches of Wales, & all honours, loꝛdships, castels, manoꝛs, lands, tenements & hereditaments lying oꝛ being betweene Chepstowe bꝛidge in the said marches of Wales & Glocester shire, in whose possession so euer they be oꝛ shalbe, & euery part therof shal stand & be guildable from & after the feast of All Saints, & shalbe vnited, annexed & ioyned to & with the said Countie oꝛ shire of Glocester, as a member, part oꝛ parcell of the same. And that the said loꝛdships, townes and parishes of Wollaston, Tidnam and Bechley, & al honours, loꝛdships, castles, manoꝛs, lands, tenements and hereditaments, lying oꝛ being betwéen Chepstow bꝛidge, and the shire of Glocester as is afoꝛesaid, shalbe vnited, ioyned & knit to the hundꝛed of Webbery within the said shire of Glocester, & shalbe taken, named & knowen to be part & parcell of the same hundꝛed, & the inhabitants thereof shalbe attendant, & doe euery thing and things with the inhabitants of the saide hundꝛed of Webbery, as the inhabitants of the same hundꝛeds nowe do accoꝛding to the lawes of this Realme of England. And that the saide Loꝛdships of Wollaston, Tidnam, & Bechley, after the said feast of all Saints, shalbe in no wise ꝑiuiledged, noꝛ haue no other libertie, franchise ne ꝑiuiledge, but as parcell of the said hundꝛed of Webbery in the saide countie of Glocester. And that ẏ Loꝛdships, townes, parishes, commotes, hundꝛeds & cantreds of Gowerkilney, Bishops towne, Landaffe, Sighnith supꝛa, Sighnith subtus, Wilking Ogmoꝛs, Gleincothnay, Tallagarn Kuchien, Tallanan, Lanblethian, Lantwide, Tieriall, Auan, Neth, Landway, & the Cleies in the saide countrey of Wales & euery of them, & all honours, loꝛdships, castles, manoꝛs, landes, tenements & hereditamentes, lying oꝛ being within the compasse oꝛ ꝑecinct of ẏ saide loꝛdships, townes, parishes, cõmotes, hundꝛeds & cantreds, oꝛ any of them, in whose possession soeuer they be oꝛ shall be, and euery part therof shall stand & be guildable foꝛ euer, from and after the saide feast of all Saintes, and shalbe vnited, annexed, and ioyned to and with the Countie of Glamoꝛgan, as a member, part oꝛ parcell of the same. Glamoꝛgan

And that the saide shire of Glamoꝛgan and Moꝛgannocke, and all the foꝛmer loꝛdships, townes, parishes, commotes, hundꝛeds and cantredes, vnited and annexed to the said Countie of Glamoꝛgan, shall from and after the saide feast of all Saints be reputed, named, accepted and knowen by the name of the shire of Glamoꝛgan onely, and by none other name. And that from and after the saide feast of All Saintes, Justice shalbee ministred and executed to the kings subiects and inhabitants of the saide countie of Glamoꝛgan, accoꝛding to the lawes, customs and statutes of this Realme of England, and after no Welsh lawes, and in such foꝛme and fashion, as Justice is ministred and vsed to the kings subiects within the thꝛée shires of Noꝛthwales. And that the loꝛdships, townes, parishes, commotes, hundꝛeds and cantredes of Lonemthebery, Abermeles, Kedwely, Eskenning, Coꝛwolthon, Newcastle, Emlin, Abergolly, in the said countrie of Wales, and euery of them, and all honours, loꝛdships, castles, manours, lands, tenements & hereditamẽts, lying oꝛ being within the compasse oꝛ ꝑecinct of the saide loꝛdships, townes, parishes, commotes, hundꝛeds & cantredes, oꝛ any of them, in whose possession soeuer they be, oꝛ shalbe, and euery part thereof shall stande and be guildable foꝛ euer, from and after the feast of All Saints, and shall be vnited, annexed and ioyned to and with the comtie of Kaiermerthen, as a member, part oꝛ parcell of the same. And that from and after the said feast of all Saints, Justice shalbe ministred and executed to the kings subiectes & inhabitants of the said countie of Kaiermerthen, accoꝛding to ẏ lawes, customes & statutes of this realme of England, and after no Welsh lawes, and in such foꝛme & fashion as Justice is ministred and vsed to the kinges subiectes within the thꝛée shires of Noꝛthwales. And that the loꝛdships, townes, parishes, commotes, hundꝛeds and cantredes of Hauerfoꝛd West, Kilgaram, Lasteffan, Langhuarn, otherwise called Tellangherne, Walwincastle, Dewes land, Lanneahdein, Laufrey, Herbert, Slebeche, Rosemarket, Castellan, and land of Lour, in the saide countrey of Wales, and euery of them, and

Guildable

Glocester

Guildable

Guildable

Kaiermerthen.

and all honours, lordships, castles, manors, lands, tenements & hereditaments, lying or being within the cõpasse or precinct of the said lordships, townes, parishes, commotes, hundreds & cantredes, or any of them, in whose possession so euer they be or shalbe, and euery part thereof, shal stand and be guildable for euer from and after the said feast of all Saints, and shalbe united, annexed and ioyned to and with the Countie of Pembroke. And that from & after the said feast of all Saintes, iustice shalbe ministred & executed to the kings subiectes & inhabitants of the saide Countie of Pembroke, according to the lawes, customes & statutes of this realm of England, & after no Welsh lawes, and in such forme & fashion, as iustice is ministred & vsed to the kings subiectes within the three shires of North Wales. And that the lordships, townes, parishes, cõmotes, hundreds & cantreds of Tregarn, Henerglin, Landiwy, Ureney, in the saide country of Wales & euery of them, and al honours, lordships, castels, manors, lãds, tenements & hereditaments lying or being within the compasse or precinct of the said lordships, townes, parishes, cõmotes, hundreds & cantredes or any of them, in whose possession soeuer they be, or shall be, and euery part thereof, shall stand and be guildable for euer, from and after the said feast of all Saints, and shalbee united, annexed, and ioyned to and with the countie of Cardigan, as a member, part, or parcel of the same.

And that from & after the saide feast of all Saints, iustice shalbe ministred & executed to the kings subiectes and inhabitants of the said Countie of Cardigan, according to the lawes, customs & statutes of this realme of England, and after no Welsh lawe, & in such forme & fashion as iustice is ministred and vsed to the kings subiects within ỳ three shires of North wales. And that the lordships, townes & parishes of Mountmay in the saide countie of Wales, in whose possession soeuer it be, & al lands, tenements and hereditaments now lying or being within the cõpasse or precinct of the said lordship, towne or parish of Mountmay, or any of them, in whose possession soeuer they be or shall be, and euery part thereof shall stand and be guildable for euer, from and after the said feast of all Saintes, and shalbee united, annexed and adioyned to and with ỳ countie of Perconeth in Northwales, as a commote, member, part or parcell of the same. And be it &c. that all Iustices, commissioners, Shirifes, Coroners, Escheators, Stewards and their lieutenants & al other officers & ministers of the law, shal proclaime & kepe ỳ Sessions, courts, Hundreds, Letes, Shirifes courts, & all other Courts in the English tongue, and all other offices, Iuries & enquestes, and all other Affidauits, Verdicts, & wagers of law to be giuen and don in the English tongue. And also that from henceforth no person or persons that vse the Welsh speath or language, shal haue or enioy any maner office or fees within the realme of England, Wales, or other the kings dominion vpon paine of forfaiting ỳ same offices, or fees, vnlesse he or they vse and exercise the speach or language of English. And it is &c. that it shalbe lawfull to the shirife of euery of the foresaid Shires of Monmouth, Wrecknocke, Radnor, Mountgomerie and Denbigh, and euery of them, to put euery misruled & suspect persons within their Shirifewike, vnder common mainprise & suretie of their personal apparance, as the shirifes do within euery of ỳ three Shires of Northwales. And that the recognisance of such cõmõ mainprise and suertie of apparance taken before any of the said shirifes, shall bee as good and effectuall, as if it were taken by any Iustice of Record. And that the Shirife of the countie of Monmouth shal certifie such recognisances, common mainprise, or suertie of apparance at euery quarter Sessions, before the Iustices of peace of the said Countie of Monmouth. And that euery person and persons within the said countie of Monmouth, put vnder common mainprise, and bound to his personall apparance, shal kepe their personall apparance at the Sessions holden within the said shire at Monmouth, next after the close of Easter, and at the Sessions to be holden within the said shire next after the feast of S. Michael the Archangel, vntill such time that they bee thereof released after the forme of the law. And that euery of the shirifes of the said counties of Wrecknocke, Radnor, Mountgomerie and Denbigh, and euery of them, shall certifie such recognisance, common mainprise or suretie of apparãce by them taken before such Iustice as shalbee appointed by our Soueraigne lord the king within euery of the saide Shires at euery such Sessions to bee holden in any of the

Guildable
Pembroke
Guildable
Cardigan
Perconeth
Courts
English
Fait.
Shirife
Mainprise
Recog.
Iust. of P.
Appears

said Shires before the same Justices. And that euery person and persons within the saide Countie of Brecknocke, Radnor, Mountgomerie and Denbigh: And also within ỳ abone named Counties of Glamorgan, Carmarden, Penbrooke & Cardigan, or any of them, put vnder commõ mainprise, and bound to his or their personal appearance, as wel by the foresaide shirifes, as by the Justices of any of ỳ said counties, shall keepe their apparances before the saide Justices at euery Sessions within the saide counties to be holden in such like manner and forme as is vsed in the three shires of Northwales. And for that the lordes marchers before this present Parliament haue vsed to put their tenants within their lordships marchers vnder such common mainprise & suretie of apparance, & haue had the forfaitures therof: which for euer from & after ỳ said feast of all Saints shal vtterly cease and determine:

Therefore be it &c. that after the saide feast of all Saints, euery lay & temporall person, now being a lorde marcher, shall haue the moitie or halfe of euery forfaiture of al & euery common mainprise, recognisance for the peace or apparance, forfaited by any of their tenants inhabiting within any of their lordships marchers, & they to be paied the same moitie or halfe by the hands of the Shirif of euery of the said counties, where such forfaitures shal be, if the Shirife can leuie the same: and the same shirife to account to our soueraigne lord the king for the other halfe or moitie in such Eschequer as they be bound to be accomptant.

L. marcher Moitie

Shirife

Be it further &c. that immediatly vpon the prorogation or dissolution of this present Parliament, the lord Chauncellor of England shall direct the kings commissions vnder his graces great seale, to such persons as to him shalbe thought conuenient, to enquire and view all the saide shires of Kaermerdin, Penbroke, Cardigan, Monmouth, Brecknock, Radnor, Mountgomery, Glamorgan & Denbigh, and euery part and parcell of them: and vpon such view & search to deuide them & euery of them into so many hundreds, as they shal thinke most meetest and conuenient. And the hundreds so deuided, shall returne and certifie with the saide Commission into the high court of Chauncery before the said feast of all Saints, and the same to remaine of record, & to be of such force and effect as it were by act of parliament. And that the said hundreds after ỳ said certificat, shalbe vsed and taken as other hundreds bee in euery other shire within this realme of England. Furthermore it is &c. that immediatly after ỳ prorogation or dissolution of this present parliament, the Lord Chancellor of Englãd shall direct the kings Commission vnder his graces great seale, to such persons as by him shalbe thought conuenient, to enquire, and search out by all wayes and meanes that they can, al & singuler lawes, vlages & customes vsed within the saide dominions & countrey of Wales, and the same shall returne and certifie to ỳ kings highnesse & his saide most honorable counsail before the said feast of al Saints next comming, and that vpon deliberat aduise thereof had & taken, all such lawes, vlages & customes as the kings highnesse & his saide most honorable counsaile shall thinke expedient, requisite & necessary to be had, vsed and exercised in the before rehearsed shires, or any of them, or in any other shire of the dominions or countrey of Wales, shall stand & bee of full strength, vertue & effect, & shalbe for euer inuiolably obserued, had, vsed, & executed in the same shires, as if this act had neuer bëne had ne made, any thing in the same acte contained, to the contrary in any wise notwithstanding.

Commission

L. Chauncellor

And it is &c. that for this present parliament, and all other parliaments to bee holden & kept for this realm, two knights shalbe chosen and elected to the same parliament for the shire of Monmouth, and one Burgesse for the Borough of Monmouth, in like maner, forme and order, as knights and Burgesses of the parliamẽt be elected and chosen in all other shires of this realme of England. And that ỳ same knights and Burgesses shal haue like dignitie, prehemmence, and priuiledge, and shalbe allowed such fees, as other knights and Burgesses of the Parliament haue bëne allowed. And the knights fees to be leuied, perceiued, receiued, gathered, and payed, in such manner, forme, and order, as such fees be gathered, leuied, perceiued, receiued and payed in other shires of this realm of England: And the Burgeis fees to be leuied aswel within the borough of Monmouth, as within all other ancient boroughes within the said Shire of Monmouth. And that for this present Parliament, and all other Parliaments

Parliamẽt

Knights

Fees

Burgeis fees

to

to be holden and kept for this realme, one knight shall be chosen & elected to the same Parliaments for euery of the Shires of Brecknock, Radnor, Mountgomery and Denbigh, & for euery other shire within the said countrey or dominion of Wales, and for euery borough being a shire towne within the saide countrey or dominion of Wales, except the shire towne of the foresaid county of Mereoneth, one Burgeis: And the electiõ to be in like maner, forme and order, as knights and Burgeis of the parliament be elected and chosen in other shires of this realme: And that the knight and burgeis and euery of them, shal haue like dignitie, preheminence, priuiledge, & shalbe allowed such fées as other knights of the Parliament haue and bée allowed. And the knights fées to bee leuied and gathered of the Commons of the Shire that they be elected in. And the burgeis fées to bée leuied and gathered aswell of the Boroughs and shire townes as they be Burgeis of, as of all other ancient Boroughs within the same shire.

Knight

Election

And it is &c. that all and euery lay and temporall person and persons, now being Lords Marchers, and hauing any lordships Marchers, or Lordeships realles, shal frõ & after ẏ said feast of All Saints, haue all such mises, and profites, of their tenants, as they haue had or vsed to haue at the first entrie into their lands in times past. And also shall haue, holde, and kéepe within the precinct of their Lordships, Courts Baron, court Léetes, and Lawdayes, and all and euery thing to the same Courts belonging. And also shall haue within the precinct of their said Lordships or Lawday, waife, straie, Infangthefe, and outfangthefe, treasures troue, deodands, goods and cattels of felons, and of persons condemned or outlawed of felony or murder, or put in exigent for felonie or murder, and also wrecke de miere, wharfage and custome of straungers, as they haue had in times past, & as though such priuiledges were graunted vnto them by our Soueraigne Lorde the King by point of Charter: Anie thing in this present Acte to the contrarie notwithstanding. (See after 35.)

Lords Marchers

Courts

Felons goods

Prouided alwaie, that this present Act, nor any thing therein contained, shall take away or derogate anie lawes, vsages or lawdable customes nowe vsed within the three Shires of Northwales, nor shall not deprine, nor take anie the whole liberties of the duchy of Lãcaster: but that the saide liberties shall continue and bee vsed in euery Lordeship parcell of the saide Duchie within the Dominion or Countrey of Wales, as the liberties of the saide Duchie bee vsed in Shire ground, and countie Palantie within the Realme of England.

Prouided also, ẏ this act nor any thing therein cõtained, do not extend nor be preiudicial to any person or persons to auoyd any patent, ioynt patẽt, of any office, fées, annuities or reuersion of any office, fées, or annuities, to them graunted for terme of their life or lines by our soueraign lord the King, or by any other person or persons, for the vsing, exercising, or occupying of any maner office, or otherwise, but that they shall haue and enioy their saide fées, & all other offices of constableships, porterships, shewardships of Léets, Lawdayes, Courtbarons, and other offices being not repugnant against this Acte: And in case any such Offices bee repugnant against this Acte, that then the grauntées to haue and enioy their fées, during their life or lines: any article or clause in this present acte, to the contrary in any wise notwithstanding.

Offices

Prouided also ẏ this act, nor any thing therein contained, be not in any wise preiudicial to ẏ right honorable Pẽry Erle of Worcester, for the exercising, vsing & occupying of the office of the Iustice of the whole coũtie of Glamorgan, any thing in this present acte contained to the contrary in any wise notwithstanding,

Prouided also, that this Acte nor anie thing therein contained, extend not to deprine, take away, or derogate any other acts before this time made for the trial of treason, murder, or felonies, or accessaries of the same, committed and done in anie Lordship marcher in Wales, or in ẏ next Shires of England adioyning to the said Lordship marcher.

Prouided alway that lands, tenemẽts, & hereditaments, lying in the said Countrey and dominion of Wales, which haue bin vsed time out of minde, by the lawdable customes of the said countrey to be departed and departable among issues and heires males, shall still so continue and be vsed in like forme, fashion, and condition, as if this acte had neuer been had or made, any thing in this acte to the contrary notwithstanding.

Diuision

Prouided also, & be it &c. that the Kings highnesse

King

highnes, notwithstanding this act, or any thing therein contained, shal haue power and authority for the terme of three yeres next after the end & dissolution of this present Parliament, to suspend for such time as shall please his grace, or vtterly to repeale, reuoke & abrogate this whole act or any part therof from time to time, as shal stand with his most gratious pleasure: so that euery such suspending, repeale & reuocation from time to time, as often as any such case shall happen, shall be made in writing vnder the great seale of Englād, and be annexed to the roll of this present Parliament wherein this act shal bee enrolled, and proclamation thereupon to be made in euery shire within the said countrey and dominion of Wales. And that euery such suspending, repeale & reuocation so to be had & made by the kinges highnes, shalbe as good and effectuall to all intents and purposes, as if the same had bin done by authority of this present Parliament: this acte or any thing therein contained to the contrarie thereof notwithstanding. And where by this present acte there is appointed one Chancery and one Eschequer at Brecnocke, and an other Chancery and Eschequer at Denbigh: It is ec. that the kings highnes from time to time within the terme of fiue yeres, next after the end of this Parliament, for due minister ation of iustice in the said countrey of Wales, shall haue power & authoritie to erect, make and ordaine such court or courts, and so manie courts of Recorde, and such and so manie Iustices, Ministers, Officers, and Clearkes, as by his highnesse within the terme of fiue yeres next after the ende of this present Parliament shall bee thought sufficient and conuenient as well for the due execution of this Acte, or of anie thing or thinges that shall be had, done or made by authoritie of the same, as for the good gouernance and rule of the saide Countrey of Wales.

Repeale

Proclamation

Chancery Eschequer

Courts

Prouided alway that this acte, or anie thing or things to bee done by authoritie thereof, shal not be preiudicial to any person or persons which nowe haue by the kings letters patents, anie office or offices of Protonotarie or clarke of the crowne in the said countrey & dominō of Wales, but that they and euery of them shall and may still haue and vse their offices, in as large and ample manner, fourme, fashion and condition, as this Acte or any thing to bee done by authoritie thereof had neuer been had or made, any thing in this Acte, to the contrarie thereof notwithstanding.

Officers

Prouided also, that this act, or any thing therein cōtained, extend not, or in any wise be preiudiciall or hurtfull to sir Walter Deuereux knight of the noble order of the garter, lord Ferrers of Chartley, of, for & concerning the office of chiefe Iustice of South wales, the office of Chamberlaine of Southwales, and of the Counties of Carmerden & Cardigan in Southwales aforesaide: And of and for the office of the Stewardship of the lordship of Brealth in the Marches of Southwales, and of & for the office of receyuourship of the said lordship of Brealth, nor of, for or cōcerning any of the saide Offices: but that the sayde Lord Ferrers may haue, vse, exercise and enioy the said Offices and euery of them, with al fees, wages, emolumēts, commodities and profites to the same offices, or to any of them in any wise belonging or appertayning, in as large and ample maner, fourme and condition, as if this acte had neuer been had or made. An. 27. H. 8. cap. 26.

29 Because the allotment made in the statute 27. H. 8. (before 28.) of diuers townes ec. to certaine shires there, by credible informatiō is fallen out not to be indifferent, nor cōmodious for the subiects: Be it ec. That the Kings highnelle (during the time of three yeres next after the end of this present Parliament) shal haue power & authoritie by writing vnder his great seale, to allot, appoint, assigne & limit to euery of the shires named in ỳ said act, such and so many Lordships, townes, Parishes, Hamlets, Hundreds, Cōmots, and Cantredes, as his Maiestie by his most high wisdome shal thinke most conuenient and agreeable for the ease and commodity of his louing Subiects the inhabitants of the said dominion and principalitie (S. of Wales.) And shall likewise haue power and authoritie to name & assigne the shire townes in euery of the said shires named in the saide Acte. And that euery such limitation, appointmēt, nomination and assignemēt to be made by the kings highnes in that behalfe, by authoritie of this acte, shal be as good and effectuall to all intents and purposes, as though it had been done and made plainely and particularly by authoritie of parliament, any thing contained in the saide Acte, made

King

Lordships

made in the laſt parliament, or any other thing or things to the contrary thereof notwithſtanding. Anno 28. H. 8. cap. 3.

The King during the ſaide three yeeres did nothing concerning the accompliſhment of the laide Acte, wherefore An. 31. Henr 8. capitulo 11. it was enacted as followeth.

¶ 30 That his Maieſtie during the ſpace of other three yeeres next after the firſt day of this preſent Parliament, ſhal haue like power & authority to do, ble, execute and accompliſh all and euerie thing and things limitted and appointed to his Maieſtie to be done, vſed, and accompliſhed by the ſame act made in the ſaide 28. yeere of his graces raigne (cap. 3. before 29.) in as large and ample manner in euerie condition as his Maieſtie might haue done, vſed and accompliſhed within the ſaide time of three yeeres, limitted by the ſame acte, as is aforeſaide. And that euery ſuch limitation, appointment, nomination and aſſignment to bee made by the kings highnes in that behalfe, by authoritie of this preſent act, during ẏ ſpace of the ſaide other iii. yeeres next after the firſt day of this preſent parliament, ſhall be as good & effectuall to all intents & purpoſes, as though it had been done & made plainly and particularly by authority of Parliament. An. 31. H. 8. cap. 13. S. office. An. 32. H. 8. ca. 27. of grants of ſhirife wicks in Wales made voyde.

31 ¶ Where the lordſhips, townes, and hãlets of Hope & Aſſaph, haue of old time been reputed, accepted and taken as part and parcel of the Countie of Flint, and ſo haue bin continued, vntil now of late that by an acte of Parliament made in the 27. yeere of the raigne of our moſt dread ſoueraigne lord the kings Maieſtie that now is (cap. 26. before 28.) the ſame were aſſigned to the county of Denbigh.

And alſo where parcell of the pariſh of Hawardẽ is at this day, & of old time hath been accepted, taken & vſed as part of the ſaide County of Flint, & the reſidue of the ſaide pariſh of Hawarden is, and al waies haue been without the precinct, limits and iuriſdiction of the ſame counties: Be it &c. that alwel the ſaid lordſhips, townes and hãlets of Hope, Aſſaph, & the ſaide whole pariſh of Hawarden, together with the lordſhip of the ſame, as alſo the lordſhips, townes, & pariſhes of Holdeſdale, Mereford and Oſly, and all the landes, tenements, & hereditamentes within the precinct & limits of the ſame, or any of them, ſhal from hencefoorth be reputed, accepted, taken, and adiudged to be within the ſaide Countie of Flint, as a member, part and parcel of the ſame countie of Flint, & not of, nor within any other County or ſhire, any ſtatute, ordinance, lawe or cuſtome heretofore had or vſed, to the contrarie thereof in any wiſe notwithſtanding. Lordſhips

Prouided alwaies, that the inhabitãts and tenants of the ſaid lordſhips, townes, hamlets and pariſhes of Hope, Aſſaph, Holdeſdale, Mereford, & Hawarden ſhall paye their miſſes and tallages when & as oft as the ſame ſhalbe due, with ẏ inhabitãts of ſuch ſhire or ſhires as before time hath been accuſtomed. And that the ſaide Lordſhip of Hope, Holdeſdale, Mereford, Oſley, and Hawarden, with the whole & entire pariſh of Hawardẽ, & al ẏ grouds, lands, tenements, & hereditaments, within the precinct & limits of the ſame, ſhall from henceforth bee called, taken and accepted the hundreds of Holdeſdale in the Countie of Flint. Tallage Hundred

And that the ſaide Lordſhip of Aſſaph, with all the grounds, lands, tenements & hereditaments within the precinct and limits of the ſame, ſhalbe taken, accepted, & iudged to be as part & parcell of the hundred of Rutland in the ſame County. An. 33. H. 8. cap. 15.

32 ¶ Our ſoueraigne lorde the kings Maieſtie, of his tender zeale and affection that hee beareth towardes his louing and obedient ſubiects of his dominion, principalitie and Countie of Wales, for good rule and order to bee from hencefoorth kept and maintayned within the ſame, whereby his ſaide ſubiects may growe and riſe to more wealth and proſperitie, hath deuiſed and made diuers, ſundry, good and neceſſarie ordinances, which his Maieſtie, of his moſt aboundant goodnes, at the humble ſute & petition of his ſaide ſubiects of Wales, is pleaſed and contented to bee enacted &c. in maner and fourme as hereafter enſueth. Firſt that his graces ſaide dominion, principalitie and countrey of Wales, bee from hencefoorth diuided into xii. Shires, of the which eight haue been ſhires of long and ancient time, that is to ſay: Shires of Glamorgan, Carmarthen, Pembroke, Cardigan, Flint, Carnaruan, Angleſey, and Pereoneth. And foure of the ſaide xii. ſhires be newly made and ordained to bee ſhires by an Acte made at the parliament, holden at Weſtminſter, in

in the xbii. yere of our saide Soueraigne Lorde his most noble raigne (cap. 26. before 28.) that is to say, the shires of Radnor, Brecknock, Mountgomery, & Denbigh ouer and besides the Shire of Monmouth, and diuers other dominiõs, Lordships, and mannors in the Marches of Wales, vnited & annexed to the shires of Salop, Herford & Glocester, as by ẏ saide late acte more plainely appeareth. Item, that the limitations of the Hundreds of late made within ẏ saide shires by vertue of his graces cõmission, directed out of his high court of Chãcery, & againe returned into the same, shall stand in ful strength, force, & effect, according to the said limitation. Except such of the same, as sith that time haue bin altered or changed, by vertue of any act or acts of parliament already made, or that shalbe altered or changed by any act or acts in this present Session to be made. Item, that there shall be and remaine a President and Coũsaile in the said dominion and principality of Wales and the Marches of the same, with al officers, clearkes, & incidents to the same, in maner and fourme as hath bin heretofore vsed and accustomed.

Shires

President Counsaile

Which President and counsaile shall haue power and authority to heare & determine by their wisdomes & discretions, such causes and matters as bee or hereafter shalbe assigned to them by the Kings Maiestie, as heretofore hath bẽn accustomed and vsed. Item, that there shalbe holden & kept Sessions twise in euery yere, in euery of the saide shires in the saide dominion and principality of Wales. That is to saye, in the Shires of Glamorgan, Brecknock. Radnor, Caermerthin, Pẽbroke, Cardigan, Mountgomery, Denbigh, Flint. Carnaruen, Mereoneth, and Angleseỿ, the which sessions shalbe called the kings great sessions in Wales. Item, that the Justice of Chester for the time being, shal holde & kepe sessions twise in euery yere in the Shires of Denbigh, Flint, and Mountgomery, and haue nothing but his olde Fee of an hundred li. yerely for the same.

Diet & ter.

Sessions

Fee

Item, that the Justices of Northwales shall in likewise hold and kepe Sessions twise euery yere, in euery of ẏ said shires of Carnaruan, Mereoneth and Angleseỿ, and shall haue yerely of the Kings Maiestie a yerely Fee of fiftie pounds for the same. Item, that no person learned in the Lawes of this realme of England, by the Kings Maiestie, to be named and appointed, shal bee Justice of the Shires of Radnor, Breckenocke, and Glamorgan, and shall in likewise hold and kepe Sessions, twise in euery yere in euery of the same shires, and shal haue yerely of the Kings Maiestie fiftie poundes for his fee. Item, that one other person learned in the lawes of this realme, to be appointed as is afore said, shall be Justice of the Shires of Caermerthen, Penbroke, and Cardigan, and shall in likewise holde and kepe sessions twise in euery yere in euery of the same Shires, and shall also haue yerely of the Kings Maiestie fiftie pounde for his Fee.

Fee

Justice

Item, the said persons or Justices, and euery of them nowe being, or that hereafter shalbe, shall haue seuerall letters Patents and Commissions for their offices vnder the kings great seale of Englande, to be exercised by themselues, or their sufficient deputies according to their purposes & intents, in their ordinances specified. Prouided alwaies, that their Commissiõs to them already graunted vnder ẏ said great seale, shal stand in force & effect according to the tenour of the same: vnlesse it shall please the Kinges Maiestie hereafter to alter or change them or any of them, this present article last before expressed, in anie wise notwithstanding. Item, that euery of ẏ said Justices within the limittes of their Commissions and authorities to them appointed as is afore said, shall holde al manner of pleas of the crowne at & in the said sessions, in as large and ample maner, as the kings chief Justice of England, & other the kings Justices of the kings bench there, or any of thẽ may do in their place or elsewhere within the Realme of England: And also to hold pleas of assises, & all other pleas, & actiõs, reall, personall and mixt, in as large and ample maner, as the kings chiefe Justice of the Common place in England, & other Justices of the same place, or any of them may do in the Realme of England. Item, that euery of the saide Justices of Wales shall haue power and authoritie to enquire of all treasons, murders, felonies, riots, routes, vnlawful assemblies, extortions, imbraceries, maintenances, retey-nours, concealments, contempts, and all other offences & euill deedes, of what natures, names or qualities soeuer they bee done, cõmitted or perpetrated, within the limits of their Commissions and authorities

Letters patents

Commissiõs

Pleas

Assises

Enquire

ties, againſt the forme of the common law of the Realme of England, or of any Statutes of the ſame, and to heare and determine the premiſſes & euery of them, and generally to miniſter common iuſtice to all and ſinguler the Kinges Subiects within the limittes of their commiſſions & authorities according to the lawes, ſtatutes & cuſtomes of ỹ realme of Englād, and according to this preſent ordinance. Item, that euery of the ſaid ſeſſions ſhall be kept and continued by the ſpace of fiue daies in euery of the ſaide ſhires, at either of the ſaide times, as is and hath bēn vſed within the ſaid iii. ſhires of Northwales. And that the ſaid Juſtices ſhal cauſe open Proclamations to bee made in the Shire Townes, what time and place they purpoſe to kēpe their ſaide Seſſions, fiftēne dayes at the leaſt before they kēpe the ſame, to the intent the kings Subiects may haue knowledge thereof. Item, the dayes ſhall be giuen in all pleas, plaints, proceſſes, and adiournements from daye to day, and Seſſions to ſeſſions, by the diſcretions of the ſaid Juſtices within the limits of their authorities, for the good and ſpēdie miniſtration of iuſtice, to all and ſinguler the Kings ſubiects, as is or hath bin vſed in Northwales. Item, that one originall ſeale deuiſed by the Kings highneſſe, for iuſtice to be miniſtred in the ſaid thrēe ſhires of Northwales: That is to ſay, ỹ ſhires of Mereoneth, Carnaruan and Angleſey, ſhall be and remaine in the charge, kēping & cuſtody of the Chamberlaine of Northwales.

Pier & ter.

Proclamation

Dayes

Seals

And that one other originall ſeale, deuiſed by the kings maieſtie, for miniſtratiō of iuſtice to bē vſed in the ſaide Shires of Carmarthen, Pembroke and Cardigan ſhall bee and remaine in the charge, and kēping of the Chamberlaine of Southwales. And that likewiſe one other originall ſeale deuiſed by the kings Maieſty for the miniſtration of iuſtice to be vſed in the ſaide thrēe Shires of Brecknocke, Radnor, Glamorgan, ſhal be & remaine in the charge & cuſtody of the ſteward & Chamberlaine of Brecknocke. And that alſo one other originall Seale deuiſed by the kings Maieſtie for miniſtration of iuſtice to bee miniſtred within the ſaid Shires of Denbigh and Mountgomery, ſhal be and remaine in the charge, kēping & cuſtodie of the Steward & Chamberlaine of Denbigh. And that the originall ſeale of Cheſter, ſhalbe and ſtand for the originall ſeale of Flint, for iuſtice to be miniſtred in the ſaid Shire of Flint, and ſhalbee and remaine in the charge, kēping and cuſtodie of the Chamberlaine of Cheſter. Item, that the ſaide Stewardes and Chamberlaines ſhall ſeale with the ſaide Seales, that is to ſay, euery one of them ſhal ſeale with the Seale to his charge committed, all maner of originall Writtes and Proceſſe returnable before the ſaide Juſtices at the Seſſions to bee holden in euerie of the ſaid Shires in manner and fourme as is aforeſaide,

And ſhal ſeuerally accompt and anſwere the Kings Maieſtie, for the profits of the ſame ſeale: And that none of the ſaid ſtewards, Chamberlaines or Chauncellors, hauing the charge and kēping of the ſaid ſeales, ſhall by occaſion thereof, or by colour of any of their offices, cōpell or cauſe any perſon or perſons, inhabiting within any of the ſaide xii. ſhires, to appeare before themſelues or their deputies, ne ſhall haue power or authority to heare or determine any pleas of ỹ crowne nor other cauſes or matters of iuſtice, otherwiſe then in this ordinance is limitted & expreſſed: But ſhall haue the charge & kēping of the ſaid ſeales, to ſeale all ſuch originall writs and proceſſe as ſhal bee returnable before the ſaid Juſtices in their ſaid Seſſions as is before ſpecified, & as hereafter ſhalbe declared, which writs and proceſſe ſhalbe vſed, made, ſealed and returned in manner and fourme as hath bēn vſed before the Juſtices in Northwales. Item, that all ſuch perſons as now be or hereafter ſhalbe the kings highnes Stewards, Chamberlaines or Chancellors, within any of the ſaid xii. Shires which by reaſon of their ſaid offices, haue charge for the receipt, collection or accompt of and for the kings rents, reuenues, farmes, or profits, to be due to his Maieſtie, within the ſaide dominions of Wales, may direct Proceſſe vnder the Seale, being in their charge and cuſtody within the limittes of their authorities onely againſt bayliffes, reues, farmours, and other miniſters accomptant, to appeare before themſelues to anſwere to and for any the kings reuenues, farmes, rents, or profits, & for none other cauſes, nor againſt anie other perſon or perſons, in like maner and forme as they haue bēn accuſtomed in that caſe to doe. Item, that all Stewardes of any Lordſhips or manors in Wales, ſhal and may kēpe and holde ſuch Lētes, Lawdayes,

Accompt

Receiuors

Proceſſe

Stewards

and

Courtes

and court barons as appertaineth and belongeth to the Lordships and Mannours whereof they be Stewardes. And to holde pleas by plaint vnder the sum of fourtie shillings in euery such Court baron, and haue and enioy al other authorities commodities and profites, as Stewardes of Lætes, Lawdayes and Court barons in England commonly haue and bin vsed to haue by reason of the saide Offices, and none other: any Lawe, vsage or custome in the said Dominion of Wales, heretofore had to the contrary hereof notwithstanding.

Item, prouided alwaies, & be it enacted, that the said Stewards or any of them, nor the shirife of the said counties in Wales, shall haue any power or authoritie to enquire of any maner of Felony in any such Læte or Lawday or turne within the said dominion to bee holden.

Enquire Felonie

And that from henceforth no Læte nor lawday be kept by ỳ steward or other officer of any lordship or manor in the said dominion of Wales, but in such Lordships & places, where it was accustomed to bee kept before the making of the act of parliament cõcerning Wales, made in ỳ xxvi. yeare of our said souereign Lords raigne, (ca. 6. before 25.) so alwaies ỳ place wher such court shall be kept, be meete & conuenient for the purpose. Item, that all Maiors, bailifs, and head officers of corporate townes in Wales, may holde pleas, & determine actions, & doe euery other thing concerning common Justice, according to to their lawful grants, and lawdable customes of such townes, so alwaies they follow the course, trade, & fashion of the realme of England, & not of any Welsh lawes or customes. And that in euery of the said Townes they may try all issues ioyned in any actiõ personal by fire men, according as heretofore in diuers places of the said countrey it hath bẽn vsed, any thing contained in this Act to the contrary notwithstanding.

Place

Triall

Prouided alwaies, and be it &c. that forasmuch as there be diuers and many smal boroughes and townes corporate within the said dominion of Wales, wherof manie haue their commencement by grants made from the Marches, and some by other meanes, our saide souereigne Lorde shall from henceforth by vertue of this Acte, haue full power and authoritie by his letters Patents, to bee inrolled in his graces high Courte of Chauncery at anie time within seuen yeres hereafter next ensuing, to the end of this present Parliament, to repeale, adnihilate, and dissolue such and as many of the said Boroughs & townes corporate, & all liberties and customes of the same, as to his highnes shal bee thought expedient, to the intent his maiestie at his graces pleasure may newly erect, ordains, end make such and as many other boroughs and townes corporate within the saide Dominion, being more apt and conuenient for that purpose, and endue them with such liberties and franchises, as to his most excellent wisdome shalbe thought necessary for the wealth of the sayde Countie. Item, the kings Maiestie is pleased & contented of his most gracious godnesse, that such as haue patẽts of any office of stewardships, chamberlainships, chancellerships, or Justiceships, within the saide Dominion of Wales, for terme of their liues, shal haue and enioy their certaine ordinary and annuall fées of mony vsed and accustomed to be payde and borne by the kings highnes, by vertue of any their letters patẽts during their interest therin, but in no wise to take or claime any casual fées claymed by colour of their offices, contrary to this preſẽt ordinãces: any custome in Wales, or any thing in this acte to the contrary notwithstanding.

Repeale

Townes

Officers

Fees

Item, ouer and besde the originall seales, there shall be 4. iudiciall Seales, deuised by the kings Maiesty, wherof one shal remaine with the Justice of Chester, which is appoynted by this acte, to be Justice of the shires of Flint, Denbigh, and Mountgomery, to be vsed within the said Shires, to seale all iudiciall processe and bils, that shall be sued before the saide Justice, in the Sessions to be holden within the same shires. And that one other of the said iudicial seales shal likewise remaine and bee in the charge and custodie of the said Justice of Northwales. And that the third of the said seales shall be & remaine in the custody and charge of the Justice of the three shires of Glamorgan, Breckenocke, and Radnor. And the fourth of the saide seales shall remaine in the charge and custody of the Justice of the said three shires of Pẽbroke, Carmarthen, & Cardigan. And the said Justices shal seale with the said iudicial seales. that is to say, euery of them with the seale cõmitted to his charge and custodie, as well all bils as al other iudiciall processe that shall bee sued before

Seales

before them in the saide session, vpon any original bils or Writs, & all other proces that shalbe awarded from any of the saide Justices, shall be sealed with the said Judicial seale. Item, that euery of the saide Justices shal accompt and answere to the kings Maiestie for the profits of the saide seales being in his charge and custody, in maner and forme as hereafter shal be declared. Item, that the Teste of euery bil & iudicial processe that shal passe vnder the said iudicial seale, shal be vnder the name of such of the saide Justices from whome such bil or iudiciall processe shall passe, in like maner & forme, as is vsed in the common place in England. Item, that al actions real and mixt, attaints, conspiracies, assises, & Quare impedit, appeales of murther & felony, and all actions granted vpon any statutes, shal bee sued by originall writs, to bee obtained and sealed with the said originall seale, returnable before the said Justices at their sessions, within the limits of their authorities, in maner and forme as is afore mentioned. Item, that all maner of personal actions, as debt, detinue, trespas, accõpt, & such like amounting to the summe of fourty shillings or aboue, shalbe sued by writs original, to bée obtained & sealed as is aforesaid, or by bils at the pleasure of the party suing ẏ same before the said Justices, within the limits of their authorities, as is vsed in Northwales. And that all personall actions vnder the summe of fourtie shillings, that is to say, debt, trespasse, detinue, accompt, and such like, shal and may be sued before any of the saide Justices in the saide sessions, by bill, as is vsed in Northwales. And that euery original bil cõcerning actions personals, shall bee sealed with the kings iudiciall seale, being in the custody of the said Justice, before whom such personal actions by bill shall bée brought and commenced. And that such fées shall bée payd for the writing & sealing of such originall Writs and bils. as hereafter shall be expressed, that is to say, for ẏ sealing of euery originall writ to bee sued in & vpon the causes aforesaid, & for euery bill to bee pursued in actions personall, whereof the debt, and dammages amounteth to the sum of xl.s. or aboue, the parties pursuing the same shall paye for the seale of euery such Writ or bil vi.d. And for euery iudiciall processe to be sued vpon any such originall Writ, or bill, the parties pursuing such iudiciall proces, shall pay for the sealing thereof seuen pence, whereof the Kings Maiestie shall haue fiue pence, and the Justice sealing such iudiciall processe, shall haue one peny. Item, that euerie bill, in personall action, whereof the debt, duetie, or dammage amounteth not to fourtie shillings, and all manner iudiciall processe to bee sued vpon the same, shall also bee sealed with the Kings saide iudiciall Seale, and the parties pursuing the same, shall paye for the seale of euery such bill, and iudiciall proteste thereupon to bee sued, three pence, whereof the Kings Maiestie to haue two pence, and the Justice sealing such processe to haue a peny.

Item, that all Writtes of Scire facias, and Writtes of good abearing, or for the Peace, or Writtes of Supersedeas vpon the same, and all other processe to be sued from the said Justices vpon any record or suggestion admitted by any of the said Justices, within the limits of their authorities, shal also be sealed with the said iudiciall seale. And that the parties pursuing for the same, shal pay for the seale of euery such Writtes and processe seuen pence, whereof the Kings highnesse shall haue fiue pence, and the Justice by whome such processe shall be sealed, a penie. And that euery exemplificatiõ vpon any record, before any of the said Justices, shalbe sealed with the kings saide Judiciall Seale, and the partie pursuing the same, shal pay for the Seale thereof twentie pence, whereof the Kings highnesse shall haue sixténe pence, and the Justices sealing the same, foure pence. Item, that recouery & fines, concords & warrants of Atturney for the same, shal and may be taken before euery of the said Justices, of landes, tenements, and hereditaments within his authority, by force of his generall commission, without any Writ of Dedimus potestatem, to bee sued for the same, in like manner and fourme as is vsed to bee taken before the kings chiefe Justice of his common place in England. Item, that all Fines hereafter to bee leuied before any of ẏ said Justices with proclamation made the same sessions, that the saide fine shal be engrossed, and in two other great sessions then nert to bee holden within the same Countrey, shalbe of the same force & strength to all purposes, as fines leuied before the Justices of the Common place in Englande. Item, that euery person suing Writs of entrie in the Post, or writs of couenant

Justices Accompt

Teste

Actions

Writtes

Writs

Fees

Fines

Dedimus potestatem

Writtes

or

or any other writs for any recouery to be had by assent of parties, or otherwise, or for fine to be leuied, shal pay such fines to the kings vse for the same, as well fines Pro licencia concordandi, as al other maner of fines, as is vsed in the kings Chancery, or elswhere in any of ỹ kings courts of Englād, which fines shalbe paid to such persons, as shall seale the originall writs for that purpose: And that they shall accompt for the same in like forme as they shall doe for the profits of the saide original seale, as is aforesaide. Item, that the kings siluer vpon euery fine to be leuied, shalbe payd as is vsed in the cōmon place in England, that is to say, two shillings, which kings siluer shalbe paied to the Justice, afore whom such fine shal be leuied. Whereof the kings highnesse shall haue twenty pence, and the prenotary entring the same shall haue two pence, & the Justice afore whome such fine shal be leuied. other two pence. And that the same Justice shall accompt for the kinges parte therof, like as he shal for the profits of the kings iudicial seale cōmitted to his charge in maner & fourme as is aforesaid. Item, there shalbe foure prenotaries for the making of all iudiciall procesle, and for the entring of al pleas, procesle, and matters of recorde in the sessions to bee holden before the saide Justices, whereof one of the said prenotaries shal attend vpon the said Justice appoynted for the thrée shires of Northwales. And one other shall attende vpon the Justice alligned for the thrée shires of Flint, Denbigh, and Mountgomery. And the third shall attend vpon the Justice alligned for the thrée shires of Carmarthin, Cardigan, and Pembroke. And the fourth of the said prenotaries shal attende vpon the Justice alligned for the thrée shires of Glamorgan, Brecknocke, and Radnor. And these foure prenotaries, as often as their said offices shalbe voyde, shal be named and appointed by the kings highnesse, by his Maiesties letters Patents vnder his greate seale of England. And where one John Arnold gentleman hath the Office of the prenotary & Clarkship of the crowne by the kings highnes letters patēts within the said thrée shires of Northwales: And that one John Breakenhed hath the Office of the Prenotarie and Clearkship of the Crowne, by the kings letters Patents within the sayde Shire of Flint: And that likewise one John Leonard hath the Office of the prenotary and Clearkship of the Crowne by the kings letters patents within all the residue of the saide dominon of Wales. The kings Maiestie is pleased and contented, that the saide thrée prenotaries shall haue, vse, and enioy their said offices according to the effect of the saide Letters Patents to them thereof made, doing their dueties and attendance by themselues or their sufficient deputies, at euery of the said Sessions to bee kept within the Shires, whereunto they be so appointed. Item, there shall be a Marshall and a Cryer in euery of the circuits and limits allotted to the saide Justices, which shall bee named by the saide Justices, within the limittes of their authoritie and Commission, in like maner and fourme as Justices of assise do in England, and the said officers shal attend vpon the said Justices in their circuits, in their own proper persons, and not by their deputies. And that the Marshal shal haue vpon euery iudgement, and euery fine, foure pence, and the Cryer a penie. And vpon the acquitalles of felonies, and of them that shall be deliuered by proclamatiō, or deliuered out of common mainepryse, before any of the said Justices, the Marshal shal haue iiii. pēce, and the Cryer a peny. Item, that euery of the said Prenotaries within the limits of their offices shal take such fées, as hereafter shalbe expressed: That is to say, for the writing of pleas, & ingrossing of Writs of entrie in the Post, Writtes of right, Quod ei deforceat, or any other Writtes, pursued by the assent of the parties, v.s. And if it bee with a double voucher, then sixe shillings and eight pence, and for the exemplification therof two shillings. And for ỹ engrossing of fines, to haue for euery fine thrée shillings and foure pence. And if it bée with Proclamations, then foure shillings. Item, for euery bill of debt, detinue, trespasse, and all other actions personals, sued before the saide Justices in their circuits, vnder the summe of xl.s. the Prenotaries shal haue for the first bil iiii. pence, for the second bill foure pence, & for the third bill foure pence. And for the entry of euery declaration, plée in barre, replication & reioynder in & vpon euery such actions, so that hée doe inroll the same in parchment, iiii.d. And for euery Venire facias, Tales, Habeas corpora, and Distring. in the same actions foure pence, and for the iudgement foure pence. And for euery Writte of execution, in euery such action,

R. siluer

Prenotaries

Letters P.

Marshal Criir

Fees

Fees

action, fyre pence. And for euery warrant of attourney in euery such actiõ, aswel for the plaintifes as for the defendants, iiij. d. Item in all actions of detinue, trespasse, & all other actions personall, wherein the duetie, debt, or dãmage amounteth to the summe of xl. s. or aboue, which shall bée sued by bils before the saide Justices, the Prenotary shall haue for the first bill iiij. d. for the second bill iiij. d. for the third bil iiij. d. And for euery the declarations, the answere, replication, and reioynder, if it bée enrolled in parchment, viij. d. And for the Venire facias, Tales, Habeas corpora, & Distring, for euery of them vj. d. and for the iudgement viij. d. and for the warrant of attourney iiij. d. and for euery writ of execution vpon the iudgementes in such billes, vj. d. Item in originall writs, sued vpon euery actions personall, retournable before the said Justices, the Prenotaries shall haue for euery Iterum summoneas, fyre pence, for euery distresse in trespasse, fyre pence, & for the declaration viij. d. for the answere, replication, & reioynder for euery of them, if they be enrolled and engrossed as is aforesaid, xij d. For the Venire facias, Tales, Habeas corpora, & Distr. for euery of them vj. d. and the Prenotaries to haue for ỳ entry of the iudgements in euery action xij. d. And for euery writ of execution sued vpon the same vj. d. For theremplification of euerie record in any of the said actions, v. s. For euery warrant of attourney iiij. d. In all actions reals, and mixt offices, Quare impedit, appeales of felonie, murder, maihime, the Prenotarie to haue for the declaration or plaint, v. s. and for the plea in barre, repliratiõ, reioinder, surreioynder, for euery of them, if they bée inrolled as is aforesaid xij. d. and for the writing of euery Venire facias, Tales, Habeas corpora, and Distr. vpon the same for euery of them vj. d. and for the entry of the iudgement in euery of the said actions and appeals ij. s. And for the writing of the writs of executiõ, made vpon euery of the said actions & appeales, and assises xij d. And for writs of graund Cape, and petit Cape, and writs of view, writs of voucher, and al other writs in euery such actions xij d. And for euerie warrant of attourney, for the defendãts, or for the demandants or plaintifes, in euery such action reall, assise, appeale, and Quare impedit, iiij. d. And for the essoines of euery such action iiij. d. And for the baile of euery person of felonie xij. d. and for the baile for trespasse fyre pence. And for the apparance and bailing of common mainprise, ij. d. Item for writing of writs for the peace and good abearing, graunted by any of the said Justices in their sessiõs fyre pence, and for the entring of euery recognisance to be had and taken before the said Justices, for euery cause or causes, other then before is expressed xij. d. and if it be with condition, then ij. s. And vpon euery acquitall and deliuerance of felons & murderers by verdict or by allowance of pardon, the Prenotaries to haue ij. s. And if it be vpon indictments certified from the Justices of the peace afore the Justices in the great sessions, the Clerke of the peace to haue also xij. d. And vpon the deliuery of any suspect of felonie or murder by Proclamation, the said Prenotary to haue xij. d. Item that the kings Maiestie shal haue all fines, issues, amerciaments, and al forfeitures of recognisances lost or forfaite before any of the said Justices in the session aforesaid. And that the said prenotaries, within ỳ limits of their offices, shall yerely extreate the same into the Eschequer, appointed for that limit, to the intent that processe from thence may bée awarded to the sherifes to leuie the same to the kings vse as appertaineth, which sherifes shall yerely make their accõpts before the Kings Auditors thereunto to be assigned and appointed.

Clerk of p.

King Fines

Extreate

Sherifes Accompt

Item ouer & besides the said president and coũsell and Justices, there shalbe Justices of peace & Quorum, & also one Custos Rotulorum in euery of the said twelue shires. Itẽ that the said Justices of peace, Justices of Quorum, and Custos Rotulorum, in the said shires shall be named and appointed by the Chancelour of England by commissiõ vnder the kings great seale of Englãd, by the aduise of the President, Counsaile, and Justices aforesaid, or three of them, of the which the said President to be one, from time to time as the case shall require.

Just. of P.

Custos Rotulorum

L. Chãcelor

Item that there shall not exceed the nũber of eight Justices of the peace in any of the said shires, ouer and besides the President, Counsaile and Justices aforesaid, and the kings Attourney and Solicitour, which President, Counsaile, Justices and the kings Atturney & Solicitour, shalbe put in euery commission of peace in euery of the said twelue shires. Item that such persons as shal be named to be Justices of peace, within euery of the said shires, shal

Kings Atturney Solicitour

be of good name and fame, and after they be assigned by commissiō, may vse and exercise the office of the Justice of peace, albeit they may not dispēd xx.li. nor be learned in the lawes of the land, without any losse, dāmage, or penalties, for insufficiēcie of their lāds. And that euery of the said Justices of peace, before they shal execute their cōmission, shall take their othes before the Chācelour of England, or els before the said Presidēt, or one of the said Justices in Wales, by vertue of ỹ Kings writ of Dedimus potestatem, or before any other person, to be limitted by the Lord Chancelor of England for that purpose: The contents of which othe shalbe after the forme as Justices of peace in Englād vse to make. Item, that the said Justices of peace, or two of thē at the least, whereof one to be of the Quorum, shall and may kepe their Sessions within the limits of their cōmissions foure times in the yere, & at other times vpon vrgent causes, as Justices of peace in England vse to doe, and shall haue like power & authoritie in all things, and fees of the kings Maiestie for the time of their sitting, aswell for thē selues, as for their clerks, & shalbe bound to vse and doe their offices, in like maner as is vsed in England. Item that no Justices of peace, Clerke of the peace, nor other Clerke of any Justices of Peace in Wales, shall take for the writing of any warrant of the peace or good abearing, aboue vi. d. and for entring of pledges or borowes to pay the kings fine vpon any indictment ix. d. And if it be with protestation, then to take xij. d. and for a Supersedias not aboue viij. d. and for a recognisance xii. d. And that all the said Justices of peace shal certifie all recognisances taken before any of them for the peace, or good abearing, into their sessions next to be holden after the taking thereof. And recognisance take before any of them, for suspicious of any maner of felonie, shall be certified before the Justice in the great Sessions, next to be holden after the taking thereof, without concealement, detaining, or imbeseling of the same, vpon such penalties and daungers, as be therefore ordained and established.

Item that all fines & amerciamēts, before the said Justices of peace, lost & hereafter to be lost, shall be tared and afferred by two Justices of the peace at the least, whereof one to be of the Quorum. And that all such fines and amerciamēts, shal be set truely and duely, according to the quantitie of the offences, without parcialitie or affection.

Item, that the said fines and amerciaments, and also all issues lost before ỹ said Justices of peace, & all forfaitures of recognisances and other forfaitures before the said Justices, shalbe yerely extreated by the Clerkes of the peace into the Exchequer appointed for that limit, to the intent that proces frō thence may be awarded, for ỹ leuying of the same forfeitures and summes of money to the kings vse to the sherife of euery Coūtie, as shal appertaine, who shall make thereof their accoūts, before such auditors as thereunto shall be assigned, so that the kings Maiestie may thereof be truely & duely answered & satisfied, which Auditors shal make due allowāce to the same sherifes, for the fees of the Justices & Clerks of the peace, vpon the said accounts, as is vsed in the realme of England.

Itē, that there shalbe sherifes in euerie of the said shires yerely appointed by the kings Maiestie. And that none of the said sherifes shall haue their office of sherifewike any lōger then is vsed by the lawes & statutes of England. And for the yerely nomination of the said sherifes, the said Lord Presidēt, Counsaile & Justices of Wales, or three of thē at the least, whereof the said Presidēt to be one, shall yerely nominate three substantiall persons, in euery of the said xii. shires, to be sherifes of the same, and shall certifie their names to the Lords of the kings most honourable Counsaile, attending vpon his Graces person, Crastino animarum, to the intent the kings Maiestie being therof aduertised, may appoint one of them in euery of the said shires, to be sherife for the yere, at his most gracious wil & pleasure, like as his highnesse doeth for his realme of England. And thereupon the said sherifes shall haue their Patents and cōmissions vnder the great seale of Englād, as sherifes of England haue, and shal make and take othes and knowledges of recognisances before the Presidēt and Justices or one of them, by vertue of the kings writtes of Dedimus potestatem, to be directed for the same, for the due execution of their offices, and for their iust and true accompts before the Kinges Auditour or Auditours assigned for Wales. Item that euery of the sayde Sherifes shall haue power and authoritie within the limits

Not xx.li.

Othe

2. Iust. of p. One of the Quorum

Sessions 4. times

Fees

Iust. of P. Certifie

Fines

Tare

2. Iust. of p. One of the Quorum

Estreats

Sherife

Accompts

Sherifes

L. Presidēt

Certifie

Patents

Othes

mits

Sherifes

mits of their shirifewike, to do & vse their offices as shirifes in Englād, and shall accomplish & execute without any fauour, dread, or corruption, all maner of writs, processe, iudgements, and executions, & al maner common Iustice, appertaining to their offices of Sherifes, and all lawfull commandements and precepts of the said President, Coūsell, & Iustices of Wales, and also of the Iustices of the peace, Eschetors, & Coroners, and euery of them, in all things appertaining to their offices & authoritie. Item that the said Sherifes shall doe and be bound to do all and euery other thing and thinges for the ministration of iustice, and for the conseruation of the Kings peace, and the apprehensiō and repesse of traitors, murtherers, thæues, felons, and other offenders, as sherifes of England do vse and be bound to do within the Realme of England. Item that the

Sherifes Accompt

said Sherifes shall yearely account before such the kings auditor or auditors, as shal be assigned and appointed by the Kings Maiestie for his said dominion of Wales. And that euery of the said Sherifes, shall

Fee

haue yearely for his fee, fiue pound. Item that all Maiors, Sherifes, stewards, bai-

Officers

lifes, and other ministers and officers of Iustice of euery countie, lordship, towne, and place within the saide dominions of Wales, and all & singuler the kings subiects of the same, shall be alwaies obedient, attendant & assisting to the said President, Counsaile and Iustice of Wales, and euery of them, & shall obey the kings commandements and proces, from them or anie of them directed. and all the lawful and reasonable precepts of the said president, Counsell, and Iustices, and euery of them. And also shall be obedient to all the said Iustices of peace, sherifes and Eschetors, w̄in their limits of their said authoritie, as well for cōmon administration & due execution of Iustice, as in all other things appertaining to their dueties and offices. Itē that Eschetors shalbe named

Eschetors

in euery of the said shires by the L. Trea-

L. Treasurer

surer of England, by the aduise of the said

L. Presidēt

President, Counsel and Iustices, or three of them at the least, whereof the said President to be one, which Eschetors shall

Othe

make & take their othes, and knowledge their recognisances before the said President, or one of the said Iustices by vertue of the kings writ of Dedimus potestatem, to be directed for the same, for the due execution of their offices, and for their true account to be made before the kings auditor or auditors to be assigned for the same, which oth and recognisance shalbe agreeable to the othe and recognisance vsed for the Eschetors in England and the Eschetors shall yearely haue their patents and

Patents

cōmissions vnder the great seale of England, and shall haue power and authoritie to exercise their offices, in like maner and forme as Eschetors in England, and shalbe bound to all lawes and statutes of England. Item that all such persons as shalbe appointed to the said offices, shall and may exercise their offices, if they may dispend yearely v.li. of free hold, anie sta-

v.li. land

tutes of England to the contrary thereof notwithstanding.

And that euery of the saide Eschetors

Accompt

shall make their account yearely before such auditour or auditors as shalbe assigned by the kings Maiesty to heare and determine his highnesse account for his reuenues and profits of the said dominions of Wales. Item, there shalbe two Coro-

Coroners

ners to be elected in euery of the said vij. shires, as is vsed in England, by vertue of the kings writ de coronatore eligendo, to be awarded out of the kings Chancerie of England. And that the said Coroners shal haue like power and authoritie to do and exercise their offices, and haue like fees, as is limitted by the lawes and statutes of England.

Prouided alwaies that ỳ writ de coro-

natore eligendo, to chuse Coroners with-

in the said Countie of Flint, shal be directed out of the Eschequer of Chester.

Item that the said Iustices of peace or

2. Iust. of p.

two of them at the least, whereof one of

One of the Quorum

them to be of the Quorum, shal appoint & name in euery Hundred within the limits of their commission, two substātiall Gentlemen or Yeomen, to be the chief Cōsta-

Cōstables

bles of the Hūdred, wherein they inhabit, which two Constables of euery Hūdred, shall haue especial regard to the conserua-

tion of the kings peace, and shall and may doe and vse their offices in all and singular things as is vsed by the high Constables of the Hundreds in England. And shall be bound to all things as High Constables of the Hundreds in England bee

*

bound to doe.

Item that euery of the said Sherifes

Gaole

shall haue gaole of prisoners within their cōuenient place for the causes of the shire townes where he is Sherife, or in such other conuenient place, as by the saide

Sss. y. President,

Baylifes

Counte Court

Turnes

King

Fines
Iſſues
Forfeitures

Sherife

Extreates

Fork.

Sherife

Preſident, Counſell, & Juſtices, or three of them, whereof the ſaid Preſident to be one, ſhalbe appointed: Any patent or grãt heretofore made to any perſon or perſons of the Conſtableſhip, or keping of any of the ſaid Caſtles, in any wiſe notwithſtãding. And that the ſherife ſhall make the bailifes of the Hundreds, & they to attend vpon the Juſtices in euery of their courts & ſeſſions. Prouided alwaies, ỹ the Conſtables of the kings Caſtles within euery of the ſaid ſhire townes of Wales, ſhal not be charged with the gaole, & of all the priſoners that ſhalbe committed to their ward, like as they haue heretofore bene, vnto ſuch time conuenient places for the purpoſe, be aſſigned by the ſaid Sherife. Item, the ſaid Sheriſes ſhall kẽpe their countie monethly, & their Hũdred courts for pleas vnder xl. s. as is vſed in England, and ſhall take for the entring of plaints, proceſſe, pleas, & iudgements in the ſaid ſhire courts and Hundreds, ſuch ſmal fees, as is vſed to be taken in Shires and Hũdreds in England, and not aboue. Item, that al maner of trials before them in their ſaid Courts, or before any Stewards in court Barons, ſhalbe by wager of law, or verdict of ſir mẽ at the pleaſure of the partie plaintife or defendant that pleaded the plea. And that euery of ỹ ſaid ſherifes ſhall kẽpe and hold their turnes yẽrely after Eaſter and Michaelmas, as they haue bin vſed in England. Item, the kings Highneſſe ſhall haue all maner of fines, iſſues, amerciaments & forfeitures loſt & forfeited in any of the ſaid Coũties, Hundreds, Courts, & turnes to his owne vſe, and the ſherife to accoũt for the ſame accordingly. Itẽ, that the extreates of the ſaid turnes, Counties and Hundreds ſhal be viewed, and the fines, iſſues, & amerciaments, afferred by the ſaid Juſtices of aſſiſes of that circuite, before the leuying of the ſame amerciamẽts, or other forfeitures. And that no Sherife or any of his officers preſume to gather and leuie any ſuch amerciament or other forfeiture before the ſaid extreate be ſo afferred, vpon paine to forfeite to the kings vſe xl. s. And that the Sherife vpon euery iudgement had before him in his Countie, or Hũdred Court in any plaint vnder xl. s. ſhall and may award a capias ad ſatisfaciendum, to arreſt the partie condemned, or els a Fieri facias, at the libertie of the partie purſuant. Item, that all bils ſued before the ſaid Juſtices, in perſonall actions, whereof the debt, duetie, or dammage is vnder xl. s. the Sherife ſhall haue for the returne of euery bill two pence. And for euery Venire facias, Tales, Habeas corpora, and diſtreſſe, two pence. And for writs of execution vpon the iudgement in any ſuch bill twelue pence. Item in bils ſued before the ſaid Juſtices, in actions perſonals, aboue the ſumme of xl. s. the ſherife ſhal haue for the returne of euerie ſuch bil iiij. d. and for the returne of euery Venire facias, Habeas corpora, Diſtr. & Tales, foure pence, and for euery writ of execution, two ſhillings. And in all perſonall actions, ſued by originall writs, returneable before the ſaid Juſtices, the Sherife ſhall haue for euery Iterum ſum. diſtr. & alias diſtr. foure pence, and for euery Venire facias, Habeas corpora, Diſtring. and Tales ſixe pence. And for euery writ of execution to bee executed vpon the iudgement in ſuch actiõs, two ſhillings, for the ſeruing of euery writ of Elegit, ſixe ſhillings and eight pence.

And in all reall actions or mixt, purſued before the ſaid Juſtices by originall writ, for returne of euery originall ij. s. And for the returne of euery other writ, and iudiciall proceſſe depending vpon the ſame before iudgement ij. s. And for euery writ of execution after iudgement vpon euery originall, in actions reall or mixt ij. s. And for ſeruing of euery writ of Habere facias ſeiſinam, vj. s. viij. d. Item for attachmentes vpon Capias, or other proceſſe ſued before the ſaid Juſtices, by originall or iudiciall writ, if he returne Cepi corpus, ij. s. And for a Reddidit ſe, vpõ an exigent of felonie, in appeale of murder or meime, or vpon an indictement of felonie or murder, two ſhillings. And vpõ a Reddidit ſe, vpõ an exigent of debt, treſpaſſe, detinue, and all other actions perſonals twelue pence. And for the making of Repleg. xvij. d. And Withernam vpon the ſame xij. d. For the returne of euery writ of appeale of murder, felony or maime xij. d. And vpon al other proceſſe growen vpon the ſame, as Venire facias, Tales, Habeas corpora, & Diſtr. xij. d. And in euery action taken before the Sheriſes by Juſtices, for the ſumme thereof iiij. d. and for euery other proceſſe thereupon iiij. d. And for euery priſoner delinered by acquitall or by proclamation, for any maner of felonie twelue pence.

Item that euery Sherife within the limits of this authoritie, may and ſhall put ſuch

such persons vnder common mainprise, as they haue reasonable cause of suspect, according to the said act made for Wales, S. An. 26. H. 8. cap. 6. binding such as they shall so put to common mainepryse, with two sufficient sweries with them by recognisance, to appeare before the said Justices, within the limits of their authorities, at the next great Sessions to be holden, next after the taking of such bands, & shall certifie the names of them that bee bound, before the said Justices at the said Sessions accordingly, without concealement thereof, at their pleasure.

Mainprise
Sweries
Recog.

Item that euery person that the sherife taketh to common mainprise, to appeare before the said Justices as is aforesaid, shall pay for his mainepryse two pence & not aboue. And the said Sherife to put no man to common mainprise, but such as be suspect, and shall be returned by them before the said Justices at their Sessions, as is aforesaid. And also the said Sherifes shal haue for the returne of a writ of false iudgement, out of base Court, before the said Justices, two shillings. And that the said Sherife shall take no maner of fée for the returne of any of the said writs of execution afore expressed, vnlesse he returne the same executed.

Item that in all and euery such writs originall or iudiciall, or other processe, pleas or writings, which be not expressed in this ordinance, the fées thereof as well for the seales as writing, shal be rated by the said President, Counsaile and Justices, or three of them, whereof the said President to be one, by their discretions, from time to time, as the case shal require. And that they shal haue ful power and authoritie from time to time to assesse and appoint, what fée the saide Sherife, Eschetors and Coroners, and their Ministers, Prenotories, and their Clerks, and other ministers of iustice in the said shires, shal haue, take, and receiue of the Kings subiects, for any maner writs, plaint, pleas, processe, returnes, or any other matter or thing, concerning or belonging to the execution of their offices and romes, and to augment or diminish any fée or fées aboue declared, as shall be thought by their discretions, to be conuenient & meete for the common wealth of the Kings subiects of those partes of Wales, any thing conteined in this act to the contrary thereof notwithstanding.

L. President

Fees

Item that from henceforth no maner of person or persons, for murder or felony shal be put to his fine, but suffer according to the lawes of the realme of England, except it please the kings Maiestie to pardon him or the. And if the said Justices see cause of pity or other consideratiõ, they may reprieue the prisoner, till they haue aduertised the kings Maiestie of the matter.

Reprieue

Item that the acte made in the Parliament holden in the xxvj. yere of the most royall reigne of the Kings Maiestie, cap. 6. (before 25.) concerning among other things, inquisitions & trials of counterfeiting, washing, clipping & minishing of the kings coine, murders, felonies, and accessaries to the same perpetrated or done within Wales, to be had, made & determined in the next Shire or Coũtie, within England adioyning, where the kings writ runneth, and euery article therein cõtained shall stand in his ful strength & force, according to the tenor & effect of the same. Any thing in this said ordinance, or any other acte, causes or matter, heretofore had or made to the contrary thereof notwithstanding.

26. H. 8. c. 6

And albeit the same act, S. An. 26. H. 8. cap. 6. as it was neuer put in execution, for any of the said offéces heretofore done or committed, within any of the said three shires of Northwales: That is to say, the Counties of Anglesey, Carnaruan, and Merioneth: Be it now, &c. that the said acte, and euery article therein conteined, shall from henceforth take effect, and be executed in all points, for and concerning any of the said offences perpetrated or done, or that hereafter shall be perpetrated or done within the said Countie of Merioneth, to bee enquired of, heard, and determined within the Countie of Salope, in like maner and forme, as commonly is and hath beene vsed for any of the same or like offences, committed or done within any other Countie or place of Southwales: Any matter or cause heretofore risen or growen to the contrary thereof notwithstanding.

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Item that the Towne or Hamlet of Abertannad, & all the ground & soile within the same, which afore this time hath bene taken, reputed, and vsed as parcell of the said Countie of Merioneth, shall from the feast of Easter next cõming by vertue of this act, be vnited, annexed, & made parcell of the said County of Salop, and so from thencefoorth to be reputed, taken, and vsed for euer, and not to be of any other shire or

Counties

Countie of Wales. And that the same Towne or Hamlet and all the grouñd and soile within the same Towne or Hamlet, be from & after the said feast, accepted and taken, as part and parcell of the Hundred of Oswester, & that the inhabitãts thereof, from the said feast, shall be attendant and doe euery thing and things, with the inhabitants of the said Hũdred of Oswester, as the same inhabitants doe or bene bound to doe, any lawes or customes to contrary thereof notwithstanding.

Forreine plea Voucher

Item in case any foreine plea or voucher, be hereafter pleaded or made before any of ẏ said Justices of Wales betweene partie & partie, triable in any other Shire within Wales, then where the same plea is pleaded, or voucher made: that then the said Justices afore whome the same plea or voucher is or shall be pleaded or made, shall and may send the kings writ with a transcript of the record, mentioning the same foreine matter of plea or voucher, vnder the seale to him cõmitted vnto the Justice of the Countie, where the same matter is or shalbe triable, commaũding the said Justice by vertue of the said writ, to proceed to the triall thereof, according to the kings lawes and Statutes, which triall so before him had, he shall remaund with the whole record vnto the Justice, before whom the said plea or voucher was pleaded or made, who thereupon shall proceed to iudgement, as the case shal require.

Triall

Item in case the same foreine plea, voucher, or other matter so pleaded, be triable within the Realme of England: That then in euery such case, the Justice afore whom the same plea or voucher is or shal be pleaded, had, or made, shall & may proceed to the triall thereof, as shall apperteine within the same Shire of Wales, where the same plea, voucher, or matter was pleaded, the said foreine plea, voucher, or any other thing or matter to the contrary thereof notwithstanding.

Item that no maner of person or persons frõ hencefoorth without lawfull authoritie, shal make any rumors, tumults, vnlawfull assẽblies or outcries, at any of the said courts or Sessions, nor any outcries, or vnlawfull assemblies in great nũbers, at any other time or times, except it be for the apprehension or pursuing of murderers or felons, vpõ paine of imprisonment and grieuous fine to be tared & set vpon them by the said President and Councell, or by the Justices or other officer, before whom such misbehauiour shal happen to be committed.

Rumors Tumults

Imprison

Item that al manors, lands, tenemẽts, messuages, and other hereditaments, and all rights and titles to the same in any of the shires of Wales, descended to any maner person or persons, sith the feast of the Natiuitie of S. John Baptist, in the 33. yeere of our saide Soueraigne Lordes reigne, or that hereafter shall descend, be taken, enioyed, vsed, holden as English tenure to all intentes, according to the common lawes of this Realme of England, and not to be partable among heirs males, after the custome of Ganelkind, as heretofore in diuers partes of Wales hath bene vsed & accustomed. And that the same lawe, from and after the said feast of S. John Baptist, in the said 33. yeere, bee vsed, taken, and exercised in the said Coũtie of Monmouth, and in all such Lordships and other places, as by vertue of the said act, made in the said 27. yeere cap. 26. or by any other acte or actes, made or to be made, were and shall be annexed, vnited or knit to any of the shires of Salop, Hereford, Gloucester, or other Shire, any lawes, vsages, or customes heretofore had or vsed to the contrarie thereof notwithstanding.

Tenure

Item, that no morgages of lands, tenements, or hereditamẽts, made or had after the said feast of S. John Baptist, which was in the said 33. yeere of the reigne of our Soueraigne Lorde, or that hereafter shalbe had or made, within any of the said shires or places, shall be hereafter allowed or admitted, or otherwise thẽ after the course of the Common lawes & statutes of the realme of Englãd, any vsage or custome heretofore had to the cõtrary thereof notwithstanding.

Morgage

Item it shall be lawfull to all persons, to alien, sell, or otherwise put away their lãds, tenements, and hereditamẽts within the said Countrey or Dominions of Wales, the Countie of Monmouth, and other places annexed to any of the shires in England, from them and their heires, to any person or persons in fee simple or fee taile, for terme of life, or for terme of yeres after the maner, & according as is vsed by the lawes of the Realme of England: Any Welshlaw or custome, heretofore vsed in the saide Countrey or Dominion of Wales to the cõtrary hereof notwithstanding.

Sell

This

This article to take effect from & after the said feast of the Natiuitie of S. John Baptist, which was in the said 33. yære of our said Soueraigne Lords reigne.

Statute Staple

Item, if any person or persons, hauing lands or tenements within the said dominion of Wales, bene or hereafter shall be bound within the Realme of England by obligation vpon the statute of Staple, or by recognisance, and pay not the debt as shal appertaine, that then vpō certificate thereof made into the kings Chancerie of England, by the Clerke of the Staple, or by any Justice of recorde, before whome such recognisance shall be knowledged, Proces
processe shall be made to the Sherifes of Wales out of the Chancerie of England, after the forme as is vsed to be made vpō statutes and recognisances, by the course of the lawes of England, for due leuying and payng of the said debt. Prouided alwaies and be it, &c. That for such recognisances as be or hereafter shall be taken & knowledged before the kings Justices of his Highnes Bench or Common place of England, processe shalbe had & pursued immediatly out from the said Justices, as is vsed vpon recognisances taken before the said Justices by common course of the lawes of England. Itē that al such writs, bils, plaints, pleas, processe, challenges, and trials, shal be vsed throughout al the Trials
shires aforesaid, before ỳ said Justices in their sessiōs, as is vsed in North Wales, or as shalbe deuised by the said President, Counsaile, and Justices, or three of them, whereof the said President to be one, for the good ministration of iustice to bee had in euery the said shires.

Item where the Lordship of Hope, with diuers other Lordships, parishes, townes and Hamlets, were by an acte of Parliament, made in the 34. yære of the reigne of our said Soueraigne Lord (See cap. 13. before 31.) appointed and trāslated from the said Countie of Denbigh to the Coūtie of Flint, and by the same acte, were made parte, parcell and members of the same Countie of Flint, afore which appointment or translation, diuers indictments & presentmēts, as wel of felony, as other offences were had and taken for the kings Highnesse, before the Justice of the said Countie of Denbigh in the great session there, and some before the Justices of the peace, within the same Countie for offences supposed to be done within diuers of the said Lordships, so translated, and also diuers iudgemēts giuen at suite of parties before the said Justices, and some before the Sherife of the said Countie of Denbigh, for matters risen and growen within the precinct of the said Lordships, or other places, before the translation of the same:

It is &c. that al the said indictments and presentments, shalbe heard, tried & determined within the said Coūtie of Dēbigh, Countie
by persons as well of the said Lordship or place, where as the said offences were done or cōmitted, as of other place or places within the said Countie of Denbigh, in maner and forme as though the said translation had neuer bene had ne made.

And also that the said iudgemēts as before giuen or had betweene partie & parties, before any Justice of record, or other officer within the said Countie of Denbigh, for any matter or cause appearing by the recorde of the same to be growen & risen within any of the said Lordships, parishes, townes or Hamlets, so translated, shall and may be executed by the Sherife of the said Countie of Denbigh, within any of the same Lordships, or other place so translated, the said translations or any other cause or matter to the cōtrary therof notwithstanding.

Item, like lawe and order to bee kept and ministred vpon all other like trans- Trāslatiōs
lations of any other Lordships, Manors, Townes, Parishes, & other places within Wales, had, made, or done in this present Parliament, or any other afore or after the same translations, or any other cause or matter to the contrary thereof notwithstanding.

Item where there shalbe diuers & many suites taken before the said Justices in pleas personall, which (as it is thought) cannot be tried before thē in the said great Sessions, for breuitie of time: Therefore, and for the spædy triall of those matters, the issues taken in the said suites, shal and may be tried at a petie sessions before the Petty sessiōs
Deputie Justices there, as it is and hath bene vsed in the said three shires of North Wales. Except such of the said suites, as by the discretions of the said Justices shal be thought necessarie to bee tried before themselues, within their limits. And that there shall no suite be taken before any of Suits
the said Justices by bill, vnder the summe of twentie shillings.

Item if any murder, or felony hereafter Murder Felonie
be cōmitted, or done within Wales, that

then the partie or parties to whome any such offence shall happē to be committed, Compound shal in no wise take any end or agreement with the offēdors in that behalf, nor with any other in his name or behalfe, vnlesse the said partie first make the said Presidēt & Counsaile, or one of the said Justices priuie vnto the same, vpō paine of imprisonment & grieuous fine to be set & adiudged, at the discretion of the said President, Counsaile and Justices, or two of thē, whereof the said President to be one. Imprison Fine The same paine and penaltie to extend as well to and against such as shall labour, Procure moue, or procure any such end or agreement made, although the same labour, motiō, or procurement neuer take effect, to make any end or agreement, as against him or them, with whome such end, or agreement shall be made, if the same happen to take effect.

Item where diuers lordships marchers as wel in Wales, as in the borders of the same, now being by acte of Parliament annexed to diuers shires of England, be lately cōmen to the kings hands, by suppression of houses, by purchase or attainders, and now be vnder the Surueiour of the Court of augmentations, or of the kings generall Surueiours, the liberties, franchises and customes of al which lordships, be lately reuiued by acte of Parliament, made in the 32. yeare of his most gracious reigne (cap. 10. which is in Franchises 12.) Neuertheles his Maiestie willeth and commādeth, that no other liberties, Customes frāchises or customes shall frō henceforth be vsed, claimed or exercised within the said Lordships, nor any other Lordships, within Wales, or the Countie of Monmouth whosoeuer be Lord or Owner of the same, but onely such liberties, franchises and customes, as be giuen and cōmaunded to the Lords of the same lordships, by force and vertue of the said act of Parliament made for Wales in the said 27. yeare of his Graces reigne cap. 26. and not altered, ne taken away by his ordinance, the said acte made in the said 32. yeare cap. 20. or any other act, grant, law, or custome to the contrary thereof notwithstanding.

Item that if any person or persons, their auncestors, or they whose estate the same person or persons haue, or hath, haue bene in peaceable possession of any lands or tenements in Wales by the space of fiue Possession 5. yeares yeares, without let, interruption or lawfull claime: that then the same person or persons shal stil continue their possession, vntill such time as it shall be lawfully recouered against them by the order of the Kings lawes, or by decree of the Presidēt and Counsaile there.

Item in actions personals, taken and Action pursued before the said Justices in Wales by originall writ or bill, if nine of the Jurie Jurie be sworne to trie the issue betwēen the partie plaintife and the defendāt, and the residue of the Jurie make default, or bee tried out, then the sheriffes shall and may Sheriffes Returne immediatly returne other names in the said Jurie, De circumstantibus, vnto such time there be xij. men sworne to trie the issue betweene them as before the Justices of North Wales hath bene afore vsed and accustomed in such cases.

Item that if any goods or cattels be sto- Stolē goods len by any person or persons, and solde in any faire or market, within the said Do- Faire Market minion of Wales, that no such sale shall change the propertie thereof from the owner of the same, but that he may lawfully seale, take, & haue the same againe, vpon Propertie proofe thereof made, the said sale notwithstanding.

Item that no person or persons bargaine or buy any maner of beast, or other quick Buy cattell, in any place within Wales, out of Cattell the market or faire, vnlesse hee can bring forth sufficient & credible witnesse of the name of the person, what place and time he bought the same, vpon paine and daunger of such punishmēt and fine, as shall be Punish set vpon him, by the said Presidēt and Counsaile, or any of the said Justices in his circuite, for the saide offence, and as hee will therefore answere at his farther perill.

Item if anie goods or cattels bee sto- Stolē goods len within the limits of anie of the saide shires of Wales, that then vpon suite thereof had and made, the tract shall bee followed from Towneship to Towne- Pursuit ship, or Lordship to Lordship, according to the Lawes and Customes in that behalfe heretofore vsed in Wales, vpō such penaltie and daunger as heretofore hath bene accustomed.

Item that euery person that hath anie landes or tenementes in fee simple or fee tail, or for terme of his life, or for terme of any other mans life, being freehold, shall and may passe in all maner Juries & tri- Juryes als, as well in case of felonie or murder, as in all actions reall, personall and mixt whatsoeuer

whatsoeuer they be, attaint only except.

And also may be empanelled, and enquire of all concealents, forcible entries, and other causes of enquiry for the kings Maiestie, albeit he may not dispend fortie shillings by yeere. Sauing to euerie man his lawful challenge for any other cause, according to the lawes of the Realme of England. Challenge

Item no Juror shall passe in attaint, vnlesse he may dispend fortie shillings by the yere of estate of freehold. Juror

Item, the tenants & ressiants in Wales shall paye their tallage at the change of their Lords, in such places, and after such forme as hath bin heretofore accustomed in Wales. Tallage

Item, that all the Kings subiectes, and ressiants in Wales, shall finde at al Parliaments hereafter to be holden in England, Knights for the Shires, and Citizens and Burgesses for Cities & townes to bee named and chosen by authoritie of the Kings writte vnder the great seale of Englande, according to the acte in that case prouided, and shall bee charged and chargeable to all Subsidies & other charges to bee graunted by the Commons of any of the saide Parliaments, and pay all other their rentes, farmes, customes & duties to the Kings highnes, as they haue been accustomed heretofore, fines for redemptions of Sessions onely excepted, which the K. Maiestie of his most gratious gwōnes and liberalitie, is contented and pleased to remit, at the humble suite of his saide louing subiects of his saide dominion of Wales. Parliamēt Knights Burgesses Subsidies

Item, that the Towne of Hauerford west shal after the end of this present parliament, for euer, find one Burgesse for ỳ said town, at euery parliament after that time to be holden. And the charge of the same Burgesse to bee alwaies borne by the Maior, Burgesses, and inhabitants of the said towne and none other. Burgesse

Item, that ỳ kings Maiestie shall haue all felons gwds, and gwds of persons outlawed, waife, strate, and all other forfaitures and escheates whatsoeuer they be, answered thereof by the hands of the shirifs, sauing alwaies the rights and interests of euerie of his subiects hauing lawful title to haue the same. King Felons goods Shirife

Item, that all errours and iudgements before anie of the saide Iustices at any time of the great sessions in pleas reals or mixt, shalbe redressed by Writ of errour Errour Iudgments Redresse

to bee sued out of the kings Chancerie of Englande, returnable before the Kings Iustice of his Bench in Englande, as other writs of errour be in England.

And that al errours in pleas personall, shall be reformed by bils to be sued before the said president and counsel of Wales, from time to time as the partie grieued will sue for the same. And if in case the iudgement be affirmed good in anie of the said Writs of errour or billes, then they to make execution, and all other processe thereupon as is vsed in the Kings bench in England.

And that the pursuants in euerie such writ of errour or bil, do pay like fees therfore as is vsed in England. Item, that no execution of anie iudgement giuen or to bee giuen in any base Court, bee staied or deferred by reason of any Writte of false iudgement, but that execution shall and may be had and made at all times before the reuersall of the saide iudgement, the pursuite of the saide writte notwithstanding. Fees Iudgments

And in case the said iudgement happen after to be reuersed, then the party pursuant to be restored to al that he hath lost by the said iudgement, according to ỳ lawes of this realme. Restore

Item, that all processe for vrgent and weightie causes shalbe made and directed into Wales, by the speciall commaundement of the Chancelour of England, for the time being, or any of the kings counsell in England, as heretofore hath bene vsed, Anie thing in this acte to the contrarie thereof notwithstanding. Processe L. Chācelor

Item, that the towne of Beudly which is within the parish of Ribbesford, in the Countie of Wigorn, and al the ground and soile of the same Towne, shall from henceforth be vnited, annered and made parcell of the Countie of Wigorne, and to be within the hundred of Dodingtree. Countie

And that all the inhabitants of the said towne and parish, shall from henceforth be attendant and do euerie thing and things with the inhabitants of the said hundred, as the same inhabitants be now bound to doe, by the lawes of this Realme of England. Sauing alwaies to the Burgesses & inhabitants of the said towne of Beudly, all such liberties and franchises as they lawfully had & exercised within the same Towne before the making of this acte, in like maner and forme, as though this acte had neuer been had nor made.

Item

Item that the Lordship of Lanskiffan, Ulcerloys, and Langham, and the members of the same, and all manors, landes, tenements and other hereditaments, in the same Lordship, and the members of the same, bee from henceforth vnited, annexed, ioined, named, accepted, and taken, as part and parcell of the countie of Carmarthen, and reputed, ioyned, vnited, named, accepted and taken, as part and parcell of the Hundred of Derles in the saide Countie of Carmerthen. Countie

And that the tenants and inhabitants of the said Lordship, and members, be attendant, and doe euerie thing and things with the tenants and inhabitants of the said Hundred of Derles, as the said inhabitants now be bound to doe according to the lawes there vsed.

Item that the Countie or shire Court of the Countie of Radnor, shal frō henceforth be holden one time at new Radnor, and one other time at Prestein, Alternis vicibus, and neuer from henceforth to bee kept or holden at Rather Golwye: Anie former acte or other thing to the contrary thereof notwithstanding. Countie Court

Item it is, &c. that the Kings most royall Maiestie, shall and may at all times hereafter from time to time change, adde, alter, order, minish, and reforme all manner of thinges afore rehearsed, as to his most excellent wisdome and discretion shall be thought conuenient. And also to make lawes and ordinances for the common wealth and good quiet of his said dominion of Wales, and his subiects of the same from time to time, at his Maiesties pleasure: Any thing contained in this act, or in the saide acte made for the Shire ground of Wales, or any other acte or actes, thing or things, to the contrarie thereof heretofore made, in anie wise notwithstanding: And all such alterations of the premisses, or any parte thereof. King

Reprobd

And that al such lawes and ordinances, to be hereafter made, deuised, and published by authority of this act, by the kings Maiestie in writing vnder his Highnesse great seale, shall bee of as good strength, vertue, and effect, as if they had been had and made by authoritie of parliament.

Item be it &c. that where the kinges Maiestie that now is, by his letters Patents, bearing date the first day of May, in the 33. yeere of his most prosperous raigne, demised & graunted to William Webbe, the subsidie and vsage of al woollen clothes made, or to bee made, in the countie of Monmouth, & in twelue shires in Wales, that is to say, in the countie of Brecknocke, Radnor, Mountgomerie, Carmarthen, Glamorgan, Pembroke, Cardigan, Anglesey, Flint, Denbigh, Carnaruan, and Merioneth, & in all and singuler Towns and other places, whatsoeuer they be, within the precinct and limits of the saide counties, and elsewhere within the saide dominion of Wales: to haue and to holde to the saide William Webbe, and his assignes for certaine yeeres yet enduring, the saide William Webbe, his deputies and assignes, shall haue from henceforth full power and authoritie by force of this act, to take for the sealing of euery woollen cloth hereafter to be made in the said twelue Shires, & elsewhere within ẏ said dominion of Wales, as hereafter is declared, and none otherwise, that is to say, for euery whole piece of friese a penie, euerie halfe piece of friese a halfe penie, euery piece of cotton and lining being foure and twentie yardes and vnder, a halfe penie. And for euerie piece of the same being aboue foure & twentie yardes a penie. Of euery Broad cloth a penie. Of euerie piece of Kersey beeing aboue eightеene yardes, a pennie. Of euery piece of Kersey being vnder eightеen yards, a halfepenie. Seale Woollen cloth Fees

Prouided alwaies, that this act, ne nothing therein contained, extende not to charge any maner of person or persōs being, or that hereafter shalbe inhabitāt, in any of the said twelue shires, or elswhere within the dominion of Wales, for anie clothes, frieses, kerseyes or linings, made or hereafter to be made & occupied, within their houses, and not put to sale to anie person or persons, but to their seruants for their wearing.

And further be it &c. that ẏ said Aulneger in Wales by himselfe, or by his sufficient deputie or deputies shal in al things to his office appertaining, doe, and bee bound to doe, and answere in euerie case, like and according as all and euerie other Aulneger in the realme of England do or ought to do, according to the lawes & statutes of the realme of England. And for the cōtrary doing or exercising of the said office, shal in euery case and degree suffer, as by the saide lawes & statutes is ordayned, established, or enacted for Aulnegers vnder the Lorde Treasorer of England Aulneger

Patents

for

for the time being. And furthermore the Kings Maiestie is contented and pleased, notwithstanding the statute made in the 27. yere of his most gratious raigne cap. 26. that where there should be but twelue shires in Wales, that the Towne of Hauerford West, shalbe a countie in it selfe, as it hath bene before this time vsed, at the will and pleasure of the kings said Maiestie, and that it shalbe separated from the Countie of Pembroke, at the kings saide pleasure.

Shires

And that the kings high Iustice of the said countie of Pembroke, shall bee high Iustice of the said County and Towne of Hauerford West, and shall haue like power and authoritie, to and for the ministration of iustice, within the said County and towne of Hauerford West, as is limited and appointed to the said Iustice to and for the administration of iustice in the said Countie of Pembroke.

High Iust.

And that the Maior, Shirife, Baillife, and Burgeffes of the laide Countie and towne of Hauerford West, from time to time, shall be aswell attendant and obey all precepts and commandements of the President and Counsel of our said Soueraigne Lord the king in his Marches of Wales, as also shall bee attendant to all precepts, and proceffe awarded or directed by the said high Iustice, vnto the shirife of the said Countie and towne of Hauerforde West, and to make returne thereof.

Maior shirife baillie

Returne shirife

And the said shirife of the said Countie and Towne, shall serue all precepts and proceffe directed from the saide high Iustice, in like maner and forme as the shirife of the saide Countie of Pembroke is bound to doe, and according to the effect & purporte of the kings ordinances in that behalfe had, made and prouided. And that it shall be lawfull vnto the said Maior, Shirife, Baillifes and Burgeffes of the said Countie and Towne of Hauerforde West aforesaid, to vse and exercise al lawfull liberties and graunts by the Kinges Maiesty or his noble progenitors to them graunted and confirmed, at the Kinges Maiesties will and pleasure, according to the lawes of the realme of England, and not otherwise. And that the iudicial seale of the said shires of Pembroke, Carmarthen, and Cardigan, being in the custodie and keeping of the Kinges high Iustice there for the time being, shall bee vsed in the said countie and towne of Hauerford West, as the original and Judiciall seale of the same towne and countie.

Maior shirife baillie

Seale

And that the saide Iustice of the saide Shires of Pembroke, Carmerthen, and Cardigan, shall haue like power and authoritie by vertue of the Kings letters to him made, as well to doe all and euerie things things, concerning common iustice to be ministred vnto the said Towne and Countie of Hauerford West, as hee hath in his said letters patents within anie of the said Shires of Pembroke, Carmerthen, and Cardigan.

Iustice

Prouided alway, that this article, touching and concerning the Countie and towne of Hauerford West, and al things therein contained, shall stand and endure but onely at the Kinges Maiesties will and pleasure, and none otherwise.

Prouided alwaies, that this act, or any thing therein contained, shall not be preiudicial nor hurtful to anie person or persons, or bodies politike, for or concerning anie landes, tenementes, rentes, seruices, bondmen, toiles, or other hereditaments, but that they and euerie of them, their heirs and successors and assignes, and the heires, successors and assignes of euerie of them, shall haue, holde and enioy their lands, tenements, rentes, seruices, bondmen, and other their hereditamentes, in such like maner, forme and condition, as they had the same before the making of this act, and as if this acte had neuer bene had ne made.

Bodies politike.

Prouided also that this act nor any thing therin contained, shalbe hurtful or preiudicial to any person or persons, for, or concerning any office or offices, which they or any of them haue, by vertue of anie the kings letters patents, being now in force before the making of this acte, nor to the fees of money, vsed and accustomed to bee paied for the exercise of anie such offices, but that euerie person and persons, hauing such offices and fees, and their substitutes and deputies, shall and may haue and exercise their said offices as is limited by this acte, and as they mought haue done before the making of this act. And shall also haue and perceiue all such fees, for the exercise of the saide offices, in as large and ample maner, forme and condition, as they might afore the making of this acte, and as if this acte had neuer bene had nor made.

Prouided alwaies, that all landes, tenements and hereditaments, within the

Lands

said

Discend Heires

said dominions of Wales, shal discend to the heires, according to the course of the Common Lawes of this realme of England, according to the tenour and effect of this acte, and not to be vsed as Gauelkind: Anie thing contained in these prouisions, or any of them to the contrarie thereof notwithstanding.

Prouided alwaies, that this act ne anie clause, article or thing therin contained, bee in anie wise preiudicial or hurtfull to George Blunt Esquire, sonne and heire of sir John Blunt knight, deceased, for or concerning the offices of stewardships of the Binges Lordshippes or mannours of Beudley and Cleburie, or anie other office or offices, heretofore graunted vnto the said George Blunt, by the kings letters patents sealed vnder the great seale of England, for terme of life of the same George, or for, or concerning any Fees, wages, rewards, annuities, profits, commodities, aduantages or emolumēts appertaining or belonging vnto the said offices or anie of them, but that the saide George, his deputy and deputies, shal and may at all time and times, during the life of the same George, haue, holde, exercise & enioy the said offices and euerie of them, and also perceiue, leuie, and take the fees, wages, rewards, and al other profits and commodities to the same offices and euerie of them, or to any of them belonging, or in anie wise appertaining, in as large and ample maner and fourme and condition to all intents, constructions and purposes, as though this acte had neuer been had or made: anie thing before in this Acte contained to the contrarie notwithstanding.

Liberties

Lancaster

Prouided alwaies, that al liberties, frāchises, and priuiledges of the Duchie of Lancaster, or in any wise appertaining to the same, shalbe of the same force, plight, qualitie, gwdnes and condition, and may be vsed in as large and ample manner, as they were before the making of this Act, and as if this Acte had neuer been had ne made: any thing in this Acte to the contrarie notwithstanding. Anno 34. Hen. 8. cap. 26.

33 ¶ Forasmuch as Bishops & other Ecclesiasticall persons being Lord Marchers, and the heires and successors of the temporal Lord Marchers, were not prouided for by the statute of 27. Henrici 8. capitulo 26. (before 28.) as the Temporal Lord Marchers themselues were, which was against reason: Be it, &c. that al/wel your said spiritual ecclesiasticall subiects, Lords marchers nowe hauing lordships marchers, or lordships royal in Wales aforesaid, and their successours, and the successors of euery of them, as also the heires and successors of the lords temporal marchers, that then were or now be, and the heires & successours of euery of them, being, or which hereafter shalbe lords marchers within their Lordships marchers, and lordships royals, in the dominion or principalitie of Wales, shall haue and inioy to them, and to their heires and successours respectiuely and seuerally for euer, the moitie and halfe of euerie forfaiture of all and euerie common maiuprise, recognisance for the peace or apparance forfaited by anie the tenants inhabiting within anie of their lordships marchers, or lordships royal, and they to be paid the same moitie, or halfe, by the hands of the shirife of the countie for the time being, after such forme and lore, as the said lay or temporall lord marchers haue bēn, or ought to haue bin paide the same by force of the said statute (See Anno 27. H. 8. cap. 26. before 28.) And further shall haue all such Miles and profits of their tenants, as the Lords marchers, spirituall or temporall, respectiuely, or seuerally had or vsed to haue, at their first entry into their lands in times past, before the making of the act or statute. And also shal haue, hold, and kepe within the precinct of the laide lordships, al such courts Barons, courts Leete, and Lawdaies, and all and euerie thing and things to the same Courtes belonging, & also shall haue within the precinct of their said seuerall Lordshippes of Lawdaies, all such waike, straie, infangthiefe, outfangthiefe, treasure troues, deodands, goods and cattels of felons, and of persons condemned or outlawed of felonie or murder, put in exigent for Felonie or murder, and also all such wrecke de mere, wharfage, and customes of straungers, as the lords marchers spiritual and temporall respectiuely, and seuerally, had and vsed in times past before the making of the said statute. Anno 1. & 2. P. & M. cap. 15.

Spirituall L. marchers

Moitie

Courts

Waike and straie

34 ¶ Forasmuch as in the principalitie of Wales and Countie Palantine of Chester, many great and mighty matters be now determinable before one only Iustice, which breedeth infinite trouble and great delay, & it hathbin doubted whether

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her Maieſtie may by her letters patents conſtitute moze, oz aſſociate anie there: foz plaine erplanation therof, and foz the moze ſpædie adminiſtration of Juſtice, Be it declared, erplaned, enacted and eſtabliſhed by the Quænes moſt excellent Maieſtie, by the aſſent of the Lozds ſpirituall and tempozal, and the Commons in this pzeſent Parliament aſſembled, & by the authozitie of the ſame, that ẏ Quæns highnes, her heirs and ſucceſſozs may and ſhal at her oz their wil and pleaſure, haue full power, pzerogatiue & authozity from time to time, to cõſtitute, authozize, name oz appoint, two oz moze learned as is afozeſaid, in the lawes of this realme, to be Juſtices of, and foz the ſaid Counties of Cheſter, Flint, Denbigh, and Mountgomery: and two oz moze learned as afozeſaid, to bee Juſtices of Northwales, vz. of and foz the ſaid ſhires of Angleſey, Carnaruan, & Merioneth: and likewiſe two oz moze learned as afozeſaide, to bee Juſtices of and foz the ſaid circuit & ſhires of Radnoz, Glamozgan, and Brecknock, and alſo two oz moze learned as afozeſaid, to be Juſtices of & foz the ſaid circuite and Shires of Cardigan, Caermerthen, and Pembroke, and the Towne and Countie of Hauerfozd Weſt: any lawe, vſage, opinion, oz ſtatute to the cõtrarie notwithſtanding.

Juſtices

And that her Maieſtie, her heires and ſucceſſozs, may & ſhal at her and their good will & pleaſure from time to time, aſſociate, and graunt commiſſion and commiſſions of aſſociation oz aſſociations, vnder the great Seale of England, to anie perſon oz perſons learned as afozeſaid, to bee aſſociate to oz with euerie oz anie ſuch ſeuerall Juſtice oz Juſtices foz the time being, of the ſaid ſeueral circuits and Counties afozeſaid, oz in anie of the ſaid Counties: and that al and euerie ſuch two Juſtices oz moze, within euerie of the ſaid ſeueral circuits and counties, and alſo that euerie ſuch Juſtice oz Juſtices together with ſuch perſon oz perſons aſſociate, if anie ſuch aſſociation oz aſſociations ſhall happẽ to be as afozſaid, during ſuch aſſociation: and after ſuch aſſociation ended, oz without ſuch aſſociation, ſuch Juſtice oz Juſtices ſhal haue the like ful power, pzehemineuce, authozitie, & iuriſdiction from henceforth, to all intents, conſtructions, purpoſes, and effects, as anie one Juſtice within any of the ſaide circuites oz ſhires afozeſaide, nowe hath, oz at any time heretofoze had oz ought to haue: and alſo ſhal haue like power, authozitie, pzeeminence, & iuriſdiction, to kæpe and hold the ſeueral ſeſſions afozeſaide, twiſe in euerie yeere in euery of the ſaid ſhires, within their ſeueral circuits afozeſaid, & to heare, determine, ozder, award, adiudge, reteine take knowledge of, and execute al & ſinguler cauſes, matters, pleas of aſſiſes, treaſons, murders, felonies, indictments, appeales of murder, felonie, and maimes, actions reals, perſonals, and mixt ſuites, plaints, informations, quarels, attaints, conſpiracies, quare impedit, and al actions grounded vpon any ſtatute oz ſtatutes, wzits, pzoceſſes, returnes, eſſoines, verdicts, iudgements, fines, acknowledges, confeſſions, warrants and erecutions, actions & acts whatſoeuer, and to doe, perfozme, obſerue, accompliſh, and make all and euerie other act and acts, matter and matters, thing and things whatſoeuer, in like, and in as ample, beneficiall, lawfull, and effectual maner and fozme, to all conſtructiõs, qualities, intents and purpoſes, as anie of the nowe ſeuerall Juſtices, oz anie one of the nowe Juſtice oz Juſtices, within the ſame ſeueral circuite oz circuits, and counties afozeſaide, may, ought, hath oz might lawfully do by foze of anie law, vſage, oz ſtatute heretofoze had, made, oz vſed, befoze the making of this act: and that from henceforth all and ſinguler wzits, pzoceſſe, returnes, eſſoines, verdicts, iudgementes, fines, recoueries, recogniſances, acknowledges, confeſſiõs, acte & acts, thing and things, matter and matters, as afozeſaide, had, made, taken, done, returned, heard, determined, awarded, adiudged, oz executed by oz befoze any ſuch 2. Juſtices oz moze: oz anie ſuch Juſtice oz Juſtices, & aſſociate oz aſſociates, as afozeſaid, to be appointed, nominated, authoziſed, oz conſtituted, as afozeſaid, ſhall be allowed, taken, conſtrued, expounded, and adiudged as good, effectuall, & auaileable, to all intents, conſtructions and purpoſes, as if the ſame had bin had, made, taken, done, returned, heard, determined, awarded, iudged, oz executed by oz befoze any ſuch one Juſtice, oz one of the Juſtices now, oz late being Juſtice oz Juſtices of ẏ ſame circuit, oz ſeueral circuits afozeſaid: any law, vſage, ſtatute, act, oz ordinance, oz preſcription to the contrary in any wiſe not wſtanding. An. 18. El. ca. 8.

Commiſſions

Seſſions

Diet & trn.

Wzits

35 ¶ Whereas in the parliament by pzozogation holden at Weſtminſter in

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the 23. yere of her Maiesties raigne that nowe is, one good and beneficiall statute was made and ordained for the appeasing of suits, the auoiding of false practises, deceits, deuices, and misdemeanors, and for helping of negligẽces, and misprisions of Clerkes and officers dangerous to assurances of mens lands and hereditaments, entituled, An acte for the reformation of errors in fines & recoueries: Forasmuch as the said statute or sundrie good and necessarie clauses and partes thereof, doth not extend to fines and recoueries leuied, had & suffered in the ry. shires of Wales, that is to say, Glamorgan, Brecknocke, Radnor, Carmarthen, Pembroke, Cardigan, Mountgomerie, Denbigh, Flint, Carnaruon, Anglesey and Merioneth, the towne & countie of Hauerford West, and the counties Palantines of Chester, Lancaster, and Duresme: Be it therfore enacted &c. that euery writ of couenant & other writ, whereupon anie fine heretofore hath bin leuied, or hereafter shall bee leuied, the returne thereof, the writte of Dedimus potestatem made for ỳ acknowledging of any of the same fines, the returne therof, the concord, note, & fote of euery such fine, the proclamations made thereupon, and the kings siluer, and also euery original writ of entrie in the Post, or other writ whereupon any common recouery hath bin suffered, or hereafter shal be suffered or passed, the writs of summõs ad warrantizandum, the returns of the said originals, and writs of summons ad warrantizandum, & euery warrant of Attorney, had or to bee had, aswell of euerie demandant & tenant, as vouchee extant & remaining, or that shall be extant & in being in the courts of assises or great sessiõs within the ry. shires of Wales, towne & Countie of Hauerford West, and Counties Palantines, or in the custodie of the officers, to whom the charge of keeping thereof doth appertain, may vpon the request or election of any person or persons be inrolled in rolles of parchment, by such persons and for such considerations as hereafter in this acte shall be mentioned. And that the inrollements of the same or any part thereof, shal be of as good force & validitie in law to al intents, respects and purposes, for so much of any of them so inrolled, as the same being extant and remaining, were or ought by law to be.

Inrolment

Be it further enacted by the authoritie aforesaid, that no fine, proclamations vpon fines, or common recouerie heretofore had, leuied, suffered or passed, or hereafter to be had, leuied, suffered or passed, in anie of the said ry. shires of Wales, town and countie of Hauerford West, or Counties Palantine, shall be reuersed or reuersable by any writ of Errour for false or incongrue Latine, rasure, enterlining, misentring of any warrant of atturney, or of anie Proclamation, misreturning or not returning of the shirife, or other want of forme in words and not in matter of substance. Prouided alwaies, that neither this act, nor anie thing therin contained, shall barre or exclude anie person or persons from any writ of Error, which shall be had, taken, or pursued within fiue yeeres next after the end of this session of this present Parliament, vpon anie fine or recouerie heretofore had or suffered in anie of the courts aforesaid: Nor from anie writ of Errour, which shalbe had, taken or pursued vpon anie fine or recouerie heretofore leuied, acknowledged, or had in any of the courts aforesaid, within anie of the said ry. shires of Wales, or towne and Countie of Hauerford West, which fine or recouerie, or anie parte or parcell thereof, now is, or at any time before the first day of June, which shall bee in the yere of our Lord God 1585. shall be exemplified vnder the Iudiciall seale of the said Courts, at or by the suite of anie person, that is or may be entituled to haue or sue any writ of Errour vpon anie ỳ same Fines or Recoueries so heretofore passed: Nor from anie writte of Errour which shall be had, taken or pursued, vpon anie fine or recouerie heretofore leuied, knowledged or had in anie of the Courts aforesaide, within anie of the saide Counties Palantine, which Fine or Recouerie, or anie part or parcell thereof, now is, or at any time before the said first daie of June, which shall bee in the yeere of our Lorde God 1585. shall be exemplified vnder the Seale of the same Countie Palantine, where the same Fine or Recouerie shall be so leuied, knowledged or had, at or by the suite of anie person that is or may be entituled to haue or sue ame writ of Errour vpon the same Fine or Recouerie so heretofore passed: Nor to barre any Feme couerte, or anie person within the age of one and twentie yeres, or any person that is non compos mentis, in prison or beyond the Seas, of or from anie writ of Errour to be had or prosecuted, for the reuersing

Recoueries Fines

Errour

Fiue yeres

Feme couert

Age

of

of any fine or recouery heretofore passed, leuied or suffered, in any of ỹ saide twelue shires of Wales, towne and Countie of Hauerford West, or Counties Palantine so that such Feme couerte or her heires vii. yeeres within vij. yeres, or her heires within 7. yeres next after he shal be come sole, and such person within the age of 21. yeres, or his heires within seuen yeres next after he shall come & be of ful age of 21. yeeres and such person that is non compos mentis, within seuen yeres next after he shall become of sanæ memoriæ, and in default thereof, the heires of such person that is non compos mentis within 7. yeeres next after the death of any such person being non compos mentis. And such person in prison or his heires, within seuen yeeres next after the same person shalbe at libertie, and such person beyond the seas or his heires, within seuen yeres next after the returne of such person into this realme of Englād, or the death of the said person, if he shall before his returne die in any forraine countrey, shall sue, take and prosecute their Writs of Errour, as their causes shal seuerally require for reuersing of anie of the said fines or recoueries heretofore passed, leuied or suffered.

Prouided alwaies and be it further enacted by the authoritie aforesaid, that if any person or persons shal within the time and yeeres aforesaid, commense or sue his or their writs of Erro, for the reuersing of any of the said fines or recoueries heretofore passed, which suite shal fortune to abate by the death of any of the parties of the same, that then it shal or may be lawfull for his and their heires at anie time within one yeere next after the said seuen yeres expired, to haue, sue and take their writ of Errour for the reuersing of euery such fine and recouerie, & if such heire be an infant within the age of 21. yeeres, then within one yeere next after the full age of such infant, any thing in this present act contained to the contrarie thereof in anie wise notwithstanding.

And be it further enacted &c. that euerie persō that shal at any time hereafter take the knowledge of any fine or warrant of Atturney, of anie tenant or vouchee, for suffering any common recouerie to be leuied, knowledged, passed or had within anie of the saide twelue shires of Wales, towne and countie of Hauerford West, or Counties Palantine, or shall certifie them or any of them, shall with the certificate of the concorde or warrant of Atturney, certifie also the day & yere wherein the same was acknowledged: And that no person that taketh anie such knowledg of anie fine or warrant for any recouerie, shall be bound or by anie meanes inforced to certifie any such knowledge or warant except it be within one yeere next after ỹ said knowledge taken. And that no clerke or officer in anie of the said twelue shires of Wales, towne and countie of Hauerford West, or counties Palātine, shal receiue anie writ of Couenant, or writ of Entree, or any other writte, whereupon anie fine or common recouerie is hereafter to passe, vnles the day of the knowledge of the same fine and warrant shall appeare in or by such certificate, vpon paine that euerie clerke that shall receiue any such writ, shal forfait for euery time that he shal so offend, the summe of xl. shillings. And that no atturneiment in or vpon any such fine in anie of the Courtes aforesaid, be entred vpon record, except the partie mentioned to atturne therein, first haue appeared in the court in person or by Atturney, warranted by the bands of one of the Justices of the same court, vpon a writ of Quid iuris clamat, quem redditum reddit, or per quæ seruitia, as the cause requireth. And that euerie entrie of Atturneiment hereafter to bee made in anie of the courts aforesaid, wherin there shalbe no appearance as aforesaid, shalbe vtterly void and of none effect, without anie writ of Errour or other meanes to be vsed for auoiding thereof.

And be it further enacted by the authoritie aforesaid, that there shall be for euer an office for ỹ Inrolments aforesaid in euerie of ỹ said xv. shires of Wales, towne and countie of Hauerford West, & counties Palantine, which shall be and continue an office for euer, called the office of the Inrolments of fines and recoueries, and that the Justices of the said xv. shires of Wales, towne & countie of Hauerford West, and counties Palantine for ỹ time being, that is to wit, euery of thē within the limites and Precincts of their seueral authorities and commissions, shall haue and take the care and charge, of, and for the Inrolments aforesaid, and shall haue and enioy the saide office and the disposition therof, and carefully see and looke to the execution thereof, and in consideration of their charges, paine, and trauaile therein, shal haue and take the summes of money

vii. yeeres

Errour

Recouerie

Certificat

Officers

Writ of couenant

Fork.

Attourney-ment

Inrolmēts

Justices

Fees

money hereafter following, and no more, that is to say, for the inrolment and examination of euerie Fine and the partes thereof v.s. and for the inrolment and examination of euery recouery & the partes thereof, v.s. and for euery exemplification of the inrolment of euery fine, and the partes thereof, iij.s.iiij.d. and for euerie exemplification of the Inrollement of euerie recouery and the parts thereof, iij.s. iiij.d. and for the search of the Rolles for one yere foure pence, and for the copie of one sheete of paper, containing fourténe lines, foure pence, and that the Justices of the said courts of assises, or great sessions for the time being within the said twelue shires of Wales, towne & countie of Hauerford West, and Counties Palantine, or any one of them, within the seuerall limites and precincts of their saide seuerall Commissions, shall examine the Inrollement of euery such fine and recouery, and of the parts thereof, and after such examination of the Inrollement of euerie such Fine and recouerie, and of the parts thereof, shall immediatly write his name that so examineth with his owne hande, in the Rolle thereof, vpon paine that the said Justices shal forfait to our soueraign Ladie the Quéenes Maiestie, the summe of xl.s. for euerie time that they or one of them shall make default of such examination or writing of his or their name as is aforesaid, that it shal and may be lawfull for the said Justices or any of thē for the time being, to take order in al things, that shal be conuenient and néedful for the inrolments aforesaid, and vpon examination in the said Courts, to assesse such fine or amerciament vpon anie Clerke, Shirife, Deputie, Atturney, or other person for his or their misprision, contempte, and negligence, for not doing or misdoing in any thing, of, in, or concerning the said fines or recoueries, or anie parte of them, or either of them, as by the said Justices for the time being, or any one of them shal be thought méete and conuenient: The said fine and amerciament to be estreated amongst other fines and amerciamēts of that court where such offence or misprision shalbe commited.

Justices

Forf.

Fine

Estreates

And be it further enacted by the authoritie aforesaid, that the exemplification of any such inrolment of anie fine or recouerie, or of anie part thereof, within anie of the said twelue shires of Wales, or the saide Towne and Countie of Hauerford West, vnder the Iudicial seale of the said shire towne or Countie where such Fine or recouerie was leuied, had, or passed, & the exemplification of anie such inrolmēt of anie fine or recouerie, or of anie parte thereof, within any of the said Counties Palantine, vnder the seale of that Countie Palantine where such fine or recouerie was leuied, had, or passed, shall be of as good force and validity in the law to al intents, respects and purposes for such part and so much of anie of them as shall be so exemplified, as the very originall recorde it selfe being extant and remaining were, or ought by law to be.

Exemplification

Prouided alwaies and be it enacted by the authority aforesaid, that it shalbe lawful for the Justices clerkes, authorized by their warrant in the said seuerall offices & places where the same records or anie of them doe or shal remaine, to write out, or enrol the same records & euery part thereof, & that the said records, nor anie of thē for the writing out or making the rolles thereof by the Clerks of the said Justices, shall be brought or caried forth of the saide offices or places.

Justices Clerkes

And be it further enacted by the authoritie aforesaid, that none of the said fines or recoueries aforesaid heretofore leuied, passed or suffered, which shalbe exemplified vnder any Judiciall seale of anie of the said shires of Wales, or towne or countie of Hauerford West, or vnder the seale of anie of the saide Counties Palantine, according to the forme of this act, shal after such exemplification had, be in any wise amended.

Amendmēt

Prouided alwaies, that this act or anie thing therein contained, shall not in anie wise extend to the preiudice of the heires of sir Edward Grey knight, lord Powys deceased, or of sir Edw. Herbert knight, or his heires or assignes, Henry Vernon or John Vernon, Esquires, or their heirs or assignes, for, or concerning anie fine leuied, or recouerie suffered, by, or against the saide Lord Powys, of any Baronies, Honors, Manors, landes, tenements, or hereditaments in the Countie of Mountgomerie, or anie exemplification thereof, or for or concerning anie writ of errour, brought, or to be brought for ỳ reuersing of anie such fine or recouery, but that they and euerie of them, shall haue and enioye the same right, title, benefite and aduantage to all intents and purposes as if this act had neuer bin had or made.

Heires L. Powys

And

And forasmuch as vpon great examination it appeareth, that diuers fines & recoueries haue bin heretofore leuied & suffered of diuers Castels, manors, messuages, landes, tenements & hereditaments, which sometime were the inheritance of George some time Earle of Kent great grandfather to Henry now Earle of Kēt, in vse, possession, reuersion or remainder, wherevnto the saide now Earle of Kent pretendeth title, in vse, possession, reuersiō or remainder, which if they be erronious as is pretended, doe much varie from the generall cause & mischiefe for which this Statute meaneth to prouide: Be it therfore enacted by the authoritie aforesaide, that neither this Statute nor any thing therein contained, shall extend to take away any writ of errour, whereunto any person or persons is now or hereafter shal be lawfully intituled to haue for the reuersing of the said fines & recoueries or any of them heretofore leuied or suffered of any of the said castels, manors, messuages, lands, tenements or hereditamēts, which late were any part or parcel of the inheritance of the said George sometime Earle of Kent, in vse, possession, reuersion or remainder, any thing in this Statute contained to the contrarie therof in any wise notwithstanding. An. 27. Eliz. ca. 9.

Earle of Kent

Errour

¶ Walsingham.

AN. 35. H. 8. ca. 13. an act was made, whereby it was authorised, that ỳ demesne lands in Walsingham belonging to the late Priorie there, might be let by copie, & be copiholdes.

Copiholds

¶ Wapping Marsh.

ANno 35. Henrici 8. ca. 9. an acte was made concerning the partition of Wapping marsh.

¶ Wardes.

IF the heire of any such (S. holding by knights seruice) be within age, his lord shall not haue the warde of him, nor of his land, before that hee haue taken of him homage. And after that such an heire hath bene in warde (when hee is come to age) that is to say, to the age of xxi. yeres, he that haue his inheritance without relieke and without fine, so nevertheless, that if such an heire being within age be made knight, yet his land shal remaine in the keping of his Lorde vnto the terme aforesaid. Mag. char. ca. 3. An. 9. H. 3.

Homage

Relieke

Knight

2 ¶ Heires shall bee married without disparagement. Magna charta, capitulo 6. An. 9. H. 3.

Disparagement

3 ¶ If any do holde of vs by fée ferme, or by socage or burgage, & he holdeth lāds of an other by knights seruice, we shal not haue the custodie of his heire nor of his land, which is of the fée of an other man, by reason of that fée ferme, socage, or burgage, nor we shal not haue the custody of ỳ fée ferme, or socage or burgage, except the same fée ferm do owe vnto vs knights seruice, nor we shal not haue the custodie of the heire, or of any lande which hee holdeth of any other by knights seruice, by occasion of any petie sergeãty that he holdeth of vs by seruice to pay to vs knives, arrowes or other like. Mag. char. cap. 27. Anno 9. H. 3.

Fee ferme

Knights seruice

Petie sergeantie

4 ¶ Of heires that be led away, withholden, or maried by their kinsfolks or by other with force against our peace: Thus it is prouided, that whatsoeuer lay man be conuict thereof, that hee hath so withholden, led away, or married any child, he shall yélde to the loser the value of the marriage. And for the offence, his bodie shalbe taken and imprisoned vntil he haue recompensed the loser, if the child be married, & further, vntill he hath satisfied the king for the trespasse. And this shalbe don of an heire being within the age of xiiii. yeres. But touching an heire being xiiii. yeres old or aboue, vnto his full age, if he marrie himself without the licence of his lord to defraud him of the marriage, & his lorde offer him a reasonable & conuenient marriage (without disparagement) then his lord shal hold his land beyond ỳ terme of his age, that is to saye, of xxi. yeeres, so long that he may receiue thereof the double value of the marriage, after the estimation of lawful men, or after as it hath bin offered him for the saide marriage before without fraud & collusion, and after as it may be prooued in the kings Court. Merton cap. 6. An. 20. H. 3.

Withholds

Imprison

14. yeres old

Marriage

5 ¶ As touching Lords, which marry those that they haue in ward to villaines or other, as Burgesses, where theie be disparaged, if such an heire be within the age of 14. yeres, & of such age that he cannot consent to marriage: then if his kinsfolk complaine therof, the Lorde shal lose the wardship, vnto the age of the heire. And all the profit that therof shalbe take, shalbe conuerted to the vse of the heire being within age, after the discretion and

Villaines

Fol.

14. yeres old

Refuse

Feoffemēt

Fraud

Writ

Damages

prouision of his kinsfolke, for the shame don to him: but if he be 14. yeres old and aboue, so that he may consent, & do consent to such marriage, no paine shal followe. If an heire (of what age soeuer he be) wil not marrie at the request of his lorde, hee shal not be compelled thereto, but when he commeth to ful age, he shal giue to his Lorde, & pay him as much, as any would haue giuen him for the marriage, before he receiue his land, & that whether he wil marrie himself or not, for the marriage of him that is within age of mere right pertaineth to the Lord of the fee. Merton cap. 6. & 7. Anno 20. H. 3.

6 ¶ As touching them that vse to enfeffe their eldest sonnes and heires, being wtin age of their heritage, for to defraud ẏ lords of the fee of their wardships: It is prouided & agreed, that by occasion of any such feoffement no chief lord shal lose his ward. Moreouer touching them ẏ faine false feoffemēts of their lands, which they would deliuer out for terme of yeeres, for to defraud the chief lords of their wards, wherein it is contained, that they are satisfied of the whole seruice due vnto them vntil a certain terme, so ẏ such feffées are bound at the said terme to pay a certaine summe to ẏ value of the same lāds or farr aboue, so that after such terme, the lande shall returne to them or to their heires, because no man wil be willing to kepe it vpō the price: It is prouided & agreed, ẏ by such fraud no chiefe lords shall lose his ward, neuertheless it shal not be lawful to them to disseise such feoffées without iudgement, but they shall haue a writ for to haue the wardship yelded vnto them, & by the witnesses, contained in the deede of feoffemēt, with other free & lawfull men of the countrey, & by the quantity & value of the land, & by the quantitie of ẏ summe payable after the terme, it shalbee tryed whether such feoffements were made in good faith, or by collusion to defraud the chiefe lords of the fee of their wards. And if ẏ chiefe lords in such cases recouer their wards by iudgement, the feoffées shal neuertheless haue their action to recouer such terme of fee (which they had therein) when ẏ heires come to their lawfull age. And if any chiefe lords do maliciously implead such feffées, feining this case, namely where ẏ feoffementes were made lawfully, & in good faith, then the feoffées shal haue their dammages awarded, and their costes which they haue susteined by occasion of the foresaid plea, & the plaintifes shall be grieuously punished by amerciament. Marleb. cap. 6. An. 52. H. 3.

Graund distresse

7 ¶ In the common plea for wardship, if the defoorceours come not at ẏ great distresse, then the said writ shalbe renewed twise or thrise at such termes as it may be don within the half yere following, so that euery time the writ be read in the open countie (if ẏ defoorceour be not found before) and there bee openly proclaimed that he come at the day limitted: and if he absent himselfe then, so that he come not to answere within the said halfe yere, nor the shirife can finde him, by which he cannot haue his body before our Justices, to aunswere according to the law & custome of the realme: then as a rebel, & such a one as wil not be iustified, be shal lese the seising of the ward: sauing to him his action at another time, if perhaps he haue any right to ẏ same. But in such cases, where wardships belong to ẏ keepers of wardes being within age, and where keepers demaund a wardship, which belongeth to ẏ heire, or as appertaining to their inheritance: such heires within age shall not lese their inheritance by the negligence or rebellion of their keepers, as in ẏ case afore rehearsed, but let the common lawe runne in like maner as it hath bēn accustomed to do. Marleb. ca. 7. An. 52. H. 3.

Rebel

Foyl.

Socage

Waste

8 ¶ It is prouided, that if lande holden in socage be in the custody of the kinsfolke of the heire, because ẏ heire is within age, the keepers shall make no waste nor sale, nor any destruction of the same inheritance, but safely shall kepe it to the vse of the saide heire, so that when he commeth to his lawful age, they shal answer to him for the issues of the saide inheritance by a lawful accompt, sauing to ẏ same keepers their reasonable costes. Neither shall the said keepers giue or sell ẏ mariage of such an heire, but to the aduantage of the foresaid heire. But the next kinsfolke which had the ward (for all that time that writs of vnpleading do not lie) shall haue such wardship vnto ẏ aduantage of ẏ heire, as is said before, without waste, sale, or destructiō making. Marca. 17. An. 52. H. 3.

Sell

Waste

9 ¶ Concerning the lands of heires being wīn age, which be in ẏ ward of their Lordes: It is prouided, that the wardens shal kep & sustein the land without making destruction of any thing. And that of such manner of wards shalbe done in all points, as is contained in ẏ great Charter

of

of liberties made in ỳ time of king Henrie, father to the king that now is, & that it be so vsed from henceforth. And in the same manner shall Archbishoprieks, Bishoprickes, Abbaties, Churches & all spirituall dignities be kept in time of vacation. W. 1. cap. 21.

Archdi-shprucks
Bishop-rickes
Vacation

Marrie

10 ¶ Of heires married within age, without the consent of the keepers, afore that they be full the age of 14. yeeres, it shalbe done according as it is contained in the statute of Merton. And of them which shalbee married without the consent of their keepers, after they be full ỳ age of 14. yeres, the keeper shall haue the double value of their marriage after the tenor of the same acte. Moreouer such as haue withdrawen the marriage, shal pay the full value thereof vnto the keeper for the trespasse, & neuertheless the king shal haue his amends according to the same act, of him that hath so withdrawē it. And of heires females after they haue accomplished the age of 14. yeres, & the lord (to whom the marriage belongeth) will not marry them, but for couetousnes of ỳ land will keepe them vnmarried: It is prouided, that the Lord shal not haue nor keepe by reason of marriage, the landes of such heires females more then two yeeres after the terme of the said 14. yeres. And if the lord within the said two yeres do not marrie them, then shall they haue an actiō to recouer their inheritance quite without giuing any thing for their wardship or their marriage. And if they of malice, or by ill counsell will not bee married by their chiefe lords (where they shal not bee disparaged) then their lordes may holde their land & inheritance, vntill they haue accomplished the age of an heire male, that is to wit, xxi. yeres, and further, vntil they haue taken the value of the marriage. W. 1. cap 22.

Double value

Pay

Monten 14. yeres

11 ¶ In case where to one being within age, there discendeth inheritance of the fathers side, that held of one lord, & of the mothers side that holde of another lorde, there hath been hitherto great doubt for ỳ marriage of such an heire, to which of the two lords it should belong: It is agreed, ỳ the same lord shall from henceforth haue the marriage, of whom the childes auncestour was first infeoffed, not hauing respect to the sere, nor to the quantitie of the land, but only to the more ancient feoffement by knights seruice. W. 2. ca. 16.

Ancient feoffement

12 ¶ Concerning children, males or females (whose marriage belōgeth to another) taken & carried away, if ỳ rauisher haue no right in the marriage, though afterward hee restore the childe vnmarried or els pay for the mariage, he shal neuertheless be punished for his offēce by two yeres imprisonmēt: & if he do not restore, or do marrie the childe after the yeeres of consent, & be not able to satisfie for ỳ mariage, he shal abiure the Realme, or haue perpetual imprisonment, & therupon the plaintife shal haue such a writ. Si A. fecerit te securum de clamore suo &c. tunc pone per vadium &c. B. quod sit coram iusticiarijs nostris &c. ostensurus, quare talem hæredem infra ætatem existentem, cuius maritagium ad ipsum pertinet, tali loco inuentum, rapuit & abduxit, contra voluntatem ipsius A. & contra pacem nostram, &c.

Rauish

Imprisō.

Abiure

And if the heire be in the same Countie, then this clause must be thereto added, Et diligenter inquiras, vbi ille hæres sit in Balliua tua: Et ipsum (vbicunque inuentus fuerit) capias & saluo & secure custodias, ita quod eum habeas coram præfatis iusticiarijs nostris ad præfatum terminum, ad reddendum cui prædictorum A. & B. reddi debeat.

And suite shalbe made against the partie, on whom complaint is made, vntil he come in by distresse, if he haue whereof he may be distrained, or els for his cōtumacie, in case he be not iustifiable, he shal bee outlawed. And if per case ỳ heire be married or caried into another countie, then a writ shalbee directed to the shirife of the same shire in this forme.

Distraine
Outlawed

Questus est nobis A. quod B. nuper talem hæredem infra ætatem, & in custodia sua existentem, tali loco in comitatu tali rapuit, & ab comitatu illo ad talem locum in comitatu tuo abduxit, contra voluntatem ipsius A. & contra pacem &c. Et ideo tibi præcipimus, quod prædictum hæredē (vbicunque eum in balliua tua inuenire poteris) capias, & saluo & secure eum custodias, ita quod eum habeas coram iusticiarijs nostris &c. tali die, quem idem A. habet versus prædictum B. ad reddendum cui de iure reddi debeat. And if ỳ heire happē to die, (before he be restored, or afore hee can bee found) the plea shall passe betweene them neuertheless vntil it be tried who ought to haue had it, if he had bin liuing: Neither shall the rauisher be excused or eased of the punishment aforesaid, by the death of the heire whome hee did withhold by wrong during his life. And if the plaintife

Die

die before the plea tried, if the right belõg to him by reason of his proper fee, the plea shalbe resummoned at the suite of ẏ heire of the plaintife, and the plea shall passe in due order, but if the right belonged to him by another title, as by a title of gift, sale or other like, then the plea shalbe resummoned at the suite of the executors of the plaintife, & the plea shall passe as before is saide. In the same maner if the defendant die before the plea be tried, or the plea be restored, the plea shal passe by resummons betwéene the plaintif, his heirs, or executors, & the executors of the defendant or his heires, if the executors be not sufficient to satisfie for the value of the marriage after as it is conteined in other statutes, but not as to the paine of imprisonment: for none ought to be punished for the offence of another. In the same manner when a plea hangeth betwéene parties for ẏ ward of land, or of an heire, or of both, by the common Writ that beginneth, Præcipe tali &c. quod reddat &c. resummons shall bee made betwéene the heires & executors of the plaintife. And likewise the heires or executors of the defendant, if death prevent any of the parties afore the plea determined: And when they have passed vnto the great distresse, a day shalbee giuen, within which three courts may be holdē at the least: in euery of which, open proclamatiō shalbe made, that the defoyer shal come into the bench at the day contained in the writ, to answere ẏ plaintife: at which day if he come not, & ẏ proclamation be so returned once, twise or thrise, the iudgement shall passe for the plaintife, saying the right of ẏ defendant, if afterward he wil claime it. In the same maner it shalbe done in a Writ of trespas, whē any cōplaineth himself to be ejected frō such wardships. W.2.ca.34.

Resummons

Heires Executors

Day

13 Our Soueraigne Lord the king shal haue the ward of all the lands of such as hold of him in chief by knights seruice, whereof the tenants were seised in their demesne as of fee, at the day of their death (of whomsoeuer they hold els by like seruice, so that they held of ancient time any land of the Crowne) vntill the heire come to his lawfull age, except the fees of the Archbishop of Canterbury, the Bishop of Durham, betwéene Tine & Tese, fines of Earles & Barons in the Marches, where the kings writs do not lie, & whereof the said Archbishops, Bishops, Earles, & Barons, ought to haue such wardes, though they held of the King in some other place, Prærog. Regis, cap. 1. 17. E. 2.

King

Bishops

14 Also the king shall haue the marriage of an heire being within age, and in his ward, whether the lands of such heirs haue appertained to the Crowne of auncient continuance, or that it came by reason of escheat, being in the kings handes, or that he had the marriage by reason of the ward of the lords of such heires, without any respect to the priorities of feoffement, albeit they held of other. Prærog. Regis ca. 2. An. 17. E. 2.

King Marriage

15 If any woman (before the death of her ancestour that helde of the King in chiefe) be married before shée be mariageable, then the king shal haue the warde of the body of the same woman, vntil shée be of age to consent, & then shée may choose whether she wil haue him to whome shee was first married, or him that the king will offer her. Prærog. reg. ca. 6. An. 17. E. 2.

A Woman

Choose

16 It is to wit, that where any relieke is giuen, there wardship is incidēt & contrariwise. And such as hold by sergeantie to go with the king in his host, there ward & relieke are incident. And such as hold by petit sergeantie, as to beare shield or speare in the kings hoste, to beare or to carry, there lyeth neither warde, marriage nor relieke. Also a frée tokeman shall not giue ward nor relief, but he shal double his rent after the death of his auncestour, according as he hath vsed to pay, & shal not be vnmeasurably grieued. Now somwhat is to be said of the nature of hauing wards. There be two manner of writs to haue wards, one is where lands be holden in knights seruice, the other is where lāds be holdē in socage. The ward of land ẏ is holden in knights seruice, belongeth to ẏ chief Lord, & mariage, which ought to be without disparagement, as ẏ great chartour limitteth vntil he cōmeth to the age of xxi. yeres. The warde of an heire that holdeth in socage, if the inheritance discend of his mothers side, then it belongeth to the nert friend of the fathers side, and contrariwise. And a Writ to recouer ward, may be brought in three maners: one is whē a man demandeth ward of the land & of ẏ heire, & ẏ is in case when a man holdeth land of another by knights seruice, & ẏ tenant dieth, then may ẏ chief lord (if he be deforced) demaund the ward of his land & heire, & shal haue both warde & marriage. Another manner is when a man is infeoffed of a rod of lande by one

Relieke

Sergeantie

Tokeman

A Writs

man,

man, & by another, of another rod, the second Lord may not bring a writ of ward to recouer either ỳ land or the heire, for ỳ ward belongeth to the Lord, of whom he was first infeoffed. The third maner is, where a man hath land in his handes by reason of a ward, & hath not ỳ heire, then he may bring a writ to demaund ỳ heire & not the land, An.28.E.1.stat.of Wardes.

Thiefe Eschetors

17 ¶After the death of euery person which holdeth of the king in chiefe, that the eschetors shall do to be seised into the kings hands the landes, as pertaineth, without doing waste in houses, woods, parks, ponds, and other extortions, which may fall to the damage of the heire. And hastily after the diem clausit extremum, deliuered to him, to returne the same by a good & true extent in the Chancery: after which returne, if it be found that the heire is within age, & the next friends of ỳ heire to whom the inheritance cannot discend, shal come & offer them to take ỳ said lãds, yælding the value to the king, till the age of ỳ heire, as far forth as other will yæld without fraud by accord betwixt ỳ chancellor & the treasurer, they shal haue commission to kæpe the said lands by good & sufficient surety, till the age of the saide heires, & to answer the king of the value. And it is not the kings intent, that by this statute he be forclosed to haue an action of waste against such gardians & fermers, as he & his auncestors haue had before this time: And that the heires when they come to their age, shal haue their action by writ of waste against such gardians & fermers. An.14.E.3.cap.13.

Waste

Next friends

18 ¶Women being of the age of 14. peres at the time of the death of their ancestors, without any question or difficultie shall haue deliuered vnto them their lands & tenements to them discended, for the law of the lande will, that they shall haue the same. An.39.H.6.ca.2.

14 yeres old

19 ¶An.14.E.4.ca.1. It was enacted that they that then should goe ouer with the king in his warres, might make feoffements & alienations of their landes, & might make their willes, and the feoffées and executors to haue the wards and mariage of the heire &c.

Feoffements

Willes

20 ¶An.4.H.7.ca.17. The statute of Marlebridge cõcerning collusiõ of wards is confirmed, & it is enacted that the lorde of cestuique vse, no will declared &c. shall haue a writ of right of ward for the body & the land: and the heire of cestuique vse, being at full age at the death of his ancestour, shall pay reliefe, and the heire of cestuique vse shal haue like action of waste, as if the ancestor had died seised, as if the Lord be barred in his writ of warde, the defendant shal recouer dammages.

Writ

Relefe

Waste

Damages

21 ¶An.4.H.7.ca.4. It was enacted that they that were or shoulde bee in the kings wages in Britaine, might make feoffements and willes, and the feoffées or executors to haue the ward and marriage of the heire &c.

Feoffements & Willes

22 ¶An.7.H.7.ca.2. It was enacted that they that then should goe ouer with the king in his warres, might make feoffements & alienations of lands, & might make their willes, and the feoffées to receiue the profits of the lands for a certein time, sauing to the king the marriage of their heires, and that their heires should sue no liuerie but haue a licence &c. and couenants of marriage to be good, & sergeants at armes to lose their fées that went not with the king.

Feoffements Alienations

Willes

Marriage

Sergeants

23 ¶An.3.H.8.cap.4. & An.14.H.8. cap.14. It was enacted that they that should goe with the king in his warres might alien their lands, without paying fines for the alienation, & that their heires within age should be in warde to the feoffée or executors &c.

Alien

24 ¶The king &c.ordaineth, maketh, establisheth and erecteth a certain court, commonly to be called for euer the court of the kings wardes, which court by the authoritie aforesaid, continually and for euer shalbe a court of recorde, and shall haue one seale to be engrauen and made, after such forme, fashion and manner, as shalbe appointed by the kings highnesse, and shal remaine and be ordered as hereafter shalbe declared.

Court

Seale

And also be it &c. that there shall be one certaine person to be named & assigned by the kings highnes, his heires & successors, which shalbee master of the same court, & shalbe chiefe and principall Officer of the same court, & shall bee called master of the wards, & shal haue the kæping of the said seale, to be assigned for the said court. And also be it &c. that there shal be one persõ to be learned in ỳ laws of this land to be named and assigned by the kings highnesse, which shalbe called the kings atturney of the said courte, and shalbe the second officer of the same courte. Also bee it &c. that there shal be one person to be named & assigned by the kings highnesse, which shal

Master

K. atturney

R. Receiuer

be called the kings receiuer generall of ẏ lands of his wards, & shalbe the third officer of the same court. Also be it &c. that there shalbe two persons to be named by the kings highnes, which shalbe called the auditors of the landes of his graces wardes, and shalbe called the fourth officer of the same court.

Auditors

Clerks

Also bee it &c. that there shall bee two clerks to be named & assigned by ẏ kings highnes to bee clerkes of the saide court, which shall make all Indentures, bargains & leases to be made & granted of the kings wards lãds, record al apparances, and make al ordinary processe & entries, out & from the same Court. Also be it &c. that there shalbee one other person to bee named & assigned by the kings highnesse, which shalbee the messenger of the saide court, and one other person to be named & assigned by the kings highnesse, which shalbe called the husher of ẏ same court, which messẽger and husher, and either of them shal haue such like profits & aduantages as the messenger and husher of the kings duchy chamber at Westminster haue & perceiue. Also the said master of ẏ kings wards which shalbee appointed by the kings highnes, shall take a corporall othe before ẏ lorde chancellor of England for the time being after ẏ tenor ensuing.

Messenger

Husher

Othe

Ye shal sweare, that ye wel and truely shal serue the king in the office of the master of the kings wards, and shal minister equal iustice to poore and rich, to the best of your cunning, wit and power, and that ye shal diligẽtly procure all things which may honestly and iustly bee to the kings aduantage and profite, and to the augmẽtation of the rights and prerogatiues of his crown, and truely vse the kings seale appointed to your office, and also to endeuour your selues to the vttermost of your power to see the king truely & iustly answered yerely of al such rents, reuenues, issues & profites which shal or may arise, grow, or be due to the king in your office, and from time to time deliuer with spæd such as shal haue to do afore you. And that ye shal not take nor receiue of any person any gift or reward in any case or matter depending before you, or wherin ẏ kings highnesse shalbe partie, whereby any preiudice, losse, hinderance, or dishersion shal growe or bee to the kings highnesse, So helpe you God and all Saints: Also the said atturney shall take a corporall othe before the saide master of the wardes, according to the tenour ensuing. Ye shall sweare that ye well and truely shal serue the king as his atturney, in all courts, for and concerning any matter or cause that shal concerne or touch the possessions and hereditamẽts limitted to the survey and gouernance of this court, and procure the kings profite therof, and that yee shall truely counsel the king and the master of this court in al things cõcerning ẏ same, to the best of your cunning, wit & power, and that with all spæde & diligence from time to time, at the calling of the saide master, yee shall endeuour your selfe for the hearing and determination indifferently of such matters and causes as shal depend before the said master. And that yee shal not take any gift or reward in any matter or cause depending in the same court or elsewhere, wherein the king shal be partie, whereby the kings maiestie shalbe hurted, hindered, or disherited, and further yee shal do to your power, witt & cunning, all and euery thing, that shall appertaine to your office, so help you God & all saints. And the said receiuer generall shal take a corporall othe before the saide master of the said court, according to the tenor ensuing. Ye shal sweare that ye shal well & truely serue ẏ king our soueraigne lord & his people in the office of the generall receiuer of his court. And ye shal reasonably & honestly procure the kings profit, & do right to al maner of people, poore & rich, in those thinges which touch your office. And the kings receit of his money you shal truely keepe, dispend, paye, & deliuer, & true declaration & account therof shal make from time to time, without any concealment, according to this acte made for the stablishment of this court: And further shall do euery thing that of right appertaineth to your Office, So help you God and all Saints.

Receiuer Othe

Also the said auditors shal take a corporal othe before the saide master after the tenor ensuing. Ye shal sweare ẏ ye truely shall serue the king in your office, & true allowance make to euery person, which shalbe accountant before you, & you shall not take nor receiue of poore nor rich any gift or reward in any matter or cause depending or to be discussed in ẏ same court, but such as shalbe ordinarie appertaining to your office, wherby ẏ king shal be hurted, hindered, or disherited, & ye shal do al & euery thing, which shalbe apertaining to your office, so help you God & all Saints.

Auditors Othe

Atturney Othe

Also

Also al particular auditours, that shall belong and be appointed to the said court, shal take a like corporal othe before ỳ said master of the wards. Ye shall sweare as is before in the next article.

Receiuers

Also all particular receiuers appointed by the said master, atturney, receiuer generall, & auditors, or three or two of them, whereof the master to be one, to receiue any reuenues & profits within the suruey of the same court, shall take a corporall othe before the said master of the wardes after the tenor ensuing.

Othe

Ye shal sweare that ye truely shal serue the king in your office, and nothing conceale, but true account make of al such reuenues, rents, summes of money, & other profits wherewith ye shalbee lawfully charged by reason of your office: ye shall make no petition nor aske allowance but such as shalbe good, iust, true & reasonable, and also truely content & paye to the king al such summes of money as shal come to your hands: and ye shall do all and euery thing and things, which ye ought to do by reason of your office, according to the forme and effect of this acte, so helpe you God and all saints.

Clerkes

Also the said clerks of the counsel of the said court, & euery of them shall take a corporal othe before the said master after the tenor ensuing.

Othe

Ye shall sweare that ye shal wel & truely serue the king in your offices of clerkes of the counsell of his court, and truely do and execute all and euery thing and things which yee ought to doe by reason of your office, according to the forme and effect of this acte, so helpe you God and al Saintes.

Surueyors Feodaries

Also that all surueyors & feodaries that shalbe appointed by ỳ saide master, atturney, receiuer general, & auditors of ỳ said court, or three or two of them, whereof the master to be one shal take a corporal othe before the said maister. Ye shal sweare &c. vt in proximo articulo præcedente.

Othe

Also be it &c. that all wardes, which the kings highnes now is, or hereafter shall be intituled to haue, with their manors, lands, tenements, rents, remainders, reuersions, seruices & al other hereditamẽts whatsoeuer they be, aswel in possessiõ, as in reuersion, & al reuenues, issues, profits, of the same & euery part therof, for ỳ time the same shalbe or ought to be in ỳ kings possession, shalbe in the order, suruey and gouernance of the said court, & the ministers of the same, in maner & forme as by this act is declared and limitted.

Also be it &c. that the laide master of the wards, atturney, receiuer generall, & auditors, or three of them, whereof the saide master shalbe one, for the time being, shal haue authoritie to make sale and grant of the kings wards, & of euery of them from time to time, & of such part and portion of the lands in possession & reuersion or any of them, during the minoritie and nonage of the same ward that shall be so solde and granted, and as long as the same lands or reuersion shal remaine or be in the kings hands, as they shal think most cõuenient. The same sale and graunt to passe by the kings bil assigned, which bil assigned shal be warrant sufficiẽt to the chancellor of Englãd for the time being, to make forth the kings letters patents vnder the great seale of England, according to ỳ tenor of the same bill, paying for the same all & singuler like fees for sales and writings, as heretofore hath bẽn vsed & accustomed to be payed for the same in the chancery, & to ỳ signet & priuy seale, & to euery of them.

Sale

Warrant

Fees

Also be it &c. that ỳ said master of ỳ wards for the time being, with the aduice of the said Atturney, and receiuer generall, or one of them, shal haue authoritie without the kings bil assigned to make woodsales to the kings vse, of all vnderwoods, vpon any of the kings wardes landes, beeing lawfully in the kings possession, & to take & appoynt timber for the necessarie reparations of all the castels, manours, lands, tenements, and parks of the said wards, & shall haue also like power & authority in the kings name, to make leases during ỳ minoritie of the saide wards: and further as is aboue written, by their discretiõs of all and singuler Lordshippes, mannours, landes, and tenementes, remaining in the kings hands and possession, belonging to the said wards and euery parcell thereof yeelding to the kings highnesse, his heires and successours, such rentes, as by the said master of the wardes, atturney, receiuer generall, and auditours, or three of them, whereof ỳ said master to be one, shal be thought conueniẽt by their discretiõs & suruey. And be it &c. that the said master of the wards for the time being, shal haue authority by this act, to make & appoint al & singuler particular receiuers, feodaries, & surueyours in euery shire, and also fees for the executing of the same vnder the seale of the same office, in such wise as the

Master

Woodsales Vnderwoods

Repaire

Lease

Master

same officers may be alwaies remouable at the discretion of the said court. Also be it &c. that the said master of the wards for ẏ time being, shal haue authoritie by this act, to make allowance likewise of ẏ costs of all cõmissioners, particular receiuers, surueyors, auditors, counsellors & feodaries, & euery of them, by his bill assigned, which bil shalbe warrant sufficient to the auditors belonging to the same office, to make due allowance of the same. Also be it &c. that the said master of the wardes in al places, & the said atturney, receiuer general, & auditors, or two of them in ẏ said court, the said master being absent, shall haue power & authoritie to take obligations to the kings vse of euery particular receiuer, which shalbe assigned to the said court, & of his sureties for sure paiment of his receits: And also to take obligations to the kings vse as well of euery fermer, bailifes, reeue, or other accountants, for ẏ true paiment of their receites, & of euery person or persons which shalbee indebted to the kings highnes for any arrerages of his or their receits, fermes or charges, as of any other psõ or psõs for any other cause or matter cõcerning the premisses, determinable within the same court. And that all such obligations & writings obligatorie, of what summe soeuer they be, shalbe of the same strength, vertue, force, qualitie, & effect, to al intents & purposes, as writings obligatorie heretofore made by any lay psõ by authoritie of ẏ statute of the staple, bin or ought to be. And that vpon certificate hereafter to be made into the kings chauncerie of any such writings obligatorie to be taken for such paiments, like proces & executions shall bee therupon had or made, against any psõ spiritual or tẽporal, as hath bin accustomed to be made against any lay psõ, vpõ certificate of writings obligatorie of the said statute of the staple. Also that the said master of the wardes for the time being, shal haue ful power & authority to award vnder the seals to be appointed to the said Court in the kings name, such proces and preceptes with reasonable paines to bee therin limitted, as be now comonly vsed in the Court of the kings duchy chamber of Lancaster, being at Westminster, against euery person or persons whatsoeuer they be, for & concerning the interest, right and title of the kings maiestie, his heires and successours, of, in, or for any wards lands, tenements, rents, account, receit, services or other cause in any wise touching or cõcerning any thing appointed to the order of ẏ said court, or any part therof, for & on the behalfe of our said soueraigne Lorde the king, or of, or for any debt rising or growing by occasion of the same. Also be it &c. that the said atturney, receiuer general & auditors, shal diligently from time to time attend vpõ the master in the said court, for the hearing & ordering of matters and causes in the same court, for the time of foure termes of the yere vsually kept for the lawe at Westminster, & procure with all diligence, that al rents, fermes, profites, casualties, improuements & other emoluments of the wards mariages, idiots, & of all manors, lands, tenements & hereditaments, being in the suruey & gouernance of ẏ said court, shalbe truely & iustly paied & answered to the said receiuer general of the said court, to the vse of the kings highnesse, without concealing any part therof: And also shall cause & procure proces to be made against such as shalbe indebted to the kings highnesse, & their sureties, of and for any parte thereof from time to time, as the time & case shal require without any delay. And be it &c. that the said clerks, particuler receiuers, auditors, surueyors, messengers & husher, & euery of them, shal vpon reasonable warning giue at all times & places from time to time attendance vpon the said master for the time being, being for the due execution & expedition of the premisses without delay, vpon such paines as shalbe assessed by the kings maiestie, vpon information therof giuen by the said master to his highnesse.

Also be it &c. that if any of the said officers appointed for the same court doe conceal & withdraw willingly any rẽts, reuenues, casualties, or other profits, falling, growing, or cõming to the king by ẏ minoritie of any of his graces wardes, or by reasõ of any other thing apointed by this act of the said court, ẏ then the officers so offẽding, shal lose to ẏ king our soueraigne lord ẏ double value of the thing so concealed or withdrawen. Also be it &c. that the auditours general of the wards lãds, & euery of them for the time being, shall haue authoritie to examine the accounts of all particular accountants takẽ by any particular auditor or auditors vpon any part of the wards lands, idiots lands, & of other things appointed by this acte to the order of the said court, & to allowe & disalow all

that

Allowance

Warrant

Obligatiõs

Statute Staple

Certificat in ye Chauncerye.

Master

Proces

Atturney Receiuer Auditor

Idiots

Proces

Officers

Attend

Officers Conceals

Double value Auditors

Examine Accounts

Idiot

that shalbe reasonable within the said accounts, as largely as to the said master of the wardes, atturney, receiuer generall & auditours, or three of them, whereof the said master to bee one, shalbe thought expedient and necessary. And that euery of the saide particular accountants for the yere to be ended at the feast of S. Michael the archangel yerely for euer, shal make and finish his account, & certifie the same into the said court, before the first daye of Februarye nexte after the same feast insuing, and within three moneths next after the said account, to make full paymēt to the receiuer general of the said court of al such summes of money, as shal appeare to be due to the king by the said account. And be it &c. that the saide receiuer general for the time being, shal haue authority by this acte, to giue his acquittance of and for such money and obligations, as he shal receiue of them to the kings vse, for the wards lands, idiots lands, & other things appoynted to the said court.

Accountants

Acquittāce

And that his saide acquittance shall bee from henceforth sufficient acquittance & discharge, as well for the discharge of the parties against the kings highnesse, his heires and successours for payment of so much money, as also to the auditor for the time being, for making due allowāce of the same. And be it &c. that the saide receiuer general, before ye xx. day of March next after the feast of Saint Michaell the archangel, shal yerely declare truely his whole account to the saide master of the wardes, atturney, & to one or both of the said auditors general, of the wards lands, which master, atturney, & one or both of ye said auditors, shal by this act haue authoritie to make and determine the same account, before the last day of July next ensuing, vpon which determination of account, the saide receiuer generall within one moneth next ensuing the determination of the same account, shal truly contēt and pay to the kings vse all such summes of money as shall appeare to bee due to the kings highnes and vnpaid vpon the same account. And vpon such determination, the said auditors shal ingrosse ye same into parchment, and the same so ingrossed shal returne into the office of ye wardes before the last day of Februarye next after the determination of the same account, there to remaine as ye kings records. And be it &c. that the particular auditours & other officers, counsellers, & ministers of the same court for the time being, shal yerely perceiue and take by the hands of the said receiuer generall, particular receiuers & all other officers & ministers accountant, all & singuler such diets, rewardes, profits & commodities, aswel for their attendance vpon the said master for the time being, & for making of bookes, declarations & values, as for other matters, counsels & causes, of, for and concerning the saide court, and also for expēces, costs and charges of the said auditour and particular receiuers & euery of them, yerely riding their seuerall circuits and limitation, in as large & ample maner & forme, as to ye said master of the wards, atturney, receiuer general, and auditours, or three of them, (whereof the said master to be one) shall be thought conueniēt to be appointed by their discretions. Also be it &c. that the said general receiuer, from time to time vpon his account, shall be allowed aswell of such fees as shalbe limitted vnto him for ye exercise of his office, as of and for all such summes of money as he shal pay to any patentee or patentees of any office, fee or annuity, that shalbe granted or giuen vnder the seale of the saide court. & also of all such money as he shal pay to any other person or persons by vertue of the kings warrant, or bill assigned, and also of all such summes of money as he shall be cōmanded to pay by any bil assigned or subscribed by the hand of the said master for the time being, vpō such consideration as shalbe thought conuenient by his discretion aswel for the finding and exhibition of the kings wards in his graces custodie, as of, or for any other cause, thing or matter concerning the said court of wards whatsoeuer it shalbe. And that ye said auditors, taking accounts of ye said receiuers generall, & of the said particular receiuers, shal haue power & authoritie to allow to the said receiuer general the premisses and euery part of them:

Receiuer

Account

Ingrosse

Officers

Diet Rewards

Receiuer

Allow

Auditors

And also to allow to euery particular receiuer and other accountants aswel their fees, wages, and all other such summes of money, as they or any of thē shal pay, of, for, in & about anie buildings or reparations of ye wards lands, to be made vpō any warrāt to be directed from ye said court, as all other honest petitions & allowāces, in as large & ample maner as ye saide master of ye wards, atturney, & auditors or two of them, wherof the said master to be one, shall thinke most expedient. And that all maner of proceste that shalbe made out of

Proceste

the

the kings Eschequer, to or against anie person or persõs for any fermes, rents, issues or profits concerning the premisses, or any part therof, or any thing limited in this act, to be in the survey, order & gouernance of the saide court, and the ministers therof, shalbe clarely void & of none effect to all intents & purposes. Also be it &c. that the money and obligations taken for money by the saide master for the sale of the kings wardes, & other things appointed by this acte, to the order of the said court, and also the money and obligations taken for money, by the said receiuer generall for the kings rents, and for widowes fines for their licence to marrie, and other casualties of the wardes landes, idiots landes, issues, profits and debts, yeerely growing to the kings highnes, by reason of the premisses, shall be yearely payd and deliuered to the hands of the treasurer of the kings chamber for the time being or elsewhere, to whom it shal please ỳ kings highnesse, his heires or successors, to giue authority by commission vnder his greate seale to receiue the same. And that a bill subscribed with the hand of the saide commissioner, shall be a sufficient acquittance and discharge to the master and receiuer vpon all & euery payment by them to bee made, & also to the auditors there for the allowance of the same. And that the same master & receiuer general, shal once in the yeare delare vnto the kings Maiesty the profits and estate of the said office.

Lord

Widowes Licence

Treasurer

Acquittãce

Master

And be it &c. that the saide master & officers of the said court, shal take such & like fees for the seales & writings to bee made and graunted out of the saide court at the suite of the parties, as they nowe vse to take, that is to say: For the fees of all processe at the suite of the parties vnder the priuie seale of the said court, two shillings fiue pence. And for the fees of all commissions directed out at the suite of the parties, two shillings fiue pence. And for recording of all apparances foure pence and no more. Also be it &c. that the said master by the aduice of the saide atturney, receiceiuer generall, and auditors, or three of them, whereof the saide master to bee one of them, shall haue authoritie by this acte to survey all the kings widowes, and to treat, commune, & conclud, aswel with all & euery of the kings widowes that nowe be or that hereafter shal be, and that haue maried themselues without the kings licẽce, or that hereafter shal happẽ to marrie themselues without the kings licence, for their reasonable fines to bee made to ỳ kings vse, & to tare and asselle the same by their discretion according to the statute of Prærogatiua regis (cap. 4. which is in women.) the same fines to be paid to the receiuer general of the wards lands, as the same may appeare yearely in his account.

Fees

Master

Survey Widowes

Fines Tare

Also be it &c. that the said master, by the aduice of the said atturney, receiuer general, & auditors, or three of them, shall haue authoritie by this acte, to survey, gouerne and order all & singuler idiots and natural foles, nowe being in the kings handes, or that hereafter shal come & be in the kings handes. And also to survey and order all the manors, lands, tenements, and other hereditaments whatsoeuer, nowe being in the kings hands, or in the hands of any other person or persõs to their vses, or to ỳ vse of any of them ỳ hereafter shall come and be in the kings handes, his heires and successours in the right of any of them by reason of his graces prerogatiue royall. And also by ỳ aduice of the said Atturney, receiuer generall, & Auditors, or three or two of them, to let and set the mannours, lands and tenemẽts to the kings vse, for the time of ỳ kings interest, for such rent and fines, as by their discretion shall bee thought conueniẽt. The finding and kẽping of the saide persons, their wiues and children, & the reparations of their houses & landes alway to be considered in the doing thereof, the same rents & fines reserued to ỳ kings grace to be payd alway to the hands of the Receiuer generall of the Wardes landes for the time being, as the same may appeare in his account, & be recorded in the court of the Wards. Also be it &c. that the Master of the kings liueries shal passe no liuery with any persõ or persons, that be or that haue bin, or hereafter shalbe the kings Wardes, vnto such time they shall receiue knowledge from the court of the Kings Wards, what, case the accõptants, tenants, and farmours of the Wards lãds stand in with ỳ kings highnesse, & what surety & order is taken therfore, & for the rates to the Kings vse. And that euery Ward hauing his liuery, shall within fiue moneths next after the liuery had, bring the same liuery to the auditors of ỳ Wardes for the time being, or to one of thẽ, to haue the same there inrolled for the discharge of the lands against ỳ kings highnes, according to the tenor of the said Liuery, and shall pay for the inrollment

Master

Liueries

vj. moneths

thereof

thereof, such reasonable summe of money, as shal be appointed by the said master of the wards, so that it exceed not the summe of ten shillings. Also be it &c. that all and euery person and persons to whome the kings highnesse shall graunt the custodie and wardship of any his graces wardes, shall vpon his bill assigned thereof sue forth his patent within foure moneths next after the assignemẽt of the same bil, or else the same and the effect thereof to be vtterly void and of no force.

4. moneths
Void

Also be it &c. that the generall receiuer and chiefe auditors of the said court for the time being, shal yeerely receiue & take, as wel by the hands of the general receiuer, as by the hands of all & singuler particular receiuers, and all other officers & ministers accountant within ỳ surney of the said court for the time being, al & singuler such summes of money for such like diets, rewards, profits and commodities as wel for their attendance vpon the said court, & for the making and writing of bookes, declarations, & values, as for other matter and causes of, for or concerning the saide court, & also for their expences, costs and charges of the same general receiuer, and auditour & auditours, and euery of them for ỳ time being, yerely riding their seuerall circuits & limits, in as large & ample maner and forme, as shalbe appoynted by the said master of the wards & atturney of ỳ said court by their discretions. And that the said auditors for the time being, shall haue power and authority yerely from time to time to allow the same.

Diet
Rewards
Auditors

And also be &c. that as many accounts of the kings wards lands, idiots lands, fines for marriages of widowes, & licences for the same, as bin cleerely accounted & not returned into the kings Eschequer, & also as many other accounts of wards lands, idiots landes, fines for marrying of widowes, and licences for the same, as bẽn not yet fully accounted & ingrossed, shall bee ingrossed and returned within three yeres next comming, into the office of the wards, there to remaine as the kings records. And that the kings highnesse surueyours generall of his graces lands, and auditors of his graces wards landes, and euery of them shall bee thereof discharged against the kings Maiestie, of and for the returne of ỳ same accoũts into his graces Eschequer: any acte, statute or ordinance heretofore made to ỳ cõtrary in any wise notwithstãding. And it is &c. that the said master of the wardes for the time being, shal haue authority by this acte, with the aduice of the atturney & receiuer general of the same court, or one of them, to call at all times before them into the office of the wards by the proces of the same court, all and euery person and persons, which is or hath bẽn in the kings ward, intruding or entring into or vpon his or their lands, or vpon any part therof after his or their ful age of one and twenty yeres, and before that he or they haue sued & obteined liuery or ouster le maine for the same out of the kings hands, vnder his great seale, aswel to make answer for his or their intrusion vpon the kings possession, as to make paiment to the kings receiuer general of the same office, as al such rents, issues, or profits by him or them taken at any time after his or their full age of one and twenty yeres, and before liuerie sued for the same out of the Kings handes, in forme aforesaid.

iii. yeres

Liuery
Ouster le maine
Intrusion

And bee it &c. that if any person or persons, called by the kings processe of the same court to appeare at Westminster in the same court within the terme at a certaine day to him prefixed in the processe to appeare and haue day giuen in court to make answer to the matters against him obiected in the same court on the Kings behalfe, depart the court before answere made, & atturney put into the court with assent of the court for the prosecuting the matter with effect, shal forfeit to ỳ kings grace, his heires and successors, such fine as shall be set vpon him for his contempt and offence in that behalfe, as the said master, atturney, & receiuer generall, or two of them shall thinke conuenient by their discretions, to be leuied of his lands & tenements, goods & cattels, to the kings vse. Prouided alway, and be it enacted by the authoritie aforesaide, that John Perin, which by the kings letters patents hath bẽn heretofore, and now is auditor to his graces wards lands, shal continue and be one of the two auditors in this act before mẽtioned, during the time of his naturall life: any thing conteined in this act to the contrary in any wise notwithstanding. An. 32. H. 8. cap. 46.

Depard
Forf.

25 ¶ That the office of the master or maisters of the liuery, with ỳ circumstances thereof, shal be vnited, annexed, & knit vnto the said court of ỳ kings wards. And the authority & office to compounde for any lineries with the proceedings therein, shalbe

Master of liuery

shalbe from henceforth in the rule, power, and gouernance of the saide court, in maner and forme hereafter declared, any law, custome, patēt, grant, or vsage heretofore had or vsed to ẏ cōtrary notwithstāding. And that the maister of the kings wards for the time being, which is the chiefe & principal head officer of the same court, shall from henceforth for euer bee maister of the kings Wardes, and of the liueries, and that all other officers and ministers appoynted or hereafter to bee appointed in the same court of the kings wardes by authority of the statute made of the execution of the same court (S. An. 32. H. 8. cap. 46. before 24.) shall be called officers & ministers of the kings courts of his wardes & liueries. And be it &c. that the kings said highnesse, his heires & successors frō time to time, shal make, name and appoynt one officer & minister of & in the said court, which shalbe called the surueior of the kings liueries, & shalbe the second persō of the same court. And that the atturney of the kings wards for the time being, which by the said former act of the said court of ẏ kings wards, was appointed to be the second persō of the said court, shal from henceforth for euer stand & be ẏ third person of the saide court of the kings wardes & liueries. And all other officers & ministers of the said court to be placed as is limitted in the same former act.

Maister

Officers

Suruey

Atturney

Third person

And further bee it &c. that the Kinges Highnesse, his heires and successors may from time to time make, name & appoint an apt person to be clerke of the same said liueries, which shall make al indentures, scedules, obligatiōs, and writings of bargaines, hereafter to bee made and graunted for any liueries, and that one part of the said indentures, and scedules, or other writings indēted, necessary for the same, shall remaine with the party or parties, & shalbe sealed with the seale of the said maister of the Wards and liueries, and of the said surueior of the saide liueries. And that the same indenture, obligations, & the accompts to be made vpon the same, & euery of them, from henceforth shalbe taken, ordered and vsed, & also be of the same force, strength and effect to all intents & purposes, as the Obligatiōs, Indentures, & accomptes be and ought to bee by the saide former acte. (See Anno 32. H. 8. cap. 46. before 24).

King

Clerke

Indenture

And that euery persō, which in forme aforesaid shal bee appointed to be surueyor of the said liueries, shall take a corporall othe afore the saide maister of the kings wardes & liueries for the time being after the tenour ensuing.

Surueyour

Othe

Ye shall sweare that yē shall well and truly serue our soueraign lord the king in the office of surueyour of his graces liueries, & shal minister equal iustice to rich & poore to the best of your power, wit and knowledge, & that you shal diligētly procure al thīgs which may honestly & iustly be to the kings aduantage & profit, & to the augmentation of the right & prerogatiue of his graces crowne, & from time to time deliuer with spēd such as shall haue to do afore you, & that you shal not take ne receiue of any person or persons, any gift or reward in any cause or matter depēding or to depend in the said court of the kings wards, wherin the kings highnes shal be partie, by reason whereof any preiudice, losse, hinderance, or disherison shal or may growe to the kings highnes, his heires or successors, so helpe you God and al saints.

Clerke

Othe

And be it &c. that the said clerke of the said liueries, shall take a corporall othe afore the saide maister of the wardes & liueries for the time being, after the tenor hereafter ensuing. Ye shal sweare that you shal well & truly serue the king our soueraign lord in your office of the clerke of the liueries, & truely doe and execute without delay, fraude, or couin, all and euery thing & things, which you ought to doe by reason of your said office, according to the forme and effect of this present acte, so helpe you God and all saints.

Liueries

And ẏ all liueries, which hereafter shal be sued out of the kings graces hands, his heires and successors, & out of the hands of any of thē, of any castles, honors, manors, lands, tenemēts, rēts, reuersiōs, remainders, or other hereditaments whatsoeuer they be, shal be in the order, suruey, & gouernance of the saide court of the kings wards and liueries, and of the minister of ẏ same. And be it &c. that no person or persons, hauing lands & tenements aboue the yeerely value of fiue pounds, shall haue or sue any liuery before inquisition or office found before escheitor or other commissioner or cōmissioners, by vertue of ẏ kings writ or commission to be directed out of ẏ kings Chancery, or other courts hauing authoritie to make such writs or commissions, for ẏ suing of liueries, which writs or commissions shall not passe out of the Chancery or any other courts, but a warrant

Fine pound land

rant or bill to bee assigned and subscribed with the hands and names of the said master, surueyor, atturney and receiuer, or three, two, or one of them; to bee directed and deliuered to the Chancellor of England, or to any other chancellor or officer hauing power to award such writs. And if the lands & tenements, whereof any inquisitiõ is to be had by vertue of any such writ or commission, exceed the yerely value of fiue pound, that then such as sueth for writs of commissions, shal pay for the seale and writing therof such fees as haue bin accustomed. And if the said lands and tenements, whereof any such inquisitiõs & offices are to bee found by vertue of any such writ or commission, exceede not the said yerely value of fiue poundes, then, such as shall sue for such writs or commissions, shall paye for the seale of euery of them sixe pence, and for the writing sixe pence, and not aboue.

Fees

And it is also &c. that all inquisitions and offices to be founde by vertue of any such writs of commissions, shall be returned by the eschetors or commissioners, to whom such writs or commissions shall be directed into the saide Chauncery, or into such other courts from whence such writs or commissions were awarded, in such maner and forme, and vpon such paines as is limited by the lawes and statutes of the realme in such cases. And that ỳ clerke of the petie bag shall receiue such offices, and make a transcript thereof from time to time to the saide master of the wardes and liueries, in like maner and forme, as they are bounden and haue bin accustomed to doe into the kings Eschequer, and vpon such paines as bee limitted and appoynted by the lawes and statutes of this Realme in such cases.

Writs Returne Eschetor

Master

And it is &c. that the saide master of the wards and liueries, and the surueyor, atturney, and generall receiuer of the saide court, or two of them, wherof the said master or surueyor to be one, shal haue ful power & authority by vertue of this present act, after such office & inquisitions found, as is aforesaid, to couenant & indent with euery person and persons for his and their liuery of the castles, mannors, lordships, lands, tenements, & hereditaments, comprised or not comprised in such offices, & to make and set the rate & price for the same, and to appoynt and stall the dayes of payment therof by obligation or obligations, to be takẽ for the same to the king our soueraigne lord, which obligation and obligations so made, and euery of them shalbe good and effectual in the law, & shall bee of like authority and strength, as obligatiõs to be takẽ by authority of the same court of the kings wards be of, by vertue of the said former act.

And that all & singuler bils for any speciall or general liuery to be sued, assigned by the hands of ỳ said master, surueyor, atturney, receiuer, or three of them, whereof the said master or surueyor to be one, shall be a good and sufficient warrant, aswell to the Chauncellour of England, as to the Chancellor of the Duchy of Lancaster, & to all other Chancellors & officers hauing power to passe liueries vnder any of the kings seales, for the making out, sealing & deliuery of any liueries, according to the tenour, purport, & effect of such bils, with other clauses of cause necessary for ỳ same, any law or custome to the cõtrary hereof notwithstanding.

Bils

Warrant

Chancellor

Prouided alway and bee it &c. that the Lord priuie seale, the lord great chamberlaine, the kings chief and principal secretaries, the master of the rols, & the kings clarkes of the signet and priuie seale, the clarkes of the petie bagge, & all and euery other officer and officers, & clerkes in the chancery, or elswhere in any other courts where such liueries shal passe, shal haue & be payd all such their fees, as hath bin accustomed. all which fees shall bee receiued and payd by the hands of the clerks of the petie bagge, if the liuerie bee sued in the Chauncery, or by other clerkes, by whose handes liueries shall bee written in other courts, any thing in this act to the contrary thereof notwithstanding.

Officers

And it is &c. that euery person and persons from henceforth may sue at their pleasure a general liuery for any manors, lãds, tenemẽts, rents, reuersiõs, remainders, or other hereditaments, whereof the cleere yerely value shal not exceed twenty li. after office thereof of writ or commission found, returned, & certified as is aforesaid. Prouided alwaies, that no such liuery shall passe or bee sued without a bil or warrant to be first obtained for ỳ same, from the said master of the wardes and liueries, and the saide surueyour, atturney, and general receiuer, or three of them, and signed and subscribed with the names & hands of the said master, surueyor, atturney, & generall receiuer, or three of them, as is aforesaid.

Liuery

xx. li. land

Liuery Warrant

And

And it is &c. that if the manors, landes, tenements, or hereditaments, whereof a generall liuery may be sued by authoritie of this act, exceede the cleare yerely value of v.li. that then such as shal sue and haue such generall liuery of any manors, lands, tenements, or hereditaments, exceeding the cleare yerely value of v.li. shal pay for the seale thereof xx.s. viii.d. and all other such fees, as heretofore in such cases hath ben accustomed in and vpon the suing of any generall liueries.

v.li. land

Fees

And if the lands, tenements, and hereditaments, whereof any such generall liueries shall be sued, exceed not the cleare value of v.li. that then euery person and persons suing for any generall liuery for any lands, tenements, rents, reuersions, remainders, or other hereditaments, not exceeding the cleare yerely value of v li. shal pay such fees as hereafter followeth, & none other. That is to say, for the seale of euery such liuery xii.d. And to ỹ clerkes of the pety bagge for the writting and enrolling thereof xx.d. And for respite of homage in the banapar viii.d. And to ỹ lorde great chamberlaine xx.d. And to ỹ clerke of the liueries for warrant & enrolling of the liuerie xx.d. And be it &c. that no person or persõs shal pay in the kings eschequer, or any other courts for the respite of homage, or for any manours, landes, tenements, or hereditamentes, whereof the cleare yerely value exceedeth not v. li. aboue viii.d. And for the entring therof and warrãt of atturney, aboue iiii. pence. And that the value of such manors, landes, tenements, & hereditaments, not exceeding the yerely value of xx.li. shal be taken as it is limited in the offices founden therof, except by the examination and certificate of the said master of the wardes and liueries, and the said surueyour, atturney, and generall receiuer, or three of them, as is aforesaide, it shall otherwise appeare & be declared in any of the kings courts. And

Fees

Respite of homage

it is &c. that if the saide surueyor of the liueries, or the clerke of the same, doe willingly withdrawe or conceale any record or profit, that should come or growe to the kings maiestie, his heires or successors, by reason of the same, that then he or they so offending, shall lose to the king our soueraigne lorde, his heires & successors, the double value of the thing so concealed or withdrawen, the same to be leuied & recouered against such persons so offending, vpon an information thereof to bee made by the partie greeued, and the same duely proued in the same court of the wardes & liueries. And also bee it &c. that the saide master for the time being, shall haue power and authority to take recognisances of all and euery person and persons, that shalbe called into the court of the wards & liueries, to answer to any matter alleged against them in the saide court, to make their dayly apparance in the said court, to answere to such matter as to them then & there from time to time shal be alledged: and that all such recognisances, of what summe soeuer they bee, shalbe as good and effectuall in the law to all intents & purposes, as recognisãces taken in the kings high courte of Chauncery, or elsewhere, before any Iudge of record within this Realme. And that the saide master for the time being, with the aduice of ỹ court or of such number of the same, as then shalbe present, so ỹ they be two beside ỹ master, shal haue ful power and authority to moderate such recognisances, as be or shal be there forfeited, & to set fines for the same to the kings vse, vnder the summes rõtained in the said recognisances. The same fines to be leuied by like processe of Scire facias, as by the statute made in the xxvii. yere of our soueraign lord ỹ kings reign, is giuen to the Chancellor of the court of Augmẽtation of the reuenues of his graces crowne. And that the said master for ỹ time being, with the aduice aforesaid, shal haue power and authoritie to commit to ward any persõ or persons for his or their disobediẽce, cõtempt, or other offẽce made or to be made, triable within ỹ kings said courts of the wardes and liueries, & vpon the said matters ordered or decreed there, to deliuer them from prison, & to cancell and make voyde al recognisances and obligations taken, or hereafter to be takẽ in the same court to the kings vse, whẽ & as often as the said master with the aduice of the said court, or three of them, shal see and perceiue the matters and causes, for the which any such recognisances or obligatiõ hath or hereafter shal happẽ to be takẽ, to bee finished and ended, & the kings Grace, his heires or successors, or the party therupon satisfied without any other warrant for the same. And bee it &c. that all & euery such heire & heires, which hereafter shalbe in case to sue liuery, where the lands & tenements of the said heire or heires, exceede not the yerely value of v.li. that then euery such heire shall lawfully sue foorth his generall

Surueyour Clerke Conceale

Fork.

2. value

Informatiõ

Master

Recog.

Fines

Processe

Master

Impriſon

v.li. land

Liuery

generall liuery, by warrant to bee made and had from the saide court of the kings wardes and liueries, as aforesaid, though there bee none other inquisition or inquisitions thereof then had, ne certified, and that this act shalbe warrant sufficient as

Warrant Chancellor

well to the Chancellor of Englād, Chancellor of the Duchy of Lancaster, and to all other Chancellors and officers of the kings courts, hauing power to passe liueries vnder any the kings seales, for the making out, sealing, and deliuery of any liueries, according to the tenor, purport, & effect of such bils, with other clauses of course necessary for ỳ same, taking for thē fées of every such liuery, as is be-

Fees

fore expressed for the fées of generall liuery, not excéding the yerely value of v. li. as though the same liuery were made & sued forth vpon an office found by vertue of the kings writte, any lawe heretofore made, or other thing in this present acte to the contrary notwithstanding.

And also be it &c. that al and euery person and persons, to whom the kings highnes shal grant any liuery in forme aforesaid, to be sued vpon his bil assigned therof with the kings most gracious hand, or with ỳ hands of ỳ officers of his graces court of the wards & liueries, as before is

2. Monthys

expressed, sue forth his patēt within three moneths next after the assignemēt of the said bill, or els the same bill and the effect

Voyde

thereof to be vtterly void & of none effect.

Clerkes

Prouided alwaies and bée it &c. that the clerks of the petie bag in the Chancerie, shal not be compelled to certifie any transcript of any office into the kings Eschequer, but twise in the yere, that is to say: They shal certifie the transcripts of al offices founden & returned into the chancerie, betwéene Easter and S. Michael the Archangel yerely in the terme of S. Michael. And the transcripts of all offices founden and returned into the said Chancery, betwéene Michaelmas and Easter, they shall certifie into the said Eschequer

Certifie Eschequer

yérely in the terme of Easter, and not otherwise, any thing contained in this statute, or any other Statute heretofore made to the contrarie notwithstanding.

Prouided alwaies that this act nor any thing therin cōtained, shal in any wise extend to bee prejudicial or hurtfull to any royalties, liberties, or franchises, priuiledges, préeminences, and iurisdictions of

Lancaster

the countie palantine and Duchy of Lancaster, or of any of them, but that the same royalties, franchises, priuiledges, preheminences, and iurisdictions, and euery of them, shall still continue and remaine to the countie palantine, and duchy of Lancaster, as fully, plenerly, & as wholly as they did before the making of this act, any thing in the same act contained to the contrary notwithstāding. An. 33. H. 8. ca. 22

¶Wares.

BE it enacted &c. that no person or persōs whatsoeuer, from and after the feast of the Natiuity of S. John Baptist nowe next ensuing, shall bring or cause to bée brought into this realme of Englād from ỳ parties beyond ỳ seas, any girdles, barnes for girdles, rapiers, daggers, kniues, hilts, pummels, lockets, chapes, daggers, blades, handels, scabberdes & sheathes for knives, saddles, horse harneis, stirrops, bits, gloues, leather laces or pins, being ready made or wrought in any partes of beyond the seas, to be solde, bartred, or exchanged within this realme of England or Wales, vpon paine to forfeit all such wares so to bee brought contrary to the true meaning of this act, in whose hands so euer they or any of them shalbe founde, or the very value thereof, the one halfe of the forfaiture to be to our soueraign Lady the Quéenes highnes, her heires & successors, & the other moitie thereof to him or them that will seise the same, or sue therefore in any court of record of the Quéenes Maiesty, her heires and successors, by action of debt, bill, plaint, information, or otherwise, where no wager of law, essoyne or protectiō shalbe to him or them allowed. This acte to cōtinue and endure to the end of the next parliament. An. 5. El. ca. 7. This statute was discōtinued 8. El. and An. 13. El. cap. 25. reuiued and continued vnto the ende of the next Parliament, with this prouiso here following.

Bring

Forreine wares

Forfe.

Moitie

Prouided neuertheless, and bee it enacted by ỳ authoritie aforesaid, that the said act concerning ỳ auoyding of forraine wares made by handy crafts men beyond the seas, or any clause, artiele, or meaning therin contained, shall not in any wise extend or be prejudicial to any entercourse, or treatie of any entercourse, nowe standing in force, had or made, betwéen ỳ procurators of the Q. Ma. or her highnes, or any others: any thing heretofore, or now ordained, or enacted, to the cōtrary in any

Forreine wares

wise

wise notwithstanding. Anno 13. Eliz. cap. 25. This prouiso is repealed by 14. Eliz. cap. 11.

Anno 27. El. cap. 11. this acte of 5. Eliz. cap. 7. is continued vntill the ende of the next Parliament, but yet with prouiso, that it shall and may be lawful to al and euery the Quœnes Maiesties subiects to bring into this realme, al & al maner of Pinnes made beyond the seas, any acte or statute to the contrary notwithstanding.

Anno 29. Eliz. cap. 5. this acte of 5. Eliz. and last prouiso were continued till the ende of the next Parliament. And An. 31. Eliz. cap. 10. the aforesaide acte of 5. Eliz. cap. 7. and last prouiso were continued vnto the ende of the next Parliament. And Anno 35. Eliz. cap. 7. are continued to the ende of the Parliament next insuing.

¶Warrantie.

Alien

IF a man alien the land that he holdeth by the law of Englande, his sonne shall

Barre

not bee barred by the dæde of his father, (from whome no heritage to him descended) to demande and recouer by writ of

Mort dauncestor

Mortdancestor of the seisin of his mother, although it be mentioned in the dæd, that his father did binde him and his heires to Warranty. And if any heritage descend to him of his fathers side, then he shalbee

Barre

barred for the value of the heritage, that is to him descended. And if in such case after the death of his father any inheritãce descend to him by the same father, then

Recouer

shall the tenaunt recouer against him of the seisin of his mother, by a iudicial writ, that shall issue out of the rolles to the Iusticers, before whome the plea was pleaded, to resummon his warrãty, as before hath bin done in like cases, where ẏ heire

Heire

of ẏ warrantor cõmeth into ẏ court, saying that nought descended from him, vpõ whose dæd he is vouched. And in like maner the issue of the sonne shall recouer by writ of cosinage, aiel and besail. Like wise and in like manner, the heire of the wife shall not bee barred after the death of his father and mother, for to demand by actiõ the inheritance of his mother by writ of Entrie, which his father did alien in the time of his mother, whereof no fine is leuied in the Kings court. Glocest. cap. 3. Anno 6 E. 1.

¶Warre.

Commissiõ

WHereas Commissions haue bẽn awarded to certaine people of shires, to prepare men of armes and to conuey them to the King into Scotland, or Gascoine, or elsewhere, at the charge of the Shires: The King hath not before this time giuen no wages to the sayde preparers and conueyers, nor souldiers, whom they haue brought, whereby the commons of the counties haue bẽn at great charge & much empouerished: The king will that it shalbe so done no more. Anno 1. Ed. 3. cap. 7.

2 ¶Men of armes, hoblers, and archers chosen to goe in the Kings seruice out of Englande, shall bee at the Kings wages, from the day that they depart out

Wages

of the Counties, where they were chosen, till their comming againe. Anno 18. E. 3. cap. 8.

3 ¶No man shall bee constrained to finde men of armes, hoblers, nor archers, other then those which holde by such seruice, if it bee not by common as-

Seruice

sent and graunt made in the parliament. Anno 25 E. 3. cap. 8.

4 ¶Ransomes and forfeitures were set vpon certaine that were in battaile against the King, and that did iniuries in a commotion time, and diuers matters concerning them that were with the king. Dictum de Kenelworth. Anno 51. Edwardi tertij.

5 ¶The statute (S. An. 1. E. 3. cap. 5. & Anno 18. E. 3. cap. 8. & An. 25. E. 3. stat. 5. cap. 8.) shall be firmely holden and kept in all poynts, so that alwayes by force or colour of the saide supplication, nor of any statute thereupon to bee made, the lordes nor no other that haue landes and possessions, in the countrey of Wales or in the

Wales

marches thereof, shall in no wise be excused of their seruice and deuoires, due of their said lands and possessions, nor of any other deuoire or thinges, whereto they or any of them bee bound to our soueraigne lord the king, howe much that the same lords & other haue of other lands & possessions within the realme of England. Nor that the lordes or other of what estate or condition that they bee, which hold by es-

Escuage

cuage, or other seruice due to the King, any landes or possession within the saide Realme, be no wise excused to doe the seruices and deuoires due of their said lands or possessiõs: Nor that the lords, knights,

Lordes

Esquires, nor other persõs, of what estate or condition they bee, which hold and haue of the graunt, or confirmation of our Soueraigne lord the king, lands, possessions,

fees,

fées, annuities, pensions, or other yeerely profits, be not excused to do their seruices to our Soueraign Lord the King, in such manner as they are bounden, because of their lands, possessions, fées, annuities, pensions or profits aforesaid. An. 4. H. 4. cap. 13.

6 ¶ An. 9. H. 5. cap. 3. an act was made concerning them that went ouer the sea with the king in his wars, or did dwel beyond the sea in his seruice for protections for them, and for suites & actions against them, and after An. 4. H. 6. ca. 2. and An. 8. H. 6. cap. 13. like acts were made to endure for certain yeres for them that went ouer in his wars, or did dwell beyond the seas in his seruice. And after An. 14. Ed. 4. cap. 2. a like act was made for a certain time.

Protectiõs

7 ¶ An. 14. H. 6. ca. 7. an act was made to endure for three yeres, & after, as long as should please the king, concerning the taking of enemies goods vpon the sea.

8 ¶ Anno 11. H. 7. cap. 18. an acte was made that they that had grants or giftes, or offices, fées, or annuities of the King, & doe not giue their attendance vpon him when he should goe to war in his person (except certaine persons there named) should forfait and lose their offices, fées, & annuities. And An. 19. H. 7. cap. 1. was a like statute made against them that had lands, tenements or hereditaments of the kings gift or graunt, for their attendance on him in his warres. But these two statutes were made but for the time of king Henrie the seuenth, as I think, therfore I haue not put them here at large.

Forf.

¶ Waste.

Gardians

The keeper of the land, of such an heir being vnder age, shall not take of the lands of the heire, but reasonable issues, reasonable customs, and reasonable seruices, and that without destruction & waste of his men & his goods. And if we commit the custody of any such land to the shirife, or to anie other which is answerable vnto vs for the issues of the same land, and he make destruction or waste of those things that he hath in custodie, wee shall take of him amends & recompence therefore, the land shalbe committed to two lawful and discréete men of that fée, which shall answere vnto vs for the issues of the same land, or vnto him whom we shall assigne. And if we giue or sel to anie man ỳ custodie of anie such land, & be therein do make destruction or waste, he shal lose the same custodie: And it shall bee assigned to two lawfull & discréete men of that fee as it is aforesaid, which also in like maner shalbe answerable to vs, as afore is said. Magna charta cap. 4.

Shirike

Waste

Forf.

2 ¶ The kéeper so long as he hath the custodie of the lande of such an heire, shall keepe vp the houses, parkes, warrens, ponds, mils, and other things pertaining to the said land, with the issues of the said land, & hee shall deliuer to the heire when he commeth to his ful age, al his land stored with ploughs and all other things, at the least as he receiued it. Al these things shall be obserued in the custodies of Archbishoprickes, Bishoprickes, Abbies, Priorses, Churches, and dignities vacant, which appertaine to vs: Except this that such keepings shall not be solde. Magna chart. cap. 5. Anno 9. Henrici tertij.

Gardian

Archbi-shoprickes

3 ¶ Fermers during their terms shal not make waste, sale, nor exile of houses, woods, and men, nor of anie thing belonging to the tenementes that they haue to ferme, without special licence had by writing of couenant, making mention that they may doe it, which thing if they doe, and therof be conuict, they shall yeeld full damage, and shalbe punished by amerciament grieuously. Marlebrid. cap. 23. An. 52. H. 3.

Fermers

Licence

Damage

Amerce

4 ¶ It is prouided also, that a man frõ henceforth shall haue a writ of Waste, in the Chauncerie against him that holdeth by lawe of England, or otherwise, for terme of life, or of yeeres, or a woman that holdeth by Dower. And who that is attainted of waste, shal lose the thing wasted, & moreouer shall recompence thrise so much as the waste shalbe tared at. And for waste made in ỳ time of wardship, it shalbe done as is contained in ỳ said great charter, that is to say, that hee which did waste, during the custodie, shall lose the wardship. It is agreed, that hee shall recompence the heire his dammages for the wast, if so be that the wardship lost do not amount to the value of the dammages of the heire of the same warde. Glouc. cap. 5. An. 6. E. 1.

Writte

Chancerie

Woman

3. Times

Forf.

Damages

5 ¶ Whereas for waste done in the inheritãce of any persõ by gardeins, tenãts in Dower, tenants by ỳ curteſie or otherwise for terme of life or yeeres, a writ of prohibition of waste hath been vsed to bee granted, by which writte manie were de-

Gardians

Writte

ceiued, thinking that ſuch as had done the waſte ſhould not nede to anſwere, but only for waſte done after the prohibition to him directed: Our Soueraigne Lord the King, to put this caſe out of doubt, from this time forth hath ordained, that of all maner of waſte done to the damage of anie perſon, there ſhall be from henceforth not only a writ of prohibition, but alſo of ſummons, ſo that he of whom complaint is, ſhall anſwere for waſte done at anie time.

Summons

And if he come not after the ſummons, he ſhalbe attached, & after the attachment he ſhalbe diſtrained, & if he come not after the diſtreſſe, the ſhirife ſhal be commanded, ỹ in proper perſon he ſhall take with him twelue &c. and ſhal go to ỹ place waſted, and ſhall inquire of the waſte done, & ſhal return an inqueſt, & after the inqueſt returned, they ſhal paſſe vnto iudgemẽt, like as it is contained in the Statute of Gloceſter. cap. 5. W. 2. cap. 14.

Attach
Diſtraine
Shirife
Inqueſt

6 ¶ Where as two or moe doe holde wood, turfelande, or fiſhing in common, wherein none knoweth his ſeueral, and ſome of thẽ doe waſte againſt the minds of the other, an action may lie by a writte of waſte. And when it is paſſed vnto the iudgment, the defendant ſhal chuſe either to take his part in a place certaine by aſſignment of the ſhirife, and by the view & oth of his neighbours ſworne & tried for the ſame intẽt, or els he ſhal grant to take nothing frõ henceforth in the ſame wood, turfeland, & ſuch other, but as his fellows will. And if he doe chuſe to take his part in a place certaine, the place waſted ſhalbe aſſigned for his parte after, as it was before the waſte done. And there is ſuch a writ in this caſe, that is to ſay, Cum A. & B. teneant boſcum pro indiuiſo, B. fecit vaſtum &c. W. 2. cap. 22.

T. in common
Action
Aſſignemẽt
View
Othe
Place

7 ¶ William Butler, which is within age, and in warde of our ſoueraign lord the K. hath ſhewed vnto his Highneſſe, ỹ where Gawin Butler his brother (whoſe heire he is) had impleaded one Walter de Papeton by the kings writ, for waſte and deſtruction made by him in certaine his lands & tenements which the ſame Walter helde for terme of his life, of the inheritance of the foreſaid Gawin in Wimme and Trike: And the aforeſaid Gawin before he had obtained iudgement, dyed: After whoſe death the foreſaid William by like writ impleaded the foreſaid Walter, for the waſte & deſtruction made by him of long time: The ſame Walter before Gilbert Thornton and his companions aſſigned to heare the kings pleas, came in and ſaid that he ought not to anſwere to the ſame William for the Waſte & deſtruction made in the time of another, before the right of the ſaide inheritance deſcended vnto him, & thereupon demanded iudgement. And foraſmuch as certain Iuſtices did not agrée in giuing of the ſaide iudgment, becauſe it ſeemeth to ſome, that it ſhould not be agreeable to the law, that any perſon ſhould obtaine aduantage and recompence by the foreſaid writ, which is a writte of treſpaſſe done to a perſon certaine, but onely the ſame perſon to whom and in whoſe time the treſpas was done. Other Iuſtices with the more part of the kings counſell, were in the contrarie opinion, alleadging by diuers reaſons, that ỹ ſaid William ought to be heard & anſwered vnto, and al other whatſoeuer they be, in like caſes, or in like treſpaſſes. And for becauſe like matters haue remained not amended, & treſpaſſes vnpuniſhed, which was inconuenient: Our ſoueraign Lord the king in his ful parliament, holden the day after the feaſt of the Purification in the xx. yere of his raigne, by a generall counſell hath ordained and frõ henceforth hath commaunded to be ſtraightly obſerued, that euerie heire in whoſe warde ſoeuer he be, and aſwel within age, as of full age, ſhall haue his recouerie by a writ of waſte in the foreſaid caſe, & alſo in other where the ſame writ ought to hold place, & it ſhall hold place aſwel for waſte & deſtruction made in landes & tenements of his own inheritance, & aſwel in the times of his anceſtors, as at any other time that the fée & inheritance diſcended vnto him, and ſhalbe anſwered vnto therefore: And that he ſhal recouer the lands waſted and damages, as it is ordained in the ſtatute of Weſtm. of damages to be recouered in a writte of waſte, if the tenant be conuict for the waſte.

Heire
Waſte
Recouer Damages

And it is commanded by the king himſelf vnto the ſame Gilbert Thornton and his companions, that they do proceede in the foreſaid matter, and in other like frõ henceforth, and iudgement ſhalbe giuen according as the matter is found. And likewiſe it was commãded vnto the Iuſtices, that they ſhal cauſe all the foreſaid things to be ſtraightly obſerued before them frõ henceforth. Statute of Waſte. Anno 20. Edw. 1

Waste Escheators

8 ¶ For redresse of wastes & destructions done by Escheators, or subescheators in the lands of wards, as of houses, woods, parkes, warrens, and of all other things that fall into the kings hands: The king wil that he which hath sustained damage shal haue a writ of waste out of the Chancery, against the escheator for his act, & the subescheator for his act (if he haue whereof) and if he haue not, his master shall be answerable by like paine, concerning damages, as is ordained by the statute for them that doe waste in wardships. Articuli super chartas cap. 18. An. 28. E. 1.

9 ¶ Item, because that diuers people in times past haue let their lands and tenements to diuers persons, that is to say, some for terme of life, or of another mans life, and some for terme of yeeres, the said tenants haue oftentimes let and granted their estate, which they had in the same lands and tenements to many persons, to the intent that they in the reuersion, that is to say, their lessours, their heirs, or their assignes, ought not to haue any knowledge of their names, and afterward the said first tenants continually occupie the said lands & tenements, & therof take the profits to their proper vse, and in the said lands and tenements do waste & destruction to disheritance of them in the reuersion: It is ordained and established, that they in the reuersiõ in such case may haue and maintaine a writ of wast against the said tenants for terme of life, of another life, or for yeres, and so recouer against them the place wasted and their treble damages for the waste so by them done, as they ought to haue done, for the waste done by them before the said grant & lease of their estate. Prouided alwaies, ỹ this ordinance holde not place, but where the first tenants before the lease & graunt of their said estates in the maner and forme abouesaid, were punishable of waste, & also where after ỹ said graunt and lease, the said first tenants of the said lands and tenements take the profites at the time of the waste done to their owne proper vse. And this ordinance to extend as well to wast by such tenants done before this ordinance, as after. Anno 11. H. 6. cap. 5.

Waste

3. Damages

¶ Watches.

Sea coast

THe watch to be made vpon the Sea coast through the Realme, shall be made by the number of the people in the places, and in manner and forme as they were wont to be made, & that in the same case the statute of Winchester be holden and kept, and that in the Commissions of the peace hereafter to be made, this article bee put in, that the Justices of peace haue power thereof to make inquisition in their sessions from time to time, and to punish them which be found in default after the tenour of the said statute. Anno 5. H. 4. cap. 3.

Iust. of p. Enquire

¶ Waxe.

BEcause that Warechandlers haue vsed to deceiue the common people in selling their wrought ware after y.s. the pounde, whereas the ware is but worth fiue pence the pounde: Bee it et. that no person sel nor set forth to sale any such cãdles, images, figures, and other works of ware, at more higher price, but only after the rate of the price of iiij.d. more in the weight of a pound, ouer that the common price of a poũd of plaine ware is, betwẽn merchaunt and merchaunt, at the time of such sale or setting forth to sale, vpon pain to forfaite such candles, images, figures, and other workes of ware so set foorth to sale, and of the value of them that shall be solde against the fourme of this Statute, and to make a fine to the king, if they bee thereof duely attainted, or that it is found by examination or due search by weights, or in other maner, that they haue solde or set forth to sale any such candles, images, figures, or other works of ware, against the forme of this statute. And that the Justices of peace in euerie coũty where they be Justices, shall haue power to inquire, heare, and determine all things done against this statute. And that aswell euerie Justice of peace in the countie where he is Justice, as Maiors & Bailifes within cities, & Boroughs, Stewards of Lords within the franchises of their Lords shal haue power and authoritie to examine & search aswel by weights of such candles, images, figures, and other workes of ware, as in other maner by their discretion, al them that any thing shall hereafter doe against this statute, and to punish thẽ that by such examination and search shal be found guiltie in the fourme abouesaid. Prouided that this statute do not extend to herses to bee made for Nobles that doe dye. An. 11. H. 6. cap. 12. *

A

Waxe

Fork.

Fine

Iust. of p.

Enquire Oier & ter.

Any Iustice of peace Maior Bailife

Stewards

Search

Punish

2 ¶ Forasmuch as a great part of the

ware made & melted within this realme, hath bin found to be of late verie corrupt, by reason of the deceitfull mixture thereof, and the makers and sellers of honie also haue not only vsed to put the said honie in caske of deceitfull assize, but haue vsed also deceitfull mixtures of the same: Be it therefore enacted by the authoritie of this present parliament, that euerie person within this realme, or the dominions of the same, which shall after the feast of Pentecost next insuing, in the making & melting of ware, by anie way or meanes vse or practise, or cause to be vsed & practised any maner deceit by mixture & mingling the same with rosen, tallow, Turpentine, or anie other deceitfull thing, to the intent to sell and vtter the same, or offer the same to bee solde or vttered for ware to anie person or persons whatsoeuer, shal forfait and lose the same mingled or corrupted ware. And if ỳ same corrupted ware shal happen to be sold before such fault & corruption shalbe found, that then the saide melter, mingler, or corrupter, causer or procurer thereof, shal forfait for euerie pound two shillings. Whereof the one halfe to the Quœnes maiestie, the other halfe to the partie deceiued, if he wil sue for it, or any other person or persons that will sue for the same, in anie the M. Maiesties courts of record. And to the intent that the offenders in these kind of deceits may be the better and sooner knowē and found out: Bee it enacted by the authoritie aforesaid, that euery melter and maker vp of vnwrought ware, shal haue for himselfe a stamp, or marke of ỳ breadth of sixepence, wherein two letters shall be plainly grauen, signifying his name and surname, and with the same shall stampe euery piece of ware, to be printed or stamped triangle, in three places vpon the outside of the vpper parte of euerie piece so melted, and cast, vpon the paine to forfait the value of every piece or Cake solde, or offered to bee solde and not so stamped or marked.

Practise Deceite Mingle

Forf.

Mottie

Melter

Marke 2. Letters

Forf.

And be it further enacted by the authoritie aforesaide, that no maner of person ne persons win this realme or the dominiõs thereof shall from the said feast of Pentecost, melt, mixe, worke or sel any maner of wrought ware, stuffe or wares wrought with ware, as in lights, staffetorches, red ware, or sealing ware, boke candle, searing candle, searing of dead corps, linkes, grœn ware, red ware or any other worke or thing whatsoeuer, to bee done or wrought with ware to be put to sale, but with good, holsome, pure and conuenient stuffe, mẽt in such wares or worke in cõuenient quãtitie to be vsed. And that euery person or persons, that shall worke or sell such stuffe, or wares of ware, haue a Mark, stamp or seale, to set on his or their worke, by him or them wrought or solde, to the intent, that if any deceite be vsed or done, it may be knowen who were the workers thereof, & such person or persons as shalbe found or knowen to work or sel, or to sale put any such false war, or wares wrought with ware to be put to sale, shal forfaite and lose the same corrupted or deceitfull ware and wares, the one halfe to be to the M. Maiestie, her heires & succes-sors, and the other to the partie deceiued, if he shal sue for the same, or otherwise to him or them that will sue for the same by action of debt, bill, plaint, or information, in any the Quœnes Maiesties courtes of record, wherein no essoine, protection or wager of law shalbe allowed.

Marke

Forf.

Mottie

Mingle Wrought ware

And be it further enacted by the authoritie aforesaide, that euery person and persons whosoeuer, which after the feast of Pentecost aforesaid, shall sel or offer to be sold, any corrupted & false mingled ware, shall lose and forfaite the said ware, the one mottie thereof to bee to the Quœnes Maiestie, and the other to the partie deceiued, if he shal sue for the same, or otherwise to him or them that will sue for the same, as is aforesaid. And that al barrels, kilderkins and firkins filled with honie, by the maker and filler, shall be marked with two letters standing for his name and surname, each letter of an inch and a half of length at the least, burnt vpon the head of the caske with a hote iron, vpon the pain to forfait sixe shillings eight pẽce for euery barrel, kilderkin, firkin or caske sold, or offered to be sold, & not so marked, and that if anie person or persons doe, or shall after the 24. day of August next cõming, after the end of this session of parliament, fill & sell, or cause to be filled or solde, or offered to be sold, any barrell, kilderkin, or firkin with honie, for or in the name of a barrel, kilderkin, or firkin, containing lesse thẽ 32. wine gallõs ỳ barrel, 16. wine gallons the kilderkin, and eight wine gallons the firkin: Euery person & persons so offending, shal forfait & lose for euery halfe gallon so lacking, v. shillings of English money: And euery person and persons

Sell

False mixt Forf.

Barrels Honie

Marked

Forf.

Content 32. Gallons

Forf.

persons, that shal corrupt ỹ honey so sold, or to be sold, with any deceitful mixture, shal forfeit the barrell or vessel, and honie therein contained, the one moitie wherof to be to our soueraign Ladie the Quéens Maiestie, & the other to him or them that will sue for the same, as aforesaid.

Corrupt

Forf.

Prouisō

Waxe

Prouided alwaies, that this act as touching ỹ marking of ware, shal not extend to any person or persons, selling the ware of their owne Bees in open markets, in smal pieces, nor to any seruant or seruāts, or other persons, mingling, or corrupting any ware, by cōmandement of their master or other person, hauing authoritie ouer them, so as they wil confesse the same.

Counterfeit marke

And be it further enacted by the authoritie aforesaide, that if any person or persons shall at any time hereafter counterfeit any the markes aboue mentioned, or shall set to the marke or markes of anie other person or persons without the consent of the same person or persons, whose names the said marks shal signifie that euery such offender in the premisses, shall forfait for euery such default vi.li. The one moitie thereof to be to the Quéenes Maiestie, her heires and successors, and the other moitie to the partie deceiued, if hee wil sue for the same, or otherwise to anie other person or persons, that shall sue for the same, by bill, action or information, in anie the Quéenes Maiesties courts of recorde, wherein no essoine, protection, or wager of law shalbe admitted or allowed for the defendant. And for non sufficiencie of paiment thereof, to bee set on the pillorie in the next market towne to the place where such offéce shall be cōmitted, and to suffer three moneths imprisonment without baile or mainprise for euery offence committed contrary to this article of this present act. An. 23. Eliz. cap. 8.

Forf. Moitie

Pillorie

Mainprise

¶ Waights and Measures.

Wine

Corne

Cloth

ONe measure of wine shalbe throughout our realme, and one measure of ale, & one measure of corne, that is to say, according to the quarter of London, & one breadth of died cloth, russets & haberiects, that is to say, two yards within the lists. And as it is of Measures, so shall it be of Weights Magna charta. cap. 25.

Bread

2 ¶ When a quarter of wheate is sold for xỹ.d. then wastell bread of a farthing shall weigh vi.li. and xvi.s. Bread cocket of a farthing of the same corne and bultel shal weigh more then wastel by two shillings. Cocket bread made of corne, that is of lesse price, shal weigh more then wastel by v.s. A simnel of a farthing shal weigh ỹ.s. lesse then the wastell. Bread made of the whole wheate, shall weigh a cocket & an halfe. that is to say, the cocket that shal weigh more then a wastell by v.s. Bread of treate shal weigh two wastels. Bread of common wheate shal weigh two great cockets. When a quarter of wheate is sold for xviij.d. a wastel loafe of a farthing shal weigh iiij.li.x.s viij.d. when a quarter of wheat is sold for two shillings, then a wastell loafe of a farthing shall weigh iij.li.viij.s.

When it is sold for ỹ.s.vi.d.iiij.s iiij.d. ob.q.

when for iij.s.	xlviij.s.
when for iij.s.vj.d.	xlj.s.
when for iiij.s.	xxxvi.s.
when for iiij.s.vj.d.	xxx.s.
when for v.s.	xxviij.s ỹ.d.ob.
when for v.s.vj.d.	xxiiij.s.viij.d.q.
when for vi.s.	xxj s.viij.d.
when for vi.s.vi.d.	xix.s.xj d.
when for vj.s.	xix.s.j.d.
when for vj.s.vi.d.	xviij s.j.d.ob.
when for viij.s.	xvj.s.
when for viij.s.vi.d.	xvj.s.
when for ix.s.	xv.s.q.
when for ix.s.vj.d.	xiiij.s.iiij.d.ob.q.
when for x.s.	xiij.vj.d.ob.
when for x.s.vi.d.	xij.s xi.d.ob.q.
when for xj.s.	xj.s iiij.d.ob.q.
when for xj.s.vj.d.	xi.s.x.d.
when for xỹ.s.	xj.s iiij.d.

Gaine

And then a Baker of euery quarter of wheate (as it hath bin prooued by the Bakers) may gaine iiij.d. and the branne, & two loaues for aduantage, for 3. seruāts i.d.ob. for two lads ob. in salt ob. in yest ob. for candle q. for wood ỹ.d. for his bultell ob. When a quarter of wheate is sold for iij.s. or iij.s.& iiij d. And a quarter of barly at the price of xx.d. or ỹ.s. And a quarter of Otes at xvi.d. Then brewers in cities ought and may well afford and sell ỹ. gallons for i.d. And out of cities they may sel iỹ. for a penie. And whē in a borough there are iỹ. gallons sold for i.d. then without they shall sell 4. and well they may. And this assise shalbe holden through Englād. So when a quarter of barley is sold for ỹ.s. then 4. gallons of Ale in the countrey shalbe sold for a penie: when for ỹ.s.vi.d. then 7 gallons for ỹ.d. when for iỹ.s. & vi.d. then 5. gallons for ỹ.d. when for iiij.s.

Brewers

thenty .gallons for a penie, and so further it shal grow or diminish by vi.d. And if a Baker or brewer be conuicted, that they haue not kept the foresaide assises: The first, second, & third time they shall bee amerced, according to the quantity of their offence. And that as often as a Baker shal offend in ỹ weight of a farthing lose of bread not aboue vj.s. weight, that thē he be amerced as is aforesaid. But if hee excēde vj.s. then is he to be set vpon the pillorie, without any redemption by money. In like maner shal it be done, if he offend oftentimes, and will not amend, then hee shal suffer the iudgement of the body, that is to say, the pillorie, if he offend in the weight of a farthing loafe, vnder vj.s. weight, as is aforesaid. Likewise the woman brewer shalbe punished by the Tūbrell, Trebuchet, or Castigatorie, if shee offend diuers times, and will not amend. The statute of assise of bread and ale. An. 51. H.3. as it is commonly taken.

The assise of bread

3 ¶ The assise of bread as it is contained in the writing of ỹ kings Marshalsey to them deliuered, be holden, according to the sale of wheate, ỹ is to say, of the best, second, & third, as wel the wastell as other bread of what kind soeuer they be, be weied, as it hath bin said by the sale of ỹ middle corne. The assise or weight of bread shal not be chaunged, but by the increase or decrease of sixe pence in the sale of a quarter. A baker if his bread of a farthing be found wanting weight but by vj.s. vj.d. or vnder, he shall be amerced, & if it want more weight then that, be shall be set on the pillorie, and shall not redeeme it for golde nor siluer. And that euerie Baker haue his proper marke for his bread.

Wastell

Middle corne

Weight Change

Want weight Amerced

Pillorie

Marke

That there bee a pillorie or Collistrige of a conuenient strength. So al offenders may suffer the iudgement without perill of their bodies.

Pillorie

Toll at the mill shalbe taken according to the custome of the countrey & strength of the course of the water, either the twētie graine or the foure & twentie graine: And that the measure by which the toll is to be taken, be agreeing with the K. measure: And that the toll be taken by strick, and not by heape or cantel: And if the fermers doe find vnto the Millers their necessaries, they shall take nothing besides their due toll, and if any do otherwise, they shalbe grieuously punished.

Toll

Stricke

Fermers

The assise of wine be kept according to the kings assise, S. a gallon at xy.d. And if Tauerners exceede that assise, let their doores be shut vp by the Maior & bailifes, and let them not sel wine vntil they haue obtained the kings licence.

Wine

The assise of ale shall be appointed, proclaimed & obserued according to the sale of the corne whereof the malt is made. And the Brewer shall not increase more in a gallon, except ỹ quarter of malt increase by vj.d. And if he breake the assise, he shal be amerced the first, secōd, and third time, but at the fourth time he shalbe set on the pillorie without redemption.

The assise of ale.

Amerced

Pillory

A Butcher that selleth Swines flesh meazeled, or flesh dead of the murrein, after he shall be conuict thereof, for the first time he shalbe grieuously amerced, the second time he shall suffer iudgement of the pillorie, & the third time he shalbe imprisoned & make fine, and the fourth time he shal abiure the towne: and in this maner be it done against al transgressors.

Butcher

The standard of bushel, gallon & yarde, signed with the kings yron seale diligently, and bee safely kept vnder the paine of one hundred pounds. And that no measure be made in any Towne, except it agree with the kings measure, and bee signed with the signe of the Comminaltie of the Towne. If any buy or sell by measures not signed nor examined by the Maior or Bailifes, he shall be grieuously amerced: And that al the measures of euerie towne both great and small bee examined diligently, and seene twise in the yeere. And if any bee conuicted of a double measure, S. a greater to buy with, and a lesser to sell with, he shall be as a falsifier imprisoned and grieuously punished. The standard of the bushell and yarde shall be in the custodie of the Maior and bailifs, and of sixe lawfull sworne men of the towne before whom all measures shall bee signed. No kinde of corne shall bee solde by heape or cantell, except Dates, Malte and Meale. And if anie presume to sell the Meale of Dates falsified by any deceitfull meane, for the first hee shall bee grieuously punished, for ỹ second he shal lose al his meale, the third time he shall be set on the Pillorie, and the fourth time he shal abiure the Towne. (See also a clause of this statute concerning Forestallers in Forestallers 1.) All the premisses shal be firmely kept on the part of the king, so as if anie great or little, shall presume in anie thing against the foresaid statutes, by worde, counsell, helpe or fauour, he shall bee apprehended

The standard signed

Measures

Signed

Seene

Standard

Remaine

Corne

Dates

Pillorie

Abiure

as a contemner of the kings commandements, and shalbe imprisoned, and not deliuered but by the kings expresse commandement and writte. And be this present scedule deliuered to the Maior and Bailifes, and sixe lawfull sworne men of the towne with the standards, bushels, gallons, yardes & stones to be obserued, that when neede shalbe, they may bee directed by the same schedule. The statute of Bakers & Brewers, and other Vitailers made. Anno 31. Edw. 1. as it seemeth by 14. Ed. 3. cap. 12. here 12.

6. Wen Measures

4 ¶ First, sixe lawfull men shall bee sworne truly to gather all the measures of the towne, that is to wit, bushels, halfe and quarter bushels, gallons, pottels and quartes, aswell of Tauernes as of other places: Measures and weights, that is to wit, pounds, halfe pounds, and other little weights, wherwith bread of the town or of the Court is weighed, that is to say, one loafe of euerie sorte of bread.

And vpō euerie measure, yarde, weight, and also vpon euery loafe, the name of the owner shalbe written. And likewise they shall gather the measures of milles. After which thing done, 12. lawful men shalbe sworne to make true answere to all such things as shalbe demanded of them in the kings behalfe vpon the articles here following, and such things as be secret, they shall vtter secretly. And the Bailife shall be commanded to bring in al the Bakers and Brewers with their measures, and al things vnder written. First they shal be asked of the price of wheate, that is to wit, how a quarter of the best wheat was solde the last market day, and how the second wheate, and how the third, and how a quarter of Barley & Otes. Afterward how the bakers bread doth agree with the kings court, that is to wit, the wastel and the other breade after wheate of the best, or of the second, or of the third price. Also vpon howe much increase or decrease in the price of wheate, the Baker ought to change the assise and weight of his bread. Also how much the wastell of a farthing ought to weigh, and all other maner of bread, after the price of the quarter of wheat which they present. Also for what default in the weight of the bread, a Baker ought to be amerced, or to be iudged vnto the Pillorie, according to the lawe and custome of his Courte. Also if anie Steward or Bailife for anie bribe, hath released the punishment of the Pillorie & Tumbrell, being alreadie iudged, or to be iudged of right.

Toll Inquest Othe Bailife Inquire Baker Pillorie

Also if they haue in the towne a pillory of conuenient strength as appertaineth to the libertie of their market, which they may vse (if neede be) without bodilie peril either of man or woman. Afterward they shall be asked of the assise and sale of wine after the departure of the Justices in Eyre, or of them that were last in seruice of the market of the towne, that is to say, of the Winteners names, and howe they haue solde the gallon of wine. And if anie corrupted wine be in the Towne, or such as is not holsome for mans bodie. Also of the assise of Ale in the Court of the town, how it is, and whether it be obserued, and if not, how many Brewers haue sold contrarie to the assise, and they shall present their names distinctly and openly, & they shall be amerced for euerie default, or be iudged to the Tumbrell, if they sell contrary to the assise. Also if there be any that sell by one measure and buy by another. Also if any doe vse false yardes, weights, or measures. Also if any Butcher doe sell contagious flesh, or ý died of the murren. Also if Cookes that seeth or bake flesh or fish in paste or water, or any other wise, ý is not holesome for mans bodie, or after that they haue kept it so long that it leeseth his natural holsomnes, and then heateth it againe and sell it. Also of forestallers, ý buy any thing afore the due & accustomed houre against the good state and weale of the towne and Market, or that passe out of the town to mete such things as come to the market, being out of the town, to the intent that they may sell the same in the towne more deare vnto Regrators that vtter it more deare then they would that brought it, in case they had come to the towne or market. Anno 51. H. 3. as it is cōmonly noted, but it seemeth not to bee anie statute, but certaine articles of enquirie vpon the Statute of Vitailers, Bakers, and Brewers and Forestallers, 31. Ed. 1. before 3.

Wine Ale Tumbrell False measures Butcher Cookes Forestallers

5 ¶ It is ordained, that three graines of Barley drie & round doe make an inch, 12. inches make a foote, 3. foote make a yarde, 5. yardes & a halfe make a perche, and forty perches & 4. in breadth make an acre. The Composition of yardes, perches and acres.

Acre

6 ¶ When an acre of land containeth 5. perches in length, then it shall bee in breadth 16. perches, when it containeth

11. perches in length, then it shall bee in breadth 14. dim. qr. one foote, whē it is 13. then 13. 5 foote, one inch, when 14. thē 11. 7. foote 1. inch, when 15. then 10. and dim. two foote and dim. when 16. then 10. whē 17. then 9. 3. foote, 3. inches and dim. when 18. then 8. dim. 6. foote and dim. 5. inches, when 19 thē 8. 6. foote 4. inches and dim. when 20. then 8. perches, when 21. then 8. perches, and dim. two foote one inche, when 22. then 7. 1 qr. 8. inches and dim. when 23. then 6. and dim. 3. inches, fiue foote and dim. when 24. then 6. and dim. 2 foote and dim. 3. inches, when 25. then 6. and 1. qr. 2. foote and dim. inch, when 26. then 5. and dim. 6. foote 2. inches, whē 27. then 5. and dim. 3. foote, when 28 then 5. 7. foote and dim. when 29. then 5. 6. foote & dim. when 30. then 5. 6. foote, when 31. then 5. 2. foote and dim. when 32. then 5. when 33. then 4. dim. 1. qr. 1. foote & dim. 1 inch, when 34. then 4. and dim. 3. foote 4. inches and dim. 1. qr. when 35. then 4. and dim. one foote 2. inches and dim. when 36. then 4. 1 qr. 3. foote and 5. inches and dim. when 37. then 4. 1 qr. 3. foote and dim. whē 38. then 4. 4. foote and dim. when 39. then 4. 1. foote and dim. 2. inches and dim. whē 40. then 4. when 41 then 3. 1. qr. 2. foote & dim. when 42. then 3. 1. qr. two foote, when 43. then 3. one foote and dim. when 44. thē 3. and dim. foote and fiue inches, when 45. then 3. and dim. Anno. 31. E. 1. Treatise of measuring land.

7 ¶ By the consent of the whole realm of Englād the kings measure was made, ℌ. That an English penie, which is called the sterling, round without clipping, shall weigh 32. graines of wheate drie in the middest of the eare, and 20. d. make an ounce, and 12. ounces make a li. and 8. li. make a gallon of wine, and 8. gallons of wine, make a bushel of London, which is the 8. part of a quarter. The ordinance of measures. An. 31. E. 1.

8 ¶ The loade of leade doth consist of 30. foxmels, and euery foxmell containeth 6. stone, except 2. pound: and euery stone doth consist of xij. li. and euery li. consisteth of the weight of xvj. s. whereby the sum in the foxmel is 70. li. But ỹ sum of the stones in the load is 8. times 20. and 15. and it is proued by 6. times 30. which is 9. times 20. But of euery foxmel there are abated vj. li. in the foxesaid multiplication, which are 60. which make 5. stone. And so there are in the loade 8. times 20. and 15. as is abouesaid. According to some other, it consisteth of twelue weights, and this is after Troy weight. And ỹ summe of stones in the loade is eight times twētie and viij. stone, & it is proued by twelue times fourteene. There is a weight aswel of leade, as of wool, tallow, and cheese, and weigheth fourtæne stone. And vj. weights of woll make a sacke, and twelue sackes make a Last. But a last of Herrings containeth ten thousand, and euery thousand containeth ten hundred, and euery hundred fixe score. A last of leather doth consist of xx. diker, and euery diker consisteth of ten skins. And a diker of gloues consisteth of ten paire of gloues. Item a diker of horseshoes doth consist of ten shoes. Item a dozen of gloues, parchmēt and vellam in their kindes containe xij. skinnes, and xij. paire of gloues. Item a hundred of ware, suger, pepper, cynamon, nutmegs, and allum, containeth xiij. stone, & a halfe, and euery stone viij. li. The sum of pounds in a hundred, 108. li. And the hundred is contained of fiue times twenty, and euery pound of xvj. s. Item it is to be knowen, that the pound of pence, spices, confectiōs, as of electuaries, consisteth in weight of xx. shillings. But the pound of all other things, weigheth 25. s. Item of electuaries & confections, the pound containeth xij. ounces, and an ounce hereof is of the weight of xij. d. Item a hundred of canuas & linnen cloth consisteth of 100. elles, and euery hundred containeth fiue score. But the hundred of yron, & shillings consisteth but of fiue score. The dozen of yron consisteth of 6. pieces. The seeme of glasse containeth 24. stone, & euery stone v. li. And so the seeme containeth fiue score pound. A binde of Eeles consisteth of ten strikes, & euery strike xvj. Eeles. But the binne of skins cōsisteth of 33. skinnes. A timber of Conie skinnes and Grayes consisteth of 40. skins. A chef of Fustian consisteth of 14. elles, a chef of Sindon containeth ten elles, a hundred of Garlike consisteth of 15. ropes, and euerie rope containeth xv. heads: a hūdred of hard fish is eight score. Compositio de ponderibus.

Loade
Lead
Foxmell
Stone
Pound

Weight
Woll
Tallow
Cheese
Herrings
Leather
Gloues
Ware
Spice
Pound
Ounce
Canuas
Elles
Seeme
Binde
Eeles
Skinnes
Chef
Sindon
Garlike

The 9. and 11. number in the olde print, left out here as needeleſſe, the same beeing contained in the two. And the 10. is placed here in the 5. place.

12 ¶ Where it is cōtained in the great Charter (before 1.) that one measure and one weight bee throughout Englande, and also in a statute made in the time of King Edward, Grandfather to the King,

that

that now is (before 3.) that none shall sell by ỹ bushell, if it be not marked with the kings seale, and be according to the standerd: And that he which shal be attainted for hauing double measure, &c. one great to buy with, & a lesser to sell with, shalbe imprisoned as a falsifier, & grieuously punished, which things haue not béene kept, to the great griefe of the people: It is accorded, that from hencefoorth one weight shal be throughout the realm of Englād. And that the Treasurer doe to bee made certaine standerds of bushels, gallons, of weightes of brasse, & send the same into euery Coūtie, where such standerds be not sent before this time.

Weight
Treasurer
Standerd

And thereupon shalbe assigned two good & sufficient persons in euery countie, and more according as the coūtie in greatnes requireth, to survey aswell within franchise as without, that the measures & the weights be according to the stāderd. And that they haue power to enquire, beare & determine, & to punish all those that shall be found thereof guilty. And that the Shirifes at their cōmandements receiue and retaine them in prison til they haue made fine to the king. And euery person that wil complaine of such as do offend in buying or selling, shall be heard aswel for the king as for themselfe.

Survey
Diers & ter.
Punish
Shirifes

And that the said assignes shall deliuer the estreates euery yére in the morowe of S. Michael at the Eschequer, & take for their expēces the fourth part of that that they may leuie, and answere to the king of the thrée partes. And of that that may not be leuied before their proffer, the iiij. part shall be allowed to thē at the Eschequer, & the thrée parts leuied to the kings vse. And it is not the kings mind, but that the Clerke of the market shall doe his office where he will, according as he was wont to doe in times past. Nor the Lords of franchises shall not be out of their frāchises, by the occasion of this ordinance. An. 14. E. 3. cap. 13.

Estreates
Eschequer
Clerke of the market

13 ¶ To auoid the deceit of the weight called Auncell, Be it &c. that this weight called Auncell, betwixt buyers & sellers, shal be wholy taken away. And that euery sale & buying be by the ballāce, so that the ballance be euen, and the wools and other merchandises euenly weighed by right weight, so that the sacke of wooll weigh no more but 26. stones, and euery stone to weigh 14. pound. And that the beame of the ballance doe not bowe more to the one part then to the other. And that the weight be according to the standerd of the Eschequer. And if any buyer do cōtrary, he shalbe grieuously punished aswell at the suite of the partie, as at the kings suite. An. 25. E. 3. cap. 9.

Auncell
Ballance
Wooll
Stone
Punish

14 ¶ Whereas Magna Charta (before 1.) cōtaining that one measure should be throughout the whole Realme, hath not bene well kept in that point: It is ordered, that all the measures, that is to say, bushels, halfe bushels, pecke, gallon, pottell, and quart throughout Englād, within franchises and without, shall be according to the kings standerd. And the quarter shal containe eight bushels by the stāderd, and no more. And euery measure of corne shall be striked without heape, sauing the rents & fermes of Lords, which shall bee measured by such measures as they were wont in times past. And the Purueiours of the king, of the Quéene, & all other, shal make their purueiances by the same measures, striked in the same maner. And at all times that shall be néedfull, our Soueraigne Lord the king shall assigne certaine Justices in euery Countie, to enquire, heare and determine, vpon the points aforesaid, and vpon the same to do punishment according to the trespasse, aswell at the parties suite, as at ỹ kings. So alwaies that all maner of franchises be saued to the Lordes in all points without blemish to bee made in any manner. An. 25. E. 3. cap. 10.

Bushell
Gallon
Quarter
Purueyors
Justices
Diers & ter.

15 ¶ Because that some Merchants doe buy by one weight, and doe sell by an other, and doe vse deceitfull draughtes vpon the weights, and doe also vse false measures and yardes: Be it &c. that one weight, one measure, and one yard, bee through all the lande, as well out of the Staple as within. And that woolles, and all maner of goods of weight, be weighed by the ballance, so that the tongue of the ballance be euen without bowing to the one side or to the other, or without putting hande or foote, or other touching of the same. And that hee that doth against this, to the dāmage of the seller, shall forfaite to vs the valure of the merchandise so weighed and measured, and the partie that will complaine him, shall haue the quatreble of that that he shall bée endammaged, and the trespasser shall haue one yéres imprisonment, and be ransomed at the kings will, & thereupon Justices shall bée assigned to enquire such trespasses

Ballance
Forf.
Imprison
Fine
Justices

at

at all times that shal be nedful, and to do right as well at our suite, as at the suite of other that thereof will complaine. An. 27. E. 3. cap. 10. Statute of the Staple.

Wine Gauge Fork.

16 ¶ The said statute (viz. 27. E. 3. cap. 8. after wines 8.) shall bee holden and kept in al points. And moreouer if any sel Tũne or Pipe of Wine not gauged, that the said seller shall forfait the same wine or the valure to the king. Anno 31. Ed. 3. cap. 5.

Iust. of P. Enquire

17 ¶ They which shall be assigned to kẽpe the peace, shall haue power to enquire of measures, and also of weights according to the Statute thereof made the 25. yẽre of the raigne of our Soueraigne Lord the king that now is (cap. 9. & 10. before 13. & 14.) which things the King will that they shall be cried in euery Coũtie within franchise and without, betwixt this and the feast of Easter next cõming, to the intent that they be holden and kept in all points. And that the said kẽpers of the peace enquire and punish all those whom they shal find to haue done against the said statute after the said Proclamation made. And also the said Proclamation shalbe made in Cities, Boroughs, and Townes enfranchised, that the said articles be holden and kept in all points, vpõ the paynes contained in the statute made the 28. yẽre of the raigne of our Soueraigne Lord the king that now is, touching the Citie of London, and other Cities and Boroughs of the Realme. And if they kẽpe not the said articles, the King in their default shall doe the same statute (made of the same paynes) to bẽ put in execution against them. Anno 34. Ed. 3. cap. 6.

Proclamation

London

*

18 ¶ One measure and one weight be throughout all the realme of England, as in the great Charter, and al other good Statutes & ordinances thereof made, is more plainely contained. And euery man that shall be conuict that he hath or vseth any other measure or weight, shall haue imprisonment of halfe a yẽre, and make grẽ to the partie grieued, to the double of his losse, except it be in the Countie of Lãcaster, because that in that Countie it hath alwaies bin vsed to haue greater measure then in any other partie of the Realme. An. 13. R. 2. cap. 9.

Measure Imprison

Lancaster

19 ¶ Where as it is ordained by diuers Statutes, that one measure of corne, wine, and ale, should bee throughout the Realme, & that viij. bushels striked make the quarter of corne: Neuertheles because that no paine is thereupõ ordained in the said Statutes, diuers people of diuers Cities, Boroughs, townes, and markets, wil not take neyther buy in the said Cities, Boroughs, townes, markets, ne in none other place, but after ix. bushels for the quarter: And if they cannot buy in that maner, they arrest it as forfaite, to the great dammages and oppression of all the people, & manifestly against the statutes aforesaid: It is ordained & assented, that the said statutes shal be firmely kept and holden, as well in the Citie of London, as in any other place throughout the realm, and that as wel by water as by land, notwithstanding any vsage or custome in times past vsed to the contrary. And that none from henceforth do buy in the city of London, ne in any other place, no manner corne nor malt, but after viij. bushels the quarter, according to the purport of the said statutes, vpon paine of forfaiture of all the corne or malt so bought, sauing to the king the said forfaiture, except franchises royall, to whom ẏ king of his especiall grace hath graunted the same fork. and that as well the Maior and Shirifes of London, as the Maiors and bailifes, of other cities, boroughs, townes and markets (if they doe not thereof full and due execution) shall incurre like paine as wel at the suit of the king, as of the partie or any other person that wil sue for the king. An. 15. R. 2. cap. 4.

London

Quarter

Fork.

Maiors Shirifes Bailifes

20 ¶ All the weightes and measures through the Realme, shall be according to the standerd of the Eschequer, after the forme of the statutes thereof made. And also the king will, that the Clerke of the market shall haue all his measures and weights ready, according to the standerd of the Eschequer, & signes, and marks of the signe of the Eschequer to that ordained, & the same weights and measures so signed & marked, to carie and bring with him at all times that hee shall make the assay of weightes & measures in any part within the realm, & that he nor none other of the kings liege people shall vse none other measure nor weight, vpon the paines cõtained in the statutes thereof made before this time. An. 16 R. 2. cap. 3.

Standers

Clerke of the market

21 ¶ Whereas in the time of ẏ kings progenitors, it hath bin ordained, that one measure of corne should be through al the realm, viz. eight bushels for the quarter, & that euery bushell should containe eight gallons:

gallons: by force of which ordinãces such measure hath bin vsed, with one bushel of the quarter heaped. And notwithstanding the said good ordinances & vsages, the pur-ueyors of corne for the kinges houshold haue take 9. bushels for the quarter, and that by measure not sealed nor striked, & without due price set downe according to the law, against the sellers will, and also haue caused them to make carriage there-of without paying for it. And the Citizẽs of London also do the like by the measure called the fate, and do also take money for measuring, whereby the buyers of corne in the coũtrey will haue the like measure, to the great destruction of the cõminaltie: Be it &c. That al the said good ordinances be firmely holden & kept after the effect of the same. And that no purueyor of our so-ueraigne Lord the king, nor none other, shall vse hereafter to buy nor take anie corne by other measure, but eight bushels striked for the quarter, & that none bee o-therwise holden to deliuer for the quarter but eight bushels striked, as it is afore-said, and also that the paiment be made in hand for the carriage. And that if any pur-ueyour of our Soueraigne Lord the king or any other person, buy or take any corne otherwise, or by other measure but eight bushels striked for the quarter, as in the said ordinances is contained, and thereof be attainted, he shall haue one yeares im-prisonment, & pay to the king an C.s. and to the partie that feeleth himselfe grieued, an other C.s. and that as often as any of them be thereof attainted, & that the par-tie which will sue haue an action groun-ded vpõ the case: and that the Justices of the peace haue power to enquire and hold plea of al these things afore-said, and vpon that make punishments as afore-said, as-wel at the suite of the king, as of the par-tie, & that from henceforth nothing be ta-ken for the measuring of such corne in a-ny wise. An. 1. H. 5. cap. 10.

Purueyor

Quarter

Measure

Imprison Fine

Action Just. of P.

23 ¶ The king do to be ordained good & iust weight of noble, halfe noble, & far-thing of gold, with the rates necessarie to the same, for euery citie, Borough & mar-ket towne of the Realme, to be deliuered by the Chauncelour of England to them that will haue them, to the intẽt that they be not deceiued by false coũterfettors, and them that vse false weight in deceit of the people. An. 9. H. 5. cap. 7.

Weight Gold

Chancelor

24 ¶ Forasmuch as by craft & subtil-tie now of late, vessels of wine, Herring, Eeles and Salmon, be of much lesse mea-sure then heretofore they haue bene: Be it &c. that no man, after the end of 12. mo-neths of the feast of Easter next cõming, shall bring into the realme of England, of what countrey soeuer it bee, nor make within the same Realme tunne of wine, except it containe English measure 252. gallons, the pipe 126. gallons, & so after the rate, the tercian and the hogshead of Gascoine wine, vpõ paine of forfaiture of the same wine, nor barrel of Herring nor of Eeles, vnlesse they containe 30. gallõs fully packed, nor Butte of Salmon, vn-lesse it containe 84. gallons fully packed, nor kilderkins, tercians & firkins of her-ring, nor of Eeles, nor of Salmon but af-ter the rate fully packed, after the feast of the Natiuitie of Saint John the Baptist next comming, vpon paine of forfeiture of the said Herring, Eeles and Salmon, so brought or made contrary to this ordi-nance, in what Citie, borough & Towne of the Realme, or in any partie of Eng-land, that such defaults bee found, to the Lord of the same towne. And that he that will sue and prowe the said defaults, shall haue the fourth parte of the same forfey-ture. And the Justices of peace in all the Counties of England, and Maiors and Bayliffes, hauing power to enquire of the peace, shall enquire, heare and determine all the same defaults. And that this ordi-nance extend and haue strength, as well within the coũtie of Chester, as elswhere. An. 2. H. 6. cap. 11.

Tunne ℔ Wine Measure

Fork. Fish

Fork.

Just. of P. Maior Bailiffe

Diers &c.

25 ¶ The Justices of peace, shirifes, Escheatours, and other persons to bee as-signed by the King, shall haue power by Commissiõ to enquire of all falsifiers and counterfeiters of false weightes, and to take them and imprison, and in prison to hold them without mainprise, till they be acquite or attainted: and if they be attain-ted, their body shal abide in prison, til they haue made fines and ransomes after the discretion of the said Justices. And that the same Justices haue power thereof to enquire, heare and determine, as often as to them shall seeme necessarie. An. 9. H. 5. cap. 8. Parl. 2.

Just. of P. Shirifes Escheators

Imprison Mainprise

Enquire Diers &c.

26 ¶ Whereas by the great Charter of the liberties of the realme of England (before 1.) & by a Statute made the 27. yeare of king Edward the thirde (before 15.) it was ordained, & by a Statute made the 13. yeare of king Richard the second (before 19.) confirmed, that one weight &

one

Measure one measure should bée throughout all the realme of England as well out of the staple, as within. And in the same statutes of the said noble king Edward (before 13.) it Auncell is contained, that the weight called auncel, for the great dammage and subtill deceipts done by the same measure to the cõmõ people, shal be vtterly left & seperate, and the wools, and al other maner of merchandise, and all other things lying in weight, bought or sold, shall bée weighed by the ballance, so that the tongue of the ballance doe not incline more to the one partie thẽ to the other, with weights sealed, & according to the standerd of the Eschequer. And be that doth contrary to the Forf. dammage of the seller, shal forfaite to the king the valour of the goods so weighed or measured: And that the partie complai- 4. damages nant haue the quatreble dammages. And by the said statute of the said noble king Richard, it was added, that the offender shal be imprisoned by two yéares, & make fine and raunsome at the kings will: And Inst. of P. that the Justices of Peace should haue power to enquire of the said defaults, aswell at the kinges suite as the parties: (But note that the preamble reciteth these statutes otherwise then wee haue them.)

Our Soueraigne Lord the king, by authoritie of this Parliamẽt, hath ordained & stablished, that the statutes and ordinãces aforesaid, shal be firmely kept and holden, and straitly executed. And moreouer, for to eschew diuers great mischiefes, which haue hapned within the Realme of England by the said Auncell, and specially for to destroy the falsitie of the Regrators Regrators of yarne, called yarne choppers: It is ordained by our saide Soueraigne Lord the king, by authoritie aforesaid, that in euery Citie, Borough and Towne of the Ballance Realme of England, common ballance shal be, with common weights sealed, and according to the stãderd of the Eschequer, vpon the common costes of the said Citie, Borough or Towne, in the képing of the Maior Constable Maior or Constable of the same, to which ballance and common weight, all the Inhabitants of the same Citie, Borough or Towne, that haue not such weights, and other that haue, if they will, may freely weigh without any thing paying, taking neuertheles of forreins for euery draught Fees within the weight of 11. poũd a farthing, and for euery draught betwixt 40. pound and a hũdred, an halfe peny, and for euery draught betwixt 100. pound and a 1000 pound, a penie at the most, whereof the weights shalbe maintained, and the officers lawfully weighing, rewarded by ỳ discretiõ of the chiefe of the citie, borough or towne, according to his attendance to the saide occupation bée it more or lesse.

Yarne And that no man buy yarne of wool called woollen yarne, vnlesse he will make cloth thereof, nor vse weight or measure, nor other thing in the place of weight or measure, that is not sealed according to the said stãderd, nor put any thing to ỳ same by the way of hanging or couering, or in any other maner that may encrease the measure or weight, or let the ballance to haue his owne course, vpon the forfaiture and paine aforesaid. Weigde Measure

Inst. of P. Maior Bailife Steward And that the Justices of peace, Maiors, Baylifes, and Stewards of Franchises, haue power by authoritie aforesaid to examine the trespassor in this case, and for to enquire in especiall of offenders against this ordinance, and to doe execution against them that bée found defective, by enquests, or by examinatiõ to be made by the said Judges or officers in this case, in the maner as afore is said. And that this ordinance be holden & obserued, from the feast of Easter next ensuing for euer. Enquests Examination Officers

Citie Borough And that euery Citie vpon paine of r.li. euery Borough vpon paine of an C.s. and euery towne where a Constable is, vpon paine of xl.s. haue a common ballãce with Ballance weightes according to the said standerd, within two moneths after proclamation made of this ordinance, which paine shalbe leuied to the vse of our soueraigne lord the king, as often as they shal be defective Ring against the said Proclamation. Anno 8. H.6. cap. 5.

27 ¶ By force of the Statute made in the last Parliament. (S. An. 8. H.6. cap. 5. before 26.) of weightes, according to the stãderd of the Eschequer to be had in euery Citie, Borough, & Towne, within the realme, the Burgesses of the Borough of Dorcester shall not bee disturbed of their Dorcester right, to vse their weying by vij. mile about the same Borough vsing alwaies such weights as in the said statute be expressed. And ỳ no right nor title of weying grow to any by force of the same last statute in disturbance of the right of the said Burgesses of the said Borough of Dorcester. An. 9. H.6. cap. 6.

28 ¶ Whereas it hath bin of old time vsed in all Counties, that all the Chéese, which were to be solde by the wey, were

weighed

weighed by the ãuncel, which now is taken away in the last Parliament (before 26.) and other touching weights there ordained: And now the poore people bée deceiued, not knowing how many pounds the wey of Chéese doth cõtaine by the said touching weightes: Therefore bée it &c. That the weight of a wey of Chéese shall containe xxxij. cloues, that is to say, euery cloue vij. li. by the said touching weights. Anno 9. H. 6. cap. 8.

Wey of Cheese

29 ¶ Forasmuch as notwithstãding al the statutes made for weight and measure of corne, and the ordinance made An. 1. H. 5. (before 22.) aswell Bakers, Marchants and common buyers of corne, as also the Kings puruciours doe still take nine bushels for the quarter: Our Soueraigne lord the King willeth that aswell the saide Statutes, as the Statutes of weights & measures made at the Parliament of our soueraigne lord the king that now is, the 8. yeere of his raigne (before 26.) be proclaimed aswell in the Citie of London, as in all other Cities, Boroughs and Counties of England, and put in due execution after the forme and effect of the same. Joyning to ẏ said statute made the said eight yeere, that in euery Citie, Borough & towne of the Realme, there shalbe a common bushel sealed, and according to the standerd in the Eschequer in the same manner and forme, & vpon the same paine, as in the same statute is specified of a common ballance to be in euery such citie, borough & towne. And that the Maior of the Citie of London, and all other Maiors of all other Cities and Boroughs of England, where there is a Maior, and all bailifes of cities & boroughs where there is no Maior, and al Justices of peace in euery Countie of England for the time being, shal haue full power to put al the statutes & ordinances aforesaid in due execution, and heare and determine all the defaults, misprisiõs, offences and trespasses against the forme and effect of the said statutes and ordinãces, done or to be done or committed aswell at the suite of the king, as of the partie that in such a case seeleth himselfe grieued, and of any other of the kings liege people, which in this behalfe will sue for the king our soueraigne lord, & that as well by examination of the parties or any of them after the discretion of the said Maiors, Baylifs and Justices of peace, as by illues to be tried by inquisitions duely to be také, and other pleas and

Proclamation London

Cities

Bushell

Ballance

Maior

Bailifes

Just. of P.

Diuers & ter.

Examination

processe of the law of the land. And that aswel the partie grieued, as an other liege man of our soueraigne lord the king, that will sue for the king, shal haue the suite in that case at his will. And that he that is so attainted of any default, misprision, ofence or trespasse done against the sayd statute made the said first yeere, shall pay to him at whose suite he is thereof attainted, an C. s. and his reasonable costes of the said suite, and to the king an other C. s. And that as well the Maior of London for the time being, after he is chosen Maior, and sworne within the said citie at his first cõming to the Eschequer before the Treasurer of England, and the Barons of the kings Eschequer, as euery of the said other Maiors and Baylifes in their othes to be made for their said offices, shal bée charged and sworne to doe, kéepe and execute all the statutes abouesaid. And that all the Maiors and Bailifes of cities and boroughs of the realme accomptable in the said Eschequer, doe yerely accompt in the saide Eschequer of the profites and forfeitures that may or ought to appertaine to our soueraigne Lord the king by the forme of the said estatutes. Sauing alwaies to lordes, Cities and Boroughs, their liberties and franchises graunted to them by our saide Soueraigne Lord the king, or any his progenitours, not reuoked, repealed, or adnulled. And sauing alwaies that the said statute made the first yére of king Henry the fifth, and al other Statutes of measures and weights afore made, stand in their force. Anno 11. Hen. 6. cap. 8.

Fork.

Costes

Maior

Othe

Accompt

*

30 ¶ Forasmuch as all the Tunnes, Pipes, Tercians and Hoggesheads of Wine, Oile & Hony, vendable within the Realme of England, ought & were wont after the ancient assise of the same realme to containe a certaine measure, that is to say, euery Tũne twelue score and twelue gallons, euerie Pipe fire score and fire gallons, euery Tercian foure score and foure gallõs, and euery Hoggeshed three score and three gallons, and by diuers statutes it hath bin ordained, that ẏ Tunnes and Pipes of Wine should be gauged, but for the gauging of Tunnes and Pipes of Oile and hony, or of Tercians and Hoggsheds of Wine, no ordinances haue bene made in certaine before this time, to the great dammage of the King and of his people:

Tunne Pipe Hogshead

The king willing against this dãmage

to prouide a remedie in this behalfe, hath
graūted and ordained by authoritie afore-
said, that from henceforth all manner of
tunnes, pipes, tercians and hogsheds, as
wel of wine as of oile and hony, to be sold
within the said Realme, shal be well and
Gaugeor lawfully gauged by the kings gaugeor,
or by his deputie before that they be sold,
Fork. vpon paine to forfait to the King all the
wine, oyle, and hony contrary sold, or the
value of the same. And in case that any
person of what Countrey that he be, from
henceforth sell to any of the Kings liege
people for any price in certaine any tūne,
pipe, tercian, hogshed of wine, oyle & hony,
Allowe which wanteth in any wise of the assise
and measure aforesaid, that he allow,
and rebate of the same price to the buyer
of such wine, oile & hony, as much as such
default after the rate shall amount, vpon
Fork. paine to forfait to the king the value of al
the wine, oile and hony contrarie sold, any
priuie couenant made, or to be made be-
twixt the seller and the buyer contrary to
this ordinance notwithstanding.

And euery person that espieth any of the
forfaitures aforesaid, and therof enforme
the Treasorer of England, or the Barōs
Moitie of the Eschequer, shall haue the halfe of
the same forfeitures for his labour. Pro-
uided alwaies that the said gaugeor take
and haue for his labour towards the gau-
ging of euery tunne and pipe of oyle and
honie, as he taketh, & hath of euery tunne
and pipe of wine, & for euery tercian, and
hoggeshed after the rate. Anno 18. H 6.
cap. 17.

☞ 31 ¶ Upon complaint of the defaults
of Buts of Malueſie and other vessels of
wine and oyle. Be it &c. that no maner
Merchant merchant nor other person from the feast
of S. Michael the archangel next com-
ming, shall bring nor cause to be brought
Butte into this realme any butte of Malueſie to
be sold, vnlesse it doe conteine in measure
at the least C. xxvj. gallons, nor no man-
ner of vessels with any māner of wines,
of whose soeuer they be, or of what coun-
trey they be, nor no maner of vessels of
oyle, vnlesse the same vessels of Wine or
oile do containe and hold the measure and
Tunne assise following, that is to say, euery Tun
to containe xij. score gallons and xii. And
Pipe euery Pipe to cōtaine vi. score and vi. gal-
Tercian lons. Euery Tercian to containe iiij. score
Hogshead and iiij. gallons, and euery Hogshead to
Barrell containe lxiij. gallons, and euery Barrell
to containe xxxj. gallons, and an halfe,
and euery rundlet to containe xviij. gal-
lons and an halfe, according to the old as-
sise and measure of the same vessels, vsed
in this Realme. And that all the vessels of
wine and oyle, brought into this Realme
after the said feast to be sold, shall not bee
put to sale after the same feast til they be
well and truely gauged by the kings gau- Gauged
geour, or his sufficient deputie, vpō paine
to forfaite to the king all the saide wines Fork.
and oyle sold contrarie to this present or-
dinance, or else the value of the same. And
in case that any maner person, of what
Countrey he be, from henceforth do sell to Sell
any of the kings liege people for any cer-
taine price assigned, any butte, tun, pipe,
tercian, hogshead, barrell or rūdlet of any
maner wine or oyle, lacking any thing of
the said assise or measure, that ỳ seller shal
allow or rebate at the same price to the Allowe
buyer of such wine or oile as much money
as such lacking after the rate shall amoūt
to, vpon paine to forfait to our soueraigne Fork.
lord the king the value of al the wine and
oyle so solde contrary to this present ordi-
nance: Any priuie couenant or contract
made or to be made betweene the buyer &
the seller contrary to this ordinance in a-
ny maner notwithstanding. An. 1. R. 3.
cap. 13. This act is confirmed by 28. H. 8.
cap. 14. hereafter 35.

32 ¶ Whereas by diuers statutes it
hath bene ordeined, that one measure and
one weight should bee throughout all the
realme, and that the same should be accor-
ding to the standerd of the Eschequer,
which as yet hath not bin duely obserued,
& the king considering the cause to be, for
that the true measure of the said standerd
is not to all mē well knowen, hath at his
owne charge caused both weights & mea-
sures of brasse to be newly made accor-
ding to the said standerd.

Be it &c. that the saide measures and Measures
weights of brasse be deliuered to the Ci- Weights
tizens & Burgesses of the chiefe Cities or Cities
shire townes, or boroughs of euery shire Townes
of this Realme in this present Parliamēt
now being, or to the chiefe officers of eue-
ry such Cities, shire townes or boroughs,
where such like Citizens and Burgesses
be, by indentures therof to be made be-
twixt the Treasurer of Englād or vnder
Treasurer for the time being, and the said
citizens, burgesses, and other chiefe offi-
cers aforesaid so them receiuing, safely to
be conueyed to the Citie, Towne, or Bo-
rough that they be of, at the cost & charge

of

of the said citie, towne or borough, and to be deliuered to the Maior, shirife, bailife, or other the chief officer of the same, there to rest as your treasure in the custodie of the said chiefe officer of ỳ said citie, towne or borough for the time being, and of his successors for euer, to the intẽt that aswell all weights and measures within the said citie, towne or borough, as the measures and weights within the said shire may be corrected, reformed, amended, and made according, & after the measure of the said standerd, before the feast of S. Michael the archangell next comming.

And that the said chiefe Officer for the time being, in euery Citie, Towne or borough, haue for that cause a special marke or seale, to marke euery such weight and measure so made, to be reformed & brought vnto him without fault or delay. And that he take for his labour for sealing of euery bushell j. peny, of euery other measure an halfepeny, of euery hũdred weight a peny, of euery halfe hundred an halfepeny, & of euery weight vnder, a farthing, & not aboue, vpon paine to forfeit for euery time that he refuseth or doth the contrarie xl.s. the one halfe thereof to our Soueraigne Lord, & the other halfe to him that is grieued, and will sue in that behalfe, by action of debt, to be recouered after the course of the common law. And the defendant in any such action bee not receiued to wage his law, and that the Iustices of peace in euery shire in England, haue full authoritie and power to enquire, heare & determine the said defaults, and ouer that, that open proclamatiõ be made in euery shire of this your said realme, that no man buy nor sell after the said feast of S. Michael, by any other weight or measure then is according to the said standerd, vpon such paines & forfeitures as is limited in the said Statute. An. 7. H. 7. cap. 4.

Marke
Fee
Fork.
Moitie
Iust. of P.
Diet & ter.
Proclamation
Standerd

33 ¶ Forasmuch as notwithstãding all the former statutes for one measure & one weight, to be vsed throughout all the realme, & the seuerall paines of al the said statutes, the same hath not bene duly obserued: Be it &c. That vnto the knights and citizens of euery shire and city assembled in this present parliament, barons of the fiue ports, & certaine burgesses of borough townes, yer they depart from this present parliament, be deliuered one of euery weight & measure which now our soueraigne lord hath caused to be made of brasse for the common weale of al his subiects & lieges wĩn this his realme of Englãd, according to the king our soueraigne lords standerd of his Eschequer of weight and measure, as they haue bene in the Eschequer of our said soueraigne lord, & that the said knights, citizẽs and burgesses, to whome the said weights and measures shall be deliuered as is aforesaid, surely conuey or cause the same to be conueied on this side the feast of Easter next cõming, by the said citizẽs to their cities, and by the said knights vnto such borough or towne corporate, or market towne wĩn the shire, for the which they bene elected, as is specified & conteined in a scedule vnto this present bil annexed, there to remaine for euer in the kẽping of the Maior, bailife, or other head officer for the time being of the same citie, borough or towne, as the kings standerd of weight and measure. And that the inhabitãts of all cities, boroughs, and market townes within euery of the said shires, shal on this side the feast of the Natiuitie of S. John Baptist next comming, make or cause to be made cõmon measures and weights, according to the weights and measures aboue said, to remaine within the same Cities, Boroughs and market townes, and euery of them, & the same weights & measures to be viewed, examined, printed, signed and marked by ỳ Maior, bailife, or other head officer, in whose possession the foresaid stãderd shall remayne, and that euery of the aforesaid Maior, Bailife, or head officer, hauing the said weights & measures signed and printed, vnder the signe and print for the same with a letter H. crowned to be printed, to alligne & print like weights & measures vnto euery the Kings lieges and subiects duely requiring the same, taking for marking of euery bushel a peny. And from the said Natiuitie of S. John Baptist, no merchant ne other person ne persons within any city, borough or market towne, buy ne sel with any weight or measure, except it bee marked, signed or printed, in manner & forme aforesaid, ne any other person or persons out of the said cities, boroughs and market townes, except it be like and equall with the said stãderd, and that euery person as well without cities, boroughs, and market townes as within, buy & sell with a bushel sealed, signed or marked after the forme aforesaid, & none otherwise, & that all the Maiors, bailifes and other head officers of euery city, borough, or market towne, shal

Standerd
Maior
Bailife
Common measure
Marke
Fee
Merchant
Bushell

cause

cause twise in the yeere or oftener as they shall thinke necessarie, all weights and measures within the said cities, boroughs and market townes to bee brought afore them, to be duely viewed & examined, and such as they shal vpon the said examination find defective, immediatly to be broken and burnt, & the partie and parties which in that behalfe haue offended, & bee found defective, shall forfeit for the first time vj. s. viij. d. The forfeiture therof to be to the said Maior, Bailife, or any other hauing iurisdiction & correctiõ in that behalfe. And at the second time the same offender likewise to forfeit xiij. s. iiij. d. and at the third time likewise to forfeite xx. s. and for further punishment, to be set vpon the pillorie to the example of other. And that two Justices of peace, whereof one shalbe of the Quorum, haue authority as wel by examinatiõ as by enquirie, to heare and determine the defaults of the said Maiors, bailifs & all other head officers in that behalfe, & also of all buyers and sellers doing contrary to this present act & ordinances, and to set fine and amercement vpon the offenders by their discretion. And the said weights & measures so found defective, to be forfeited and burnt. Be it also enacted that there be but onely 8. bushels rased & stricken to the quarter of corne, and xiij. li. to the stone of woll, and xxvj stone to the sacke. Be it also &c. that the Justices of peace aboue said, haue authoritie to make like processe against al persons foũden as is aboue said defective, & such fines and amerciaments as vpon them shal be selled, as if they were indicted afore them for breaking of the kings peace. And ỹ where by other Statutes and Ordinances afore limitted, it is ordained that euery Citie, borough, and towne that hath a cõstable, should haue common weights & measures sealed, vpõ penaltie in the same limitted, that those penalties in that behalfe extẽd not to any Towne which is no Citie, borough nor market towne.

Search
Fork.
Maior Bailife
Fork.
Pillorie
2. Iust. of p. Quorum
Mer & ter.
Fine Discretion
Quarter Stone
Iust. of p. Processe
Constable

Prouided alwayes, that this acte shall not extend nor bee preiudiciall vnto anie person selling or buying by water measure, within the shipbord. And that it be &c. the premisses or any other ordinance afore made notwithstãding, that the said water measure within the shipbord, shall onely conteyne fiue peckes after the said standerd rased and stricken. Prouided also that the examination of the faultes aboue said, and punishment to the offenders of euery offence committed hereafter within any of the said Fiue ports, shal bee had, done, & administred by the Lorde warden of the said Fiue ports, or by his Lieutenant of the same for the time being, and by none other, the premisses notwithstanding.

Water measure

Fiue ports L. warden

Prouided alway, that this act of weights & measures extend not nor be in any wise hurtfull or preiudiciall to ỹ prince within the Duchie of Cornewal, or any weights appertaining & belõging to the cunage of tinne within the Counties of Cornewall and Deuõshire, but that all such weights be vsed, ordered, demeaned and corrected, as it hath bene vsed & accustomed before this time, the said act and ordinance notwithstanding.

Cornewal
Tinne

The names of townes limited for ỹ sake custody of weights & measures, according to the kings standerd for the shires following, as particularly appeareth.

Towns

Westmerl.	The towne of Apulby.
Northumb.	The towne of Newcastle.
Cumberl.	The citie of Carleol.
Lanc.	The towne of Lancaster.
Eborum.	The citie of Yorke.
Lincolne.	The citie of Lincolne.
Derb.	The towne of Derbie.
Noting.	The towne of Notingham.
Leicest.	The towne of Leicester.
Warr.	The towne of Couentrie.
Rutl.	The towne of Uppingham.
Northt.	The towne of Northamp.
Bed.	The towne of Bedford.
Buck.	The towne of Bucking.
Canteb.	The towne of Cambr.
Hunt.	The towne of Huntingd.
Norff.	The citie of Norwich.
Suff.	The towne of S. Edmundsburie.
Esser.	The towne of Themes.
Hertf.	The towne of Hertf.
Midd.	In Westminster.
Kanc.	The towne of Maidston.
Surr.	The towne of Guilford.
Sussex.	The towne of Lewes.
Oron.	The towne of Orenford.
Berk.	The towne of Reding.
Salop.	The towne of Shrewsl.
Staff.	The towne of Stafford.
Heref.	The towne of Heref.
Glouc.	The towne of Glouc.
Wigorn.	The citie of Worcester.
Wiltsh.	The citie of new Salisbury.
South.	The citie of Winchester.
Som.	The towne of Ilchester.
Dorsl.	The towne of Dorchester.

Deuon,

Deuon.	The Citie of Exceſter.
Cornub.	The Town of Leſtudiel.
London.	The ſame Citie.
Briſtol.	The ſame Towne.
Quint. Port.	The Caſtel of Douer.
Ciuit. Couent.	The ſame Citie.
Southampt.	The ſame Towne
Ciuit. Cheſtr.	The ſame Citie.

Anno. 11. H. 7. cap. 4.

34 ¶ Whereas the King for the common weale of his people hath of late cauſed weights and meaſures to bee made of braſſe, according to the olde ſtanderdes of his treaſurie, & in this laſt parliamẽt An. 11. (before 33.) ordeined that the ſame ſhould be deliuered out to be conueyed to certaine Boroughs and Townes, which weights & meaſures vpon more diligent examination made according to the olde lawes & ſtatuts be found defectiue, wherfore the king &c. ordeineth &c. that ẏ meaſure of the buſhell contein viii. gallons of wheat, & euery gallon conteine viii li. of wheate of Troy weight, & euery pounde conteine xii. ounces of Troy weight, and euery ounce conteine xx. ſterlings, & euery ſterling be of ẏ weight of xxxii. cornes of wheat that grewe in the middeſt of the eare of the wheat, according to the olde lawes of this land.

Buſhell
Gallon
Pound
Ounce
Sterling

And that it pleaſeth the kings highnes to make a Standerd of a buſhell & a gallon after the ſaide aſſiſe to remaine in his ſaid treaſurie for euer. And from henceforth the ſaid newe buſhels and gallons lately ſet forth, be not vſed nor occupied for no meaſures, but that they be ſent againe vnto the kings receit by the feaſt of Whitſuntide next comming at ẏ coſts & charges of the ſaid Cities, Boroughs, and Townes hauing the ſaide buſhels & gallons in keeping, vpon paine of xx. li. to be forfeited to the king, the ſame buſhels and gallons ſo ſent againe into the kings receit, to be broken, and with the ſtuffe & mettall of the ſame buſhels and gallons, other new buſhels and gallons by the aduice of the Treaſurer and Undertreaſurer of England for the time being before the feaſt of all Saints next comming, to be made and ſeiſed according to the ſaide buſhell and gallon, which by this preſent act is ordeined to be new made, and to remaine in the ſaid treaſurie at the coſtes & charges of the ſame Cities, Boroughes and Townes. And that euery Citie, Borough and Towne within this Realme, which nowe haue, or ſhould haue had by reaſon of the ſaid acte made in the ſaide xi. yeare, any of the ſaide newe buſhell or gallon, do conuey and carrie before the feaſt of S. Andrew next comming into euery of the ſame Citie, Borough and Townes a buſhell and gallon newly to be made as is aforeſaid, at the coſtes and charges of the ſame Citie, Borough, and Towne, there to remaine.

Forf.

Treaſury Citi: Towne

And all other buſhels, gallons & meaſures which bee to be made after ẏ forme by this acte ordeined, bee marked and ordered after the forme and effect of the ſaid acte made in the ſaide eleuenth yeare, and in the meane ſeaſon to vſe ſuch buſhels and gallons as hath beene vſed laſt afore the comming downe of the ſaid newe buſhels and gallons before the making of the ſaide ſtatute in the ſaid eleuenth yere. And that all penalties in the firſte Acte expreſſed, bee of none effect vnto the feaſt of Candlemas, which ſhalbee in the yeare of our Lorde God 1417: and after the ſame feaſt, the ſame acte made in the ſame eleuenth yeare to ſtande in full ſtrength with his penalties vpon the ſaide buſhell and gallons newe to bee made, as it ſhould haue don vpõ the ſaid new buſhels and gallõs made afore the making of this preſent act, if this act had not bene made. And that it be ordeined by the ſaid authoritie, that after the ſaid newe buſhels and gallons be made according to this preſent acte, that all other buſhels and gallons of braſſe remaining aſwel in the ſaid treaſurie, as in al other places of Englãd, before the feaſt of Chriſtmas next comming, bee damned and broken, vpõ paine of xx. li. to be leuied vpon euery Citie, Borough and Towne, or anie other place hauing the keeping of the common meaſures, that keepe ſtill any other buſhell or gallon vnbroken, and not damned of braſſe, then is ordeyned to be made by this preſent acte.

Meaſures

Anno. 12. H. 7. cap. 5.

35 ¶ The King our Soueraigne lord by the aſſent of his lords and commons in this preſent Parliamẽt aſſembled, and by authority of the ſame, ordeineth, eſtabliſheth & enacteth, that the before named eſtatute made in the firſt yeare of king Richard the third (cap. 13. before 31.) & all other eſtatutes heretofore made for ẏ true gauging & meaſuring of wines, oyles, hony, or any other licours, which eſtatutes afore this time be not repealed, nor expired, ſhall ſtand in their ſtrength and vertue, and be put in due execution, according

Gauging

to their tenors & effectes in euery behalfe.

Gauger And ouer that be it &c. that euery Gauger within this realme, shall truely & effectually within the limits of his office gauge al the said tunnes, buttes, pipes, terses, poncheons, tercians, barrels, hogsheds, & rundlets, & shall plainly & truely marke vpon the head of euery such vessell the contēt of the same, vpon paine to forfait to the party, to whose vse the wine,

Fork. oyle, or other thing therein being shall be sold, foure times the value of that that ỳ vessel so marked shal lacke of his lawfull content aboue written, the same forfaiture to be recouered ouer and besides the costes of the suite, by the kings originall writ, or by bill in any of the kings courts of his common lawes, or in any competēt court, hauing iurisdiction in ỳ place where that offence shalbe committed, by actiō or bill of debt, in which action or suite none essoine, protection, nor wager of law shall be accepted, admitted or allowed to the defendant or defendants. And that euery merchant or other person selling the said wine, oile, or other thing conteined in the said vessel marked, shal allow of the price

Allow thereof to the buyer of the same for euery quantitie of wine, oyle, or other thing conteined in the saide marked vessell, the full value of the lacke thereof, being by reason of default of full gauge of ỳ vessell marked, or of defaults of filling of the same vessel, or by reason of default of any of them, after the rate of the whole price of the wine, oyle, or other thing so being solde by that vessell marked, & that vpon

Fork. paine of forfaiture to the same buyer the double value of the same vessell & wine, oyle, or other thing therein being so solde, the same forfaiture to be recouered together with the costes of the suite, in maner and forme as the forfaiture last before written is limitted to be recouered. An. 28.H.8.cap.12.

¶Weares.

Thames Midway All weares from henceforth shalbe vtterly put downe by Thames & Midway, & through all England, but onely by the Sea coasts. Magna charta.cap.23.

2 ¶All such milles, weares, stankes, stakes, & kidels, which be leuied & set vp in the time of king Edwarde the kings grandfather, and after, whereby the saide ships & boats be disturbed, that they may not passe in such riuers as they were wont, shalbe cut and pulled downe without being releuied. And thereupon writs shalbee sent to the Shirifes of the places where nede shalbe, to suruey & enquire, & to doe thereof execution. And also the Iustices shall bee thereupon assigned at all times that shalbe nedefull. An.25.Ed.3. cap.4.stat.de pannis.

Shirifes Suruey

3 ¶The said statute (S.An.25.Ed.3. cap.4.) in this point be holden & kept after the effect of the same. Joyning therto, that if any such anoyances be done, it shal be pulled down by due processe conteined in the said statute, and he that shal releuy such annoyance, and thereof be duely attainted, hee shall incurre the paine of an hundred markes to the king, to be leuyed by estreates of the Eschequer. And such lawe shall hold of the anoyance made by inhansing of such weares, milles, stanks, stakes and kidels, as by the new leuying. An.45.Ed.3.cap.2.

Anoyances

Fork.

4 ¶Anno 21.R.2.cap.19. A like statute of this that next followeth, was made, but the Parliament of An. 21.R.2. was repealed by 1.H.4.cap.3.

5 ¶The saide statutes (S.An.25.E.3. cap.4.& An.45.E.3.cap.2. before 2.& 3.) be in all their articles holden and firmely kept, and duelie executed with all the paines, & after the effect of the same, ioyned thereto, that commissions be made in due forme to sufficient persons to bee Iustices in euery County of Englād, where nede shal bee to suruey and kepe the waters and great riuers there, and to correct and amend the defaults, and to make due execution of the saide statutes after ỳ effect of the same, as wel by their suruey, aduice, & discretion, as by enquest thereof to be taken within franchises & without, so, and when nede shalbee, and to heare and determine the things aforesaide, and moreouer to suruey the weares, milles, stankes, stakes and kidels, in olde time made and leuyed before the saide time of king Edward sonne of king Henry. And them that they finde too much inhaunced or straited, to correct, pull downe, and amende in the manner and forme aforesaid: sauing allwayes a reasonable substance of weares, milles, stankes, stakes, & kidels aforesaide, so in olde times made and leuied. And if any such noysances of weares, milles, stankes, stakes & kidels, of passages and straitings, in olde time made and leuied, be iudged and awarded

Commissions

Noysance

Pull downe

by

by the said Justices to be pulled downe & amended, he that hath the frehold of the same, shal make thereof execution at his owne costes, within halfe a yere after notification to him thereof to be made, vpon paine of an hundred markes to be paied to the king by estreates in the Eschequer, & he that doth them to be leuied. or inhanced, or straited against the said iudgemẽt, and thereof be duely conuict, shall incurre the paine of an hundred markes to bee paied to the king by estreates in the Eschequer aforesaide. And in case that any feeleth himself grieued by execution or other way in this behalfe against right & reason, he shall pursue & haue right & reason. An. 1. H. 4. cap. 12.

Foyl.

Foyl.

6 ¶ Because that by weares, stakes, & kiddels, being in the water of Thames & of other great riuers through ỳ realme, the common passage of ships & boates is disturbed, & much people perished, & also the yong frie of fish destroyed, & against reason wasted & giuen to swine to eate, against the pleasure of God, and great dãmage of the king and his people: the same our soueraigne lord the king, minding to prouide a due remedy for ỳ said mischiefs, by the aduise & assent of the lordes aforesaid, and at the prayer of the said cõmons, will & granteth, that the statutes thereof made, be holden & kept, & put in due execution: ioyned to the same, that commissions be made to certaine Iustices and other in euery countie of the realm, where shalbe nẽdefull, to enquire of al that that is conteined in the said statute, & to punish the offenders of the same statute by fine, according to their discretion, saued alwaies and reserued to the king our soueraigne lord, the paines cõprised in especial in the said statutes, & that ỳ estreates of such fines be deliuered by the saide Iustices, to ỳ shirife of euery County by Indenture, & that ỳ said shirife pay ỳ issues & profits rising of the estreates, to euery of ỳ said Iustices for euery day that he shall trauel to exercise ỳ said cõmission, iiii. s. and that the said shirifes haue therof due allowance from time to time in the Eschequer. An. 4. H. 4. ca. 11.

Thames

Fish

Cõmissions

Indenture

7 ¶ An. 1. H. 5. cap. 2. It was enacted that all statutes against weares &c. shall be kept & put in execution.

8 ¶ The said statut of the great Charter, and all other statutes concerning the premisses shalbe duely obserued & kept. Adioyned thereto, that if after the feast of S. Michael, which shalbee in the yeere of our Lorde God 1475. by award, rule or iudgement of any of the saide commissioners assigned, according to the saide statute made in the said first yere of Henry the fourth it be found, ỳ any such weares, fishgarths, milles, mildams, milstankes, lockes, ebbing weares, stakes, kedels, hecks, or floudgates, be made, leuied, inhansed, straited, or inlarged against the same statute, the offenders in this behalf contrary to the foresaid award, rule, and iudgement, being duely warned by the shirife or vndershirife by Scire facias directed to the shirif or shirifs of such Countie or Counties, where such weares, fishgarths, milles, mildammes, milstankes, & other noyances, disturbances or impediments be: And within iii. monethes nert after the said garnisement made, they do not duely & wholy amend, breake downe & auoid the said making, leuying, inhancing, streiting or enlarging, being defective as afore is saide in the saide statute made in the said first yere: that then he or they being defective in this behalf, shal forfait to our soueraigne lord the king an hundred markes to be paied by estreates in the Eschequer, in maner & forme as in the same statute more fully is conteined. Moreouer if the said offender or his heire or heires, assigne or assignes, or any of them do deferre or continue the same default, contrary to ỳ award, rule & iudgement of the commissioners aforesaid, that he or they so doing, deferring or continuing ỳ said default, being not corrected nor amended, shal forfait an hundred marks, the one halfe thereof to our soueraigne lord the king, & the other halfe to any of his liege people, which in this behalf will sue for the same by actiõ of debt, to be conceined by original writ, without fine to be made or taken for the same in ỳ Chancery: In which action, like processe, rule, iudgement and execution shalbe allowed, had & made, as is vsed in other actions of debt pursued at the comon law by writ, and that the defendant in any such action be not admitted to doe or wage his lawe, nor that no protection or essoine in the kings seruice be allowed for the defendãt in the same writ. Moreouer it is ordeined & established by the same authoritie, that if any person or persons, other then such against whome such award, rule or iudgement were made & had, being heire or assigne to them or any of them, do pre-

Comissioners

Scire facias

Warning

Foyl.

Foyl. Poitris

sume to occupy or continue any weares, fishgarths, milles, mildams, mistankes, locks, ebbing weares, stakes, kedels, hecks, floudgates, or other disturbances or impediments as before is saide, he or they so presuming to occupie or continue, shall forfait at euery default for euery moneth as is aforesaid, an hundred marks, the one halfe to our soueraigne Lorde the king, and the other half to him of ỹ kings liege people, that will in this behalfe sue by action of debt, thereupon to be conceiued, without paying any fine for ỹ same, as is aforesaide, in which action like processe, rule, iudgement, and execution shall be vsed and made, as in all other actions of debt, pursued at the common lawe by writ. Forf. Moitie

And that the defendant in any such action shal not be admitted, nor in any wise receiued to wage or do his lawe. Nor no maner protection nor essoine in the kings seruice be for such defendant in any wise allowed. An. 12. H. 4. ca. 7.

¶ Westminster.

AN. 27. Eliz. An acte was made, but not printed, for the good gouernement of the Citie or Borough of Westminster.

An. 28. Eliz. cap. 5. this act is continued vntill the end of the next Parliament. And An. 31. Eliz. ca. 10. this act is continued to the end of the next Parliament. And An. 35. Eliz. cap. 7. this act is made to continue to the end of the Parliament next ensuing.

¶ White ashes.

NO person or persons, after the first day of Aprill next comming, shall ship, lade, carry or cõuey any white ashes towards the parts beyond ỹ Seas, vpon paine of forfaiture vi. s. viii. d for euery bushell of such ashes so to bee shipped or laden to be caried or conueyed into the partes beyond the Seas. The moitie of which forfaiture shalbee to the king, and the other moitie to him or them that will sue for the same, in any of the kings courtes of Record, by action, bill, plaint, or information, in the which actiõ, bill, plaint, or information, no wager of law, essoine, or protection shalbe admitted or allowed. An. 2. Ed. 6. ca. 26. Shipping Forf. Moitie

¶ White gate.

ANno 33. H. 8. cap. 32. It is enacted that the Church of White gate in ỹ county of Chester, shalbe a parish Church, and be no parcel of the parish of Duer. Parish Church

¶ Wilde foule.

FRom the first day of March which shalbe in the yeere of our Lord God 1534. vnto the last day of June then next ensuing, & so yerely frõ thence-forth, no manner of person or persons shal presume by day or by night willingly to withdrawe, purloine, take, destroy or conuey any maner egges of any kinde of wilde fowle, from or in any nest, place or places, where they shall chaunce to bee laide by any kind of the same wilde foule, vpon paine of imprisonment for one yere. and to lose and forfait for euery egge of any crane or bustard so destroyed, purloined, withdrawen, conueyed or take from any nest or place, twentie pence, and for euery egge of euery bittour, heron, or shouelade eight pence, & for euery egge of euery mallard, tele, or other wilde foule i. d. The moitie thereof to be to the king our soueraigne Lorde, and the other halfe to him that will sue for the same, in forme aforesaid, wherein &c. Egges Imprison Forf. Moitie

And that al Justices of peace within the limits of their commission shall haue full power and authoritie, to enquire, heare and determine the same in forme before rehearsed. Just. of P. Enquire Diet & ter.

Prouided allwaies, that this act extend not, nor be hurtful at any time hereafter, to any person or persons that wil destroy any crowes, choughs, rauens, & bustards, or their egges, or to any other fowle or their egges not comestible, or vsed to be eaten. An. 25. H. 8. ca. 11. *

And by this act it was enacted, that betweene May, and the last day of August, none should take any wilde fowle with nets or other engins. But this article is repealed by 3. Ed. 6. cap. 7. and the foresaid article for egges is confirmed.

¶ Willes.

FRom henceforth al widdowes may bequeath the crop of their ground as wel of their dowers as of other their lands and tenements. Sauing to the lords of the fee all such seruices as are due for their dowers, and other tenements. Merton cap. 2. Anno. 20. H. 3. Widowes Dower

2 ¶ All and euery person and persons hauing, or which hereafter shal haue any

any manors, lands, tenements or hereditaments holde in socage or of the nature
Socage of socage tenure, and not hauing any manors, lands, tenements, or hereditamẽts, holden of the king our Soueraigne Lord, by knights seruice, or by socage tenure in chiefe, or of the nature of socage tenure in chiefe, nor of any other person or persons by knights seruice, from the twentie day of July in the yeere of our Lord God 1540 shall haue full & free libertie, power and authoritie to giue, dispose, wil and deuise,
Last will aswell by his last will and testament in writing or otherwise by any acte or actes lawfully executed in his life, all his saide
Lands manors, landes, tenements, or hereditaments, or any of them at his free will and pleasure, any law, statute, or other thing heretofore had, made or vsed to the contrary notwithstanding.

And that all & euery person & persons, hauing manors, lands, tenements or hereditaments, holden of the king our Soueraigne lord, his heires or successors in
Socage in chiefe socage, or of the nature of socage tenure in chiefe, hauing any other manors, lãds, tenements or hereditaments, holden of any other person or persons in socage, or of the nature of socage tenure, & not hauing any manors, landes, tenementes, or hereditaments, holden of the king our soueraigne Lord by knights seruice, nor of any other lorde or person by like seruice, from the xx. day of July, in the said yere of our Lord God 1540. shall haue full and free libertie, power & authoritie to giue, will, & dispose & deuise, aswell by his last
Last will will or testamẽt in writing or otherwise by any acte or actes lawfully executed in his life, al his said manors, landes, tenements & hereditaments, or any of them, at his free wil & pleasure, any law, statut, custome, or other thing heretofore had, made, or vsed to the contrary notwithstanding. Sauing alwaies & reseruing to the king our soueraigne lord, his heires &
Primer seison Reliefe. successors, all his right, title & interest of primer seison & reliefes, and also all other rights & duties for tenure in socage, or of the nature of socage tenure in chiefe, as heretofore hath been vsed and accustomed, the same manors, lands, tenements or hereditaments to be taken, had, & sued out of, and from the handes of his highnesse, his heires and successors by the person or persons, to whome any such manors, landes, tenements or hereditamẽts shalbe disposed, willed or deuised, in such and like manner and forme, as hath bene vsed by any heire or heires before the making of this statute.

And sauing and reseruing also fines for Fines alienations of such manors, landes, tenements, or hereditamentes holden of the king our Soueraigne Lord, in socage, or of the nature of socage tenure in chiefe, whereof there shall bee alteration of free hold or inheritance, made by wil or otherwise, as is aforesaid.

And it is &c. that all and singuler person & persons, hauing any manors, lands, tenements or hereditamentes, of estate of inheritance, holden of the kings highnes in chiefe by knights seruice, or of the na- Knights seruice ture of knights seruice in chiefe, from the said xx. day of July, shal haue full power & authoritie, by his last will, by writing or Last will otherwise by any act or acts lawfully executed in his life, to giue, dispose, will, or assigne two partes of the same manours, Two parts lands, tenements, or hereditamentes, in three parts to be divided, or els as much of the said manors, landes, tenements, or hereditaments, as shal extend or amount to the yerely value of two partes of the same in three parts to bee divided in certeintie & by speciall diuisions, as it may be knowen in seueralty, to & for the aduance- Wyfe Children ment of his wife, preferment of his chil- Debts dren, & paiment of his debts, or otherwise at his will & pleasure, any lawe, statute, custome, or other thing to the contrarie thereof notwithstanding.

Sauing & reseruing to the king our so- Wardship Primer seison ueraigne lord, the custodie, wardship, and primer seison of any of them, as the case shal require, of as much of the same manors, lands, tenements, or hereditamẽts, as shall amount & extend to the full and clere yerely value of the third part thereof, without any diminutiõ, dower, fraud, couine, charge, or abridgement of any of the same third part, or of the full profits thereof. Sauing also & reseruing to the king our said soueraigne Lorde all fines Fines for alienations of all such manors, lands, tenements and hereditaments holden of the king by knightes seruice in chiefe, Knights seruice whereof there shalbee any alteration of freehold or inheritance, made by will or otherwise as is abouesaid,

And be it &c. that all & singuler person & persons, hauing manors, lands, tenemẽts or hereditaments of estate of inheritance holden of the king in chiefe by knightes seruice, and hauing other manors, lands,

tenements or hereditaments holde of the king, or of any other person or persons by knights seruice, or otherwise, euery such person & persons from the saide xx. day of July, shal haue full power & authority to giue, dispose, will or assigne by his last wil in writing, or otherwise by any acte or actes lawfully executed in his life, two parts of the same manors, lãds, tenemẽts & hereditaments, in three partes to be diuided or els as much of the same manors, lands, tenements and hereditaments, as shal extend or amount to the yerely value of two partes of the same in three partes to be diuided in certeintie, & by special diuisions as it may bee knowen in seueraltie, to & for the aduancement of his wife, preferment of his children, & payment of his debts or otherwise, at his will & pleasure: any lawe, statute, custome, or other thing to ẏ cõtrary therof notwithstãding.

Last will

Two parts

Sauing alway & reseruing to the king our Soueraigne lorde the custody, wardship & primer seison of any of them, as the case shal require, of as much of the same manors, landes, tenementes, or hereditaments, as shall amount & extend to ẏ full & cleere yeerely value of the thirde parte thereof without any maner of diminution, dower, fraud, couin, charge or subtraction of the same thirde part, or of the full profits therof. Sauing also & reseruing to our said soueraigne lorde the king al fines for alienation for any such manors, lãds, tenements or hereditaments, holden of ẏ King by knights seruice in chiefe, where of there shal be any alteration of frœhold or inheritance, made by will or otherwise as is aboue said.

Be it &c. that if any person or persons hold any manors, lands, tenemẽts or hereditamẽts only of any other lord or person then of the king our saide soueraigne lord by knights seruice, & other lands and tenemẽts in socage, as of the nature of socage tenure, that then euery such person shal or may giue, dispose, or assure by his last wil or otherwise, by any acte or actes lawfully executed in his life, two partes of the said manors, lands & tenemẽts, holden by knights seruice, or of asmuch therof as shal amount to the full yerely value of the parts, in maner & forme as is aboue declared: And also al the lands & tenemẽts holden by socage, or of the nature of socage tenure at his wil & pleasure, as is aboue written. Sauing & reseruing to the lord of the landes & tenements holden by knights seruice for his custody & wardship, as much of the same lands and tenements, as shall extend or amount to the full & cleere yeerely value of the third part of the same lands & tenements holden by knights seruice, without any diminution, dower, fraud, couin, charge or subtraction of any portion of the third part, or of the cleere yeerely value therof in maner and forme aforesaid.

Lands

Knights seruice Socage

Last will Two parts

Socage

Lands

Knights seruice

And be it &c. that if any person or persons hold any manors, lands, tenements or hereditaments, onely of the king our soueraigne lord by knights seruice, & not in chiefe, or hold any manors, lands, tenements or hereditaments, of our said soueraigne lord by knights seruice, and not in chiefe, & also hold other manors, lands, tenements and hereditaments of any other person or persons by knights seruice, and also hold other manors, lands, tenements or hereditaments of any other person or persons in socage, or of the nature of socage tenure: that then all and euery such person or persons shall and may giue, dispose, will, deuise & assure, by his last will or otherwise by any act or acts lawfully done or executed in his life, two partes of the same manors, lands, tenements and hereditaments, holden of our saide soueraigne lord the king by knights seruice, and two parts of the manors, landes, tenements & hereditaments, holden of any other person or persons by knightes seruice, or as much of either of them as shall amount to the full yerely value of two parts in maner and forme as is aboue declared: and also of all his lands and tenements so holden in socage, or of the nature of socage tenure at his frœ will and pleasure. Sauing and reseruing to the kings highnes the custody and wardship of asmuch of ẏ same manors, lands, tenements, or other hereditamentes, as shall extend and amount to the full and cleere yeerely value of the thirde parte of the saide manors, landes, tenements and hereditaments so holden of his highnesse by knightes seruice, without any diminution, dower, fraud, couin, charge or subtraction of any portion of that thirde part, or of the full profits thereof.

Last will

Two partes

Wardship

And also sauing & reseruing to the lords, of whome any of the said manors, lands, tenemẽts, or other hereditamẽts bin holden by knightes seruice for custodie and wardship, as much of the same manors, lands, tenements or hereditaments holde

of

of them or any of them by knightes ſeruice, as ſhal extend & amount to the cléere yerely value of the third part of the ſame, without any diminution, charge & fraud, couin or ſubtractiõ of any portion of that third part, or of the cleere yerely value of the third part thereof, in maner & forme aboue declared.

Prouided alway, & it is &c. that if that third part of the manors, lands, tenemẽts or hereditamẽts, of any of the kings ſubiectes, which in any of ẏ caſes abouеſaide, ſhal hereafter come to the kings highnes, his heires or ſucceſſors by vertue of this act, as is abouеſaide, hee not or doe not amount to the cléere yéerely value of ẏ full third part of the ſaid manors, lands, tenements, or other hereditaments, whereof the ſaid kings highnes is, or ſhalbe entituled to haue the cuſtody or primer ſeiſon, as is abouеſaid: that then our ſaide Soueraigne lord & his heires ſhall & may at his or their frée libertie & pleaſure, take into his or their hands & poſſeſſion, as much of the other two partes of the ſaide manors, lands, tenements or other hereditamẽts, as with that of the ſame manors, landes, tenements or hereditamẽts, holden or remaining in the kings handes, ſhall make vp the cléere yerely value of the full third part of the ſaid manors, lãds & tenemẽts, ſo to be had of the kings highnes, in title of wardſhip and primer ſeiſon, or any of them, as the caſe ſhal require, & like benefite & aduantage to be giuẽ to euery lorde & lords, of whom any ſuch manors, lands, tenements, or hereditaments bin or ſhalbe holden by knights ſeruice as is abouеſaid, concerning only his thirde part of, or for title of wardſhip.

Prouided alway and be it &c. that euery perſon and perſons ſhal ſue their liueries for poſſeſſions, reuerſiõs, or remainders, and alſo pay reliefes and hariots after ſuch maner and forme, as they ſhould or ought to haue done before the making of this act, and as if this act had neuer bin made. And that fines for alienations ſhal be paied in the kings Chauncery for and vpon writs of entrie in the poſt, to be obteined in the ſame Court of Chauncery, after the ſaid xx. day of July, for common recoueries to be had or ſuffered of any manors, lands, tenements or hereditamẽts, holden of the king in chiefe, in like maner and forme as is vſed vpon alienations of ſuch manors, lands, tenements, or hereditamentes, ſo holden in chiefe by fine or feoffement.

Liuery

Reliefe Heriot

Fines Chancery Writs

Prouided alſo & be it &c. that in ſuch caſes, where fines for alienations ſhal bee paied in ẏ kings Chãcery for writs of entrie in the poſt, as is aforeſaide, that then none other fine ſhall bee paied in the ſame court for any ſuch writs, any vſage or cuſtome to the contrary notwithſtanding. Fines

And be it &c. that where two or more perſons nowe hold or hereafter ſhal hold any manors, lands, tenements or hereditaments of the king our Soueraigne lord by knights ſeruice, ioyntly to them and to the heires of one of them, and he that hath the inheritance therof dieth, his heire being within age, that in euery ſuch caſe the king ſhal haue the ward and mariage of the body of ſuch heire ſo being within age, the life of the frẽholder or frẽholders of the ſaid manors, lands, tenemẽts, or hereditamentes, ſo holden by knights ſeruice notwithſtanding. Sauing and reſeruing to all and euery woman and women all and euery ſuch right, title and intereſt of dower, as they or any of them ought to haue, and be or ſhalbee iuſtly entituled to haue, claime, or demaund, of any manors, landes, tenements, or hereditaments, by the lawes of this realme, to be taken and aſſigned vnto them, or any of them, out of the two parts of the ſaide manors, landes, tenements or hereditaments, ſeuered and diuided from the third part, as is abouеſaide, and not otherwiſe. And ſauing alſo to the king our ſoueraigne Lord, his heires and ſucceſſors the reuerſions of all ſuch tenants in ioyntenure & dower immediatly after the death of ſuch tenants, if they ſhall happen to die, during the minoritie of the kings wardes. Anno 32. H. 8. cap. 1. R ſeruice Joynt-tenants Ward Mariage Dower Reuerſiõ

3 ¶ The meaning of the letter of the ſame eſtatute (S. of 32. H. 8. cap. 1. before 2) concerning ſuch matters hereafter rehearſed, may be by the authoritie of this preſent Parliament enacted, taken, expounded, iudged, declared and explaned, in maner & forme following. Firſt, where it is conteined in the ſame former eſtatute within diuers articles, & branches of the ſame, that all & ſinguler perſon & perſons hauing any manors, lands, tenements, or hereditaments of the eſtate of inheritãce ſhould haue full & frée libertie, power & authoritie to giue, wil, diſpoſe or aſſigne aſwell by his laſt will & teſtament in writing or otherwiſe by any act or actes lawfully executed in his life, his manors, Lands Laſt will

lands, tenements or hereditaments, or any of them in such manner and forme, as in the same former acte more at large it doth appeare, which wordes of estate of inheritance by the authoritie of this present parliament, is & shalbe declared, expounded, taken & iudged of estates in fee simple only. And also that all & singuler person and persons having a sole estate or interest in fee simple, or seised in fee simple in copercenary, or in common in fee simple of & in any manors, lands, tenemẽts, rents, or other hereditamẽts in possessiõ, reuersion, or remainder, or of rents, or seruices incident to any reuersion or remainder, & having no manors, landes, tenements, or hereditaments holden of the king, his heires or successors, or of any other person or persons by knights seruice, shal haue full & free libertie, power & authoritie to giue, wil, dispose or deuise to any person or psons (except bodies politike & corporate) by his last wil & testament in writing, or otherwise by any act or actes lawfully executed in his life by himselfe solye, or by himselfe and other ioyntly, seuerally, or particularly, or by all those wayes or any of them, as much as in him of right is or shalbe, all his saide manors, lands, tenements & hereditaments or any of them, or any rents, commons, or other profits or commodities, out of or to be perceiued of the same, or out of any parcell thereof at his owne free will & pleasure: any clause in the said former act notwithstanding.

Estates

Bodies politike

Last will

And further be it &c. that all and singuler person and persõs having a sole estate of interest in fee simple, or seised in fee simple in copercenarie or in common in fee simple, of or in any manors, landes, tenements, rents, or other hereditaments in possession, reuersion or remainder, of and in any rents or seruices, incident to any reuersion or remainder holden of the king by knights seruice in chiefe, or of the nature of knights seruice in chiefe, hath and by the authoritie of this present Parliament shall haue full and free libertie, power and authoritie to giue, dispose, will, or assigne to any person or persons (except bodies politike and corporate) by his last will and testament in writing, or otherwise by any other acte or actes lawfully executed in his life by himselfe and other, ioyntly, seuerally, or particularly, or by all those wayes, or any of them, as much as in him of right is or shalbee, two partes aswel of al the said manors, lands, tenements, rents, and hereditaments, as of all and singuler his other rentes and hereditaments, or any of them, or any rents, commons or other profits, or commodities of or to be perceiued of the same two partes, or out of any parcell thereof, in three partes to bee deuided, or asmuch thereof as shall amount to the full and cleere yeerely value of two partes therof, in three partes to be deuided, of what person or persons soeuer they bee holden, at his free will and pleasure. And that by the authoritie aforesaide, the saide will so declared shalbe good and effectual for two partes of the saide manors, landes, tenements, and hereditaments, al though the will so declared bee made of the whole or of more then of two partes of the same. The same diuision to be made & set foorth by the deuisor or owner of the same manors, landes, tenementes and hereditamẽts, by his last wil in writing, or otherwise in writing. And in default therof by a commission to bee graunted out of the kings Court of Wardes & liueries, vpon the inquirie of the true value thereof, by the othes of twelue men, & returne or certificate thereof had in the same Court of the saide manors, lands, tenements, and hereditaments, diuision to bee made, by the master of the Wardes and liueries, if the master of the Wards and liueries for the time being, and the parties thereunto cannot otherwise agree, vpon the same diuision And that the issues and profits of the two parts of the same manors, lands, tenements, and hereditamẽts, vpon euery such deuision to bee restored to them that shall haue right or title to the same from the death of the owner or deuisour thereof.

Two parts

Diuision

Last will

Diuision Court of Wardes

Master of the wardes

Issues

Fee simple

R. seruice

Last will

And further bee it &c. that all and singuler person & persons having a sole estate or interest in fee simple, or seised in fee simple in copercenary, or in cõmen in fee simple, of & in any manors, lands, tenemẽts, rents, or other hereditaments, in possession, reuersion or remainder, or of & in any rents, or seruices incident to any reuersiõ or remainder, holdẽ of the king, his heires or successors by knights seruice, and not in chiefe, or holden of any other person or persons by knights seruice, shall haue full and free libertie, power and authoritie to giue, dispose, will or deuise to any person or persons (except bodyes politike and corporate) by his last will and testament

Fee simple Copercenners

R. seruice

Last will

testament in writing or otherwise by any act or acts lawfully executed in his life by himselfe solye, or by himselfe and other ioyntly, severally or particularly, or by al those wayes or any of them, as much as in him of right is or shall be, two parts of all the said mannors, lands, tenements, & hereditaments, or any of them, so holden by knights service, or any rents, cõmons or other profits or commodities out of, or to be perceiued of the same two parts, or out of any parcel thereof, in three parts to be diuided, or as much thereof as shall amount to the full and clere yerely value of two parts thereof, in three parts to bee diuided at his free will and pleasure. And that the said will so declared by authority aforesaid, shall bee good and effectuall for two parts of the saide manors, landes, tenements or hereditaments, although the will so declared be or shall be made of the whole lands and tenements, so holden by knights seruice, or of more then of two parts of the same. And also for the whole of all other such manors, lands, tenemẽts and hereditamẽts or any of them not holden of the king by knights seruice in chief or otherwise by knights seruice, nor of any other person of knights seruice. And of any rents, commons, or other profits or commodities, out of or to be perceiued of the same, or out of any parcel thereof, at his free will and pleasure, the same diuision to be made and set forth by the owner of the saide manours, lands, tenements, and hereditaments, by his last wil and testament in writing, or otherwise in writing. And in default therof, for asmuch of the same manors, landes, tenements, and hereditaments, as shal cõcerne the kings interest, by commission to be directed out of the kings court of the Wards and Liueries, in manner and forme as is aforesaide, if the master of the Wards and Liueries, for the time being, and the parties thereunto cannot otherwise agree vpon the same diuision: And that restitution of the issues and profits of the two partes thereof, shall be had and made, in manner and forme aboue saide. And for such of the same manours, landes, tenements, and hereditaments, as shall concerne the interest of any other lord or lords, by commission to be graunted out of the Kinges Court of Chauncerie, to enquire thereof by the othes of xii. men, if the same lord or lords, and the parties thereunto cannot otherwise agree vpon the same diuision.

Two parts

Diuision

Master of the wardes

Commissiõ

Iurie

And bee it &c. that the sauings, reseruings, and prouisions, concerning sauing of the custodie, wardship, reliefe, and primer seysen to the king, of such manours, lands, tenements, and hereditaments, or asmuch thereof as shall appertcine vnto him by vertue of the saide former act, & by the declaration and exposition thereof declared by this present act, during the kings interest therein: And also of the custodie and wardship to other lords of as much of such manours, lands, tenements, and hereditaments holden of them, as shall amount and extende to the clere yerelie value of the third part thereof, ouer and aboue all charges, without any diminution or abridgement of the third part, or of the full profits thereof comprised and mentioned in diuers articles in the saide former acte conteined by the authoritie aforesaide, be and shall bee intended, expounded, and taken, as hereafter ensueth: that is to say, that the king shall haue and take for his full third part, of all such manours, landes, tenements, and hereditaments, whereunto he is or shall bee intituled by the saide former acte, and by this present act, such manours, lands, and tenements, as shall by any meanes, descend or come by discent, aswell of estate of inheritance in fee taile, as in fee simple, or in fee taile onely to the heire of any such person, that shall make any will, gift, disposition, or deuise by his last will in writing, or by anie acte or actes lawfully executed in his life, immediatlie after the death of the same deuiser or owner thereof. And that the will, gift, and deuise of euery such deuiser or owner, of and for the two parts of the saide manors, lands, tenements and hereditaments resldue, shal by the authoritie aforesaide, bee and stand good and effectuall in the lawe, albeit the same will, gift, or deuise be had and made of all his fee simple lands, tenements and hereditaments, or of the more part therof. And in case the same manors, lands, tenements and hereditaments, which after the death of anie such owner or deuiser (which shall make any such gift, disposition, or deuise by his last wil in writing, or otherwise by any act or acts lawfully executed in his life, to his wife, children, or otherwise, as is aforesaid) which shall immediatly after his death discend, reuert, remaine, or come to his heire or heires, aswell of estate of inheritance in fee taile, as of estate in fee simple or fee taile onely:

Wardship

King

Fee taile
Fee simple

Two parts

be not or shal not amount or extend to the ful clere yerely value of the ful third part with the ful profits therof, of the said manors, lands, tenemẽts, or other hereditaments, of the said deuiser or owner, according to the true intent & meaning of the saide former acte and of this present acte: That then the king shall and may haue & take into his hands & possession, to make vp his full third part, with the ful profits therof according to his interest therin, as much of the other manours, lands, tenements, or hereditaments, willed, giuen, disposed or assigned by any such person, to his wife, children, or otherwise, as is aforesaid as with such of the same manors, lands, tenements, and hereditaments, descended, or by any meanes come vnto the heire, as heires of any such deuiser or owner, shal make vp the clére yeerely value of the said ful third part with the full profits thereof, of all the said manors, lands, tenements, and hereditaments, of euery such owner or deuiser so to bee had to the king, in the title of wardship of the primer seison, as the case shal require. And the diuision thereof to be had & made, and with the restitution of the profits of the two parts of the said manors, lands, tenemẽts and hereditaments in such maner & forme as is aboue rehearsed. And like benefit & aduantage to be giuen, had and taken by the said authority, to euery lord & lords, of whome any such manors, landes, tenements, or hereditaments, bẽn or shall be holden by knights seruice, in manner and forme, as is aboue saide, concerning onely his or their third parts thereof, according to their said interest therein. And be it &c. that if it happen the same third part or any part thereof left, willed, or assigned to the king, or other lord at any time during their interest therin, to be lawfully euicted or determined, that then the king, and the other lorde shall haue as much of the two parts residue, as shal accomplish and make vp a full third part in clére yérely value after the rate & portion of such manors, lands, tenements, & hereditaments, as shall then happen to remaine of the same third part, not euicted or determined. And of the other two parts of such manors, lands, tenements, and hereditaments, as the king or other lord should or ought to haue had, by vertue of the sayde former acte, and this present acte, and the same to bee deuided in manner and forme aboue rehearsed, any clause in the saide former act notwithstanding.

King

Diuision

Lords

And bee it &c. that the sauing and reserving for fines for alienation, by any such last will and testament of such manours, lands, tenements, or hereditaments, holden of the K. by knights seruice in chief, or of ẏ nature of knights seruice in chiefe, or by socage in chief, or of the nature of socage tenure in chief, or of fines for alienation of such manors, lands, tenements, or hereditaments, whereof there shalbe any alteration of freeholde, or of inheritance, made by any such last will, comprised in diuers & sundry articles mentioned in the said former act, be & shall bee intended, expounded, taken, deemed, and adiudged by the authority aforesaid, that al such person or persons, to whom ẏ said manors, lands, tenements, or hereditaments, or any of them be or shal be giuen, disposed, willed, or deuised by any such last wil, shalbe exonerated, arquited, and discharged for euer against the king, his heires & successors, for all such fines for alienations by anie such last wil or testamẽt, without licence, by suing forth of the kings pardon, for alienation out of the kings court of Chancery, paying to the king, his heires or successors, for the fine of euery such alienation the third part of the yérely value of the same manors, lands, tenements, or other hereditaments to him or them willed or deuised: and this act from time to time shal be a sufficient warrant to the L. Chancellor of England, or Képer of the greate seale for the time being, for the granting out of the saide pardon or pardons, vnder the kings great seale, as heretofore hath bẽn vsed for pardons & alienations, without anie further suts to bee made to the king for the same.

Ecclesiastical Fines

Third part

Warrant L. Chancellor

And it is &c. that willes or testaments made of any manors, lands, tenemẽts, or hereditaments, by any woman couert, or person within the age of one and twentie yeres, idiot, or by any person De non sanæ memoriæ shall not be taken to be good or effectuall in law.

Woman couert

Within age

Idiot

Non sanæ memoriæ

And be it &c. that if any person or persons hauing estate of inheritãce of or in any manors, lands, tenemẽts, or hereditaments, holden of the king by knights seruice in chiefe, or otherwise of the king by knights seruice, or of any other person or persons by knights seruice, haue giuen at any time sithen the twenty day of the said moneth of July, or hereafter shall giue, will, deuise, or assigne by wil, or other acte

K. seruice

executed

executed in his life, his manors, lands, tenements or hereditamẽts, or any of them, by fraude or couin to any other person or persons for terme of yeres, life or lines, with one remainder ouer in fee, or with diuers remaynders ouer for terme of yeres, life, or in taile, with remainder ouer in fee simple to any person or persons, or to his or their right heires, or at any time sith the said 11. day of July, hath conueyed or made, or hereafter shall conuey or make by fraud or couin, cõtrary to the true intent of this acte, any estates, conditions, menalties, tenures, or conueyances, to the intent to defraud or deceiue the king of his prerogatiue, primer seison, liuerie, relefe, wardship, marriages or rights: or any other lorde of their wardships, relefes, heriots, or other profits, which should or ought to accrue, grow, or come vnto them or any of them, by or after ỹ death of his or their tenant, by force and according to the former statute, & of this present acte and declaration: and the same estates & other conueyances being found by office to be so made or contriued by couin, fraud, or deceit, as is aboue said, contrary to the true intent & meaning of the saide former acte and of this act: That then the king shall haue aswel the wardship of the body, and custody of the lands, tenements, and hereditaments, as liuery, primer seison, relefe, and other profits, which should or ought to appertaine to ỹ king, according to the true intent & meaning of the said former act, and of this present act, as though no such estates or conueyances by couin had neuer bẽn had or made, vntil the said office be lawfully vndone by trauerse, or otherwise. And that the other lord & lords of whome any such manours, landes, tenemẽts, or hereditamẽts, shalbe holden by knights seruice, as is afore said, shal haue their remedy in such cases of his or their wardships or bodies and lands, by writ of right of ward, & shal distreine & make auowrie or conisance by thẽselues or their bailifes of their reliefs, heriots, & other profits, which should haue bẽn to them due, by or after the death of their tenant, as if no such estate or cõueyance had bẽn had or made. Sauing and reseruing alwaies, by the authority afore said, the right and title of the dones, feoffees and deuisees thereof, against the sayd deuiser and his heires, after the interest & title of the king or other lord therin ended and determined.

Fraud

Remainder

Defraud

Wardship

Liuerie

Lords

Distreine

Prouided alwaies, that this act, explanation and determinatiõ, or any of them, or any thing in the saide act, explanation, or declaration conteined, shall not extend to the will or deuise of sir John Gainsford late of Crowherst, in the countie of Surry, knight deceased, nor to the will or deuise of sir Peter Philpot, knight, deceased: nor to the will or deuice of Richard Creswel late of Wattingly, in the county of South. gentleman, deceased: nor to the will or deuise of Thomas Anton, late of the county of Bark. gentleman deceased, sonne of sir thomas Anton, knight, also deceased. or shal be in any wise preiudicial or hurtful to any person or persons, for or concerning any manors, lands, tenemẽts or hereditaments, conteined or specified in the saide willes or deuises, or in any of them, but that the said last wils & deuises, & euery of them shal stand, abide, remain, and bee in the same case, force, and effect in the law, to all intents, purposes, and constructions, as the saide last willes and deuises, & euery of them were before the making of this act, declaratiõ, and explanation, and of none other effect or force, this acte, declaration, and explanation, or any of them, or of any thing therein conteined to the contrary thereof in any wise notwithstanding. Willes

Prouided alway, and bee it &c. that all and euery person and persõs, from whom ỹ king, or other lord or lords shall take any manors, lands, tenements or hereditaments. for his or their full third part, or to make vp his or their full third part, shall & may by authoritie of this present acte, in any of the cases afore said, vpõ his or their bill, exhibited in the kings court of Chancery, against al and euery such person and persons, which shall bee intituled, by or vnder any such will, gift, disposition, or deuise to the other two parts, haue such contribution, or recompence for the same, as by the Chaunceller of England, or by the Keeper of the great seale of England for the time being, shall bee thought good and conuenient. An. 34. H. 8. cap. 5. Chancellor

¶ Windsore.

ANno 17. H. 8. cap. 18. is a statute concerning the honor of Windsor.

¶ Wines.

IT is prouided also that the Maior, and bailifes before the cõming of those Barons Maior Bailifes

rons, shall inquire of wines solde against the assise, & shall present it before them at their comming, and then shalbe amerced, where before they were wont to tary, vnto the comming of the Justices in eire. Giuen at Glocester, the fourth day of October, in the first yere of the raigne of king Edward, the sonne of King Henry, Glocester. cap. 5. An. 6. Ed. 1.

Assise

2 ¶ The assise of wine shalbe obserued after the kings assise, that is to say, a sextern at xii. d. And if the Tauerners exceed that assise, their dores shall be shut vp by the Maior and Bailifes, and they shal not be suffered to sell without the kings licence. Stat. de pistoribus. 31. Ed. 1.

Price

3 ¶ A cry shall be made, that none bee so hardy to sel wines, but at a reasonable price, regarding the price that is at the ports from whence the wines came, and the expences, as in carriage of the same from the saide ports to the places where they be solde. And that assay bee made of such wines two times euery yeare, once at Easter, and another time at Michaelmasse, and more often if neede bee, by the

Assay

Lord Maior Bailife

lords of the townes and their bailifes, and also by the Maior and bailifs of the same townes. And all the wines that shall bee found corrupt, shalbe powred out, and the

Chancellor Justices

vessels broken. And the Chanceller and Treasurer, Justices of the one bench and the other, and Justices of assise, shall haue power to inquire vpon the Maiors, Baylifes, and ministers of townes, if they doe not according to this statute: And besides that to punish as reason shall require. An. 4. E. 3. cap. 12.

Engrosse

4 ¶ Defence and proclamation shal be made, that no English marchant shal engrosse nor forstall wines in Gascoine, nor take them by way of buying of no Gascoine, nor of other, for to pay in England, for any greater sum then wines be commonly sold in Gascoine, because of prest in

Price

perill of the sea, or by any other color, vpon paine of life & member, & of forfeiture

Felonie Forf.

of the wines, and of all their other goods and cattels to the king, & of forfeiture of all their lands and tenements to the chief lords. And the chiefe lords shall haue a writ of escheat in such case. Anno 27. E. 3. cap. 5.

Marchants

5 ¶ All marchants Gascoines & other strangers, may safely bring their wines

Port

into England, to what Port that shall please them, and to doe thereof their profits. So alwayes that the kings But ler

K. Butler

may make purueyance of wines of aliens when need shal bee, making payment for the same wines within forty dayes, in the maner as hath been vsed in olde time. An. 27. E. 3 cap. 6.

Marchant

6 ¶ No English marchant, nor none of his seruãts, nor other for them, shal go into Gascoine, there to abide, nor shall haue none other there dwelling, to make bargaine or buying of wines by any colour,

Vintage

before the time of the vintage, that is to say, before that common passage be made to seeke wines there. And that none buy nor bargaine by himselfe, nor by other, any wines, but only in the ports of Burdeaux and Bayon, vpon the paynes and forfeitures next aforesaid. And if any be ther found doing against the same, hee shall be

Arrest

taken and arrested by the steward of Gascoine, or the constable of Burdeaux, and the body sent into Englãd to the Tower of Londõ. And that the same steward cer-

Steward

tifie the K. in his Chancery, of the names of such arrested, and of their masters and fellowes also, with all the dede. An. 27. E. 3. cap. 7.

Wales Ireland Gauger

7 ¶ All wines red & white, which shall come into the saide realme, & into the land of Wales, & Ireland to sell, shall be well and lawfully gauged by the kings Gaugers, or their deputies. And if any doe set disturbance or debate, and will not suffer the same to be gauged, he shall forfeit the

Forf. Imprison

said wines, and shal be punished by imprisonment, and ransomed at the kings will. And if default bee found in the Gauger, that he or his deputie be not ready to doe his office, when he shalbe required, or that he doe fraud or deceit in doing his office, to the damage of the buyer, or of the seller,

Treble damages Office

he shal pay to the party greeued his treble damages, and lose his office, and be punished by imprisonment, & ransomed at the kings will. And in case that lesse be found in the tunne or pipe, then ought to bee of right, after the assise of the tunne, the value of as much as shal lacke of such tunne

Allow

or pipe, bee allowed and deducted in the payment. An. 27. E. 3. cap. 8.

Repealed

8 ¶ The statute made of wines the said 28. yere be holden and kept in al poynts, except the punishment of lands and tenements, and of life and member, which punishment is repealed in this present Parliament, alwell of time past as of time to come. Moreouer it is ordeined, that euery yere it shalbe sent to the Maior and Con-

Maior Constable

stable of Burdeaux, to Rochell, and to all

other

other townes and ports in Gascoine and elsewhere, which be of the legeãce of our soueraigne lord the king out of the which the wines come into England, to be certified of the price of the wines & in other coasts, & of the courbers English against the forme of the statute. And by this certification of the couchers against the statute, they shalbe put to answere, if the body be sent, as is contemed in the statute. And if he denie the certification, it shalbe tried by marchants vsing those parties, and other people which best haue thereof knowledge. And if the bodie bee not sent, the certificatiõ shalbe sent into the kings bench, or before other Justices, according as shall need, and there processe bee made by Capias and Exigend, or tried by mise, as is aforesaid. An. 37. E. 3. cap. 16.

Price

Triall

Procede

9 ¶ As to the marchants of wines and of those that passe the seas to fetch wines in Gascoine, for the diuersitie of opinions of diuers: It is assented, that the statutes or ordinances thereupon made shal stand in their force. An. 38. E. 3. cap. 10.

Denizens

10 ¶ All marchants denizens, that be not artificers, shall passe into Gascoine, to fetch wines there, to the intent that by this generall licence, greater plenty may come, & greater market may be of wines within the Realme. And that the Gascoines & other aliens may come into the Realme with their wines, and freely sell them without anie disturbance or impeachment, alwayes saued to the king, that it may bee lawfull to him, whensoeuer it is aduised to him or his councell, to ordeine of this article, in manner as best shal seeme to him for the profit of him and his commons. An. 38. E. 3. cap. 11.

Aliens

11 ¶ It is assented and accorded, for the profit of the realme, that no Englishman shall passe into Gascoine to fetch wines there, but they shall bee brought into Englande by the Gascoines and other aliens, and thereupon defence shall be made throwout the Realme. And that no Englishman put in the handes of the said Gascoines or aliens, nor thither send golde nor siluer, nor other marchandises thereof to buy wines to the vse of Englishmen, vpon forfeiture of the golde and siluer, or marchandises, so put in their handes or sent. And that all the shippes of England and of Gascoine that come into Gascoine, shall be first fraughted to bring wines into England before all other, and that no Englishman bargeine nor buy such wines comming into England, before that they be put to land, according to the forme of the said statutes therof made. And this ordinance shall hold place from the gule of August next ensuing forward. And that no warrant be made to any Englishmen to the contrarie. An. 42. E. 3. cap. 8.

Aliens

Forf.

Ships

12 ¶ All Englishmen, Irishmen, and Welchmen, that bee not artificers may freely passe into Gascoine, to fetch wine there, finding sufficient suretie before his passage before the Maior, or Bailiffes where no Maior is, of the towne or port, where he shall passe, that bee shall buy in Gascoine an hundred tunnes of wines, and not lesse of his owne proper goods and of other, & bring the same into England, Wales or Ireland, and to no place elsewhere. And if it be otherwise done by any Englishman, Welchman, or Irishman, the wines, and shippes bringing the same wines shall bee forfeit to the king, and euery of them shall haue one yeares imprisonment, and moreouer bee ransomed at the kings will. And if any Englishman passe into Gascoine, without finding such suretie, he shall incurre the forfeiture of al his goods to the king. And the said sureties shalbe certified and returned into the kings Chancery, by the said Maior, and Bailifs, or by the Bailifes where no Maior is, two times by yere, that is to say, at the vtas of Candlemas, and at the gule of August. And if any Maior or bailiffe suffer any Englishman to passe til he hath found such suretie, or they do not certifie in the Chancery in the maner as is aforesaid, they shal haue one yeres imprisonment of their bodie, and moreouer be ransomed at the kings will. And it is not the mind of the king, the great men, nor of the commons, that the ordinance made of the said wines, the said two & forty yere be repealed or annulled, but shall abide in suspence, til a man may see what profit or damage this present grant hereafter shal do in the realme.

Suretie

Forf.

Imprison

Maior Bailiffe

Imprison

And the king will that the Gascoines & their seruants, and all other, whensoeuer please them, may come with their wines into England, Wales, & Irelãd, as freely and in the maner as was ordeined in the said two and forty yere, or in any time before. An. 43. Ed. 3. cap. 2.

13. ¶ Anno. 5. R. 2. ca. 4. & An. 6. R. 2. capit. 7. two acts were made concerning wines and the price therof, but both those

acts

rons, shall inquire of wines solde against the assise, & shall present it before them at their comming, and then shalbe amerced, where before they were wont to tary, vnto the comming of the Justices in eire. Giuen at Glocester, the fourth day of October, in the first yere of the raigne of king Edward, the sonne of King Henry, Glocester. cap. 5. An. 6. Ed. 1.

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Price

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Assay

Lord Maior Bailife

lords of the townes and their bailifes and also by the Maior and bailifs of the same townes. And all the wines that shall bee found corrupt, shalbe powred out, and the

Chancellor Justices

vessels broken. And the Chancellor and Treasurer, Justices of the one bench and the other, and Justices of assise, shall haue power to inquire vpon the Maiors, Baylifes, and ministers of townes, if they doe not according to this statute: And besides that to punish as reason shall require. An. 4. E. 3. cap. 12.

Engrosse

4 ¶ Defence and proclamation shal be made, that no English marchant shal engrosse nor forstall wines in Gascoine, nor take them by way of buying of no Gascoine, nor of other, for to pay in Englād, for any greater sum then wines be com-

Price

monly sold in Gascoine, because of prest in perill of the sea, or by any other colour, vpon paine of life & member, & of forfeiture of the wines, and of all their other goods and cattels to the king, & of forfeiture of all their lands and tenements to the chief lords. And the chiefe lords shall haue a writ of escheat in such case. Anno 27. E. 3. cap. 5.

Felonie Forf:

Marchants

5 ¶ All marchants Gascoines & other strangers, may safely bring their wines into England, to what Port that shall

Port

please them, and to doe thereof their profits. So alwayes that the kings But ler

K. Butler

may make purueyance of wines of aliens when need shal bee, making payment for the same wines within forty dayes, in the maner as hath bēn vsed in olde time. An. 27. E. 3 cap. 6.

Marchant

6 ¶ No English marchant, nor none of his seruāts, nor other for them, shal go into Gascoine, there to abide, nor shall haue none other there dwelling, to make bargaine or buying of wines by any colour,

Vintage

before the time of the vintage, that is to say, before that common passage be made to sēke wines there. And that none buy nor bargaine by himselfe, nor by other, any wines, but only in the ports of Burdeaux and Bayon, vpon the paynes and forfeitures next aforesaid. And if any be ther found doing against the same, hee shall be

Arrest

taken and arrested by the steward of Gascoine, or the constable of Burdeaux, and the body sent into Englād to the Tower of Londō. And that the same steward cer-

Steward

tifie the K. in his Chancery, of the names of such arrested, and of their masters and fellowes also, with all the dēd. An. 27. E. 3. cap. 7.

Wales Ireland Gauger

7 ¶ All wines red & white, which shall come into the saide realme, & into the land of Wales, & Ireland to sell, shall be well and lawfully gauged by the kings Gaugers, or their deputies. And if any doe set disturbance or debate, and will not suffer the same to be gauged, he shall forfeit the

Forf. Imprison

said wines, and shal be punished by imprisonment, and ransomed at the kings will. And if default bee found in the Gauger, that he or his deputie be not ready to doe his office, when he shalbe required, or that he doe fraud or deceit in doing his office, to the damage of the buyer, or of the seller,

Treble damages Office

he shal pay to the party greeued his treble damages, and lose his office, and be punished by imprisonment, & ransomed at the kings will. And in case that lesse be found in the tunne or pipe, then ought to bee of right, after the assise of the tunne, the value of as much as shal lacke of such tunne

Allow

or pipe, bee allowed and deducted in the payment. An. 27. E. 3. cap. 8.

Repealed

8 ¶ The statute made of wines the said 28. yere be holden and kept in al poynts, except the punishment of lands and tenements, and of life and member, which punishment is repealed in this present Parliament, aswell of time past as of time to come. Moreouer it is ordeined, that euery yere it shalbe sent to the Maior and Con-

Maior Constable

stable of Burdeaux, to Rochell, and to all

other

other townes and ports in Gascoine and elsewhere, which be of the legeãce of our soueraigne lord the king out of the which the wines come into England, to be certified of the price of the wines & in other coasts, & of the couthers English against the forme of the statute. And by this certification of the couchers against the statute, they shalbe put to answere, if the body be sent, as is conteined in the statute. And if he denie the certification, it shalbe tried by marchants vsing those parties, and other people which best haue thereof knowledge. And if the bodie bee not sent, the certificatiõ shalbe sent into the kings bench, or before other Iustices, according as shall need, and there processe bee made by Capias and Exigend, or tried by mise, as is aforesaid. An. 37. E. 3. cap. 16.

Price

Tetan

Procesd

9 ¶ As to the marchants of wines and of those that passe the seas to fetch wines in Gascoine, for the diuersitie of opinions of diuers: It is assented, that the statutes or ordinances thereupon made shal stand in their force. An. 38. E. 3. cap. 10.

Denizens

10 ¶ All marchants denizens, that be not artificers, shall passe into Gascoine, to fetch wines there, to the intent that by this generall licence, greater plenty may come, & greater market may be of wines within the Realme. And that the Gascoines & other aliens may come into the Realme with their wines, and freely sell them without anie disturbance or impeachment, alwayes saued to the king, that it may bee lawfull to him, whensoeuer it is aduised to him or his councell, to ordeine of this article, in manner as best shal seeme to him for the profit of him and his commons. An. 38. E. 3. cap. 11.

Aliens

11 ¶ It is assented and accorded, for the profit of the realme, that no Englishman shall passe into Gascoine to fetch wines there, but they shall bee brought into Englande by the Gascoines and other aliens, and thereupon defence shall be made throwow the Realme. And that no Englishman put in the handes of the said Gascoines or aliens, nor thither send golde nor siluer, nor other marchandises thereof to buy wines to the vse of Englishmen, vpon forfeiture of the golde and siluer, or marchandises, so put in their handes or sent. And that all the shippes of England and of Gascoine that come into Gascoine, shall be first fraughted to bring wines into England before all other, and that no Englishman bargeine nor buy such wines comming into England, before that they be put to land, according to the forme of the said statutes therof made. And this ordinance shall hold place from the gule of August next ensuing forward. And that no warrant be made to any Englishmen to the contrarie. An. 42. E. 3. cap. 8.

Aliens

Forf.

Ships

12 ¶ All Englishmen, Irishmen, and Welshmen, that bee not artificers may freely passe into Gascoine, to fetch wine there, finding sufficient suretie before his passage before the Maior, or Bailiffes where no Maior is, of the towne or port, where he shall passe, that bee shall buy in Gascoine an hundred tunnes of wines, and not lesse of his owne proper goods and of other, & bring the same into England, Wales or Ireland, and to no place elsewhere. And if it be otherwise done by any Englishman, Welshman, or Irishman, the wines, and shippes bringing the same wines shall bee forfeit to the king, and euery of them shall haue one yeares imprisonment, and moreouer bee ransomed at the kings will. And if any Englishman passe into Gascoine, without finding such suretie, he shall incurre the forfeiture of al his goods to the king. And the said sureties shalbe certified and returned into the kings Chancery, by the said Maior, and Bailifs, or by the Bailifes where no Maior is, two times by yere, that is to say, at the vtas of Candlemas, and at the gule of August. And if any Maior or bailiffe suffer any Englishman to passe til he hath found such suretie, or they do not certifie in the Chancery in the maner as is aforesaid, they shal haue one yeres imprisonment of their bodie, and moreouer bee ransomed at the kings will. And it is not the mind of the king, the great men, nor of the commons, that the ordinance made of the said wines, the said two & forty yere be repealed or annulled, but shall abide in suspence, til a man may see what profit or damage this present grant hereafter shal do in the realme.

Suretie

Forf.

Imprison

Maior Bailiffe

Imprison

And the king will that the Gascoines & their seruants, and all other, whensoeuer please them, may come with their wines into England, Wales, & Irelãd, as freely and in the maner as was ordeined in the said two and forty yere, or in any time before. An. 43. Ed. 3. cap. 2.

13. ¶ Anno. 5. R. 2. ca. 4. & An. 6. R. 2. capit. 7. two acts were made concerning wines and the price therof, but both those

acts

acts were repealed by 7. R.2, ca.11. tamen quære & vide statuta.

Distreine
Eschequer
Rine

14 ¶ Item that none of the kings liege people be distreined from henceforth, impeached, molested, or grieued in the eschequer, nor elsewhere for non gauging of wines of Rine, nor of any forfeiture of the same for that cause, otherwise then hath bin done of olde time. An.14. R.2.cap.8.

Marchãts

15 ¶ All the said marchants repairing to the saide parties of Gascoine & Guyen, may freely hereafter buy the wines there of the high countrey, in all such times and in all such liberties, as they haue vsed to buy them twentie or thirtie yeers passed, without any other newe impositiõ or charge to be put vpon them. And that if any of the kings officers in the saide parties, or any other person disturbe, vexe, or græne, or do to be disturbed, vexed, or grieued any of the said marchãts or liege people of our Soueraigne lord the king, or do to be leuied of any of them any new impositions, contrary to this ordinance, hee to forfeit as often times as he offendeth, to the partie grieued xx. li. ouer his treble damages to be payed to him. the one halfe of the same forfeiture of xx.li. to bee payed to the vse of our soueraign lord the king, and the other part to the partie so grieued, or to him, which in his default & negligence will sue for our soueraigne lord the king in this behalfe. An.23.H.6.cap.18.

Forf.
Treble damages
Moitie

16 ¶ From henceforth the Malueseis that shal be brought into this your realm of England, by any person, shall be of full gauge, conteining fiue score and fiue gallons at the least measure. And if it lacke of the said gauge, that then the seller to abate so much of the price, after the rate of the said content. And euery marchant stranger bringing suche Malueseis into this Realme, shall pay to your Grace the custome of eightene shillings for a butte of Maluesey, ouer and aboue the custome afore time to your Grace vsed to be paied, likewise as they of Uenice haue set in Candie vpon your aforesaid subiects. And moreouer that it be &c. from henceforth, that no butte or buttes of Malueseis, in vessel or vessels that shall be brought into this your said realme, shall be sold aboue iiii.li. sterling. Prouided alway, that this act extend not to any English men borne, touching the newe custome rehearsed of xviii.s. And that this present acte endure no longer then they of Uenice shall set aside the imposition of the payment of the

Gauge
Abate
Custome

foure ducats aforesaid An.7.H.7.cap.7.

17 ¶ An.7.H.8.cap.2. it is enacted that all licences made for bringing in of Gascoine wine & Tholous woad, contrary to the statute of An.4.H.7.cap.10. (which is in ships 8.) were void.

Licences

18 ¶ Anno 23.H.8.cap.7. an acte was made to endure to the last day of the next Parliament, concerning bringing in of wines into England, and selling wines by retaile, and of what prices, and who should set the prices, and concerning the contents and gauging of wines and other licours.

Retaile
Prices
Gauging

19 ¶ That euery marchant and other person now hauing, or which hereafter shall haue wines to be solde, and refusing to sell or deliuer, or not selling any of the same wines for ready money therefore to be payed, according to the price or prices thereof then being set, shall forfeit and lose the value of the wine so required to be bought. And furthermore be it &c. that it shall be lawfull to all and singuler Iustices of Peace, Maiors, Bailifes, and other head officers & gouernors, in shires, Cities, boroughs, and townes, and in other places of this Realme, within the precincts and limits of their offices, from the last day of Aprill, in the yeere of our Lord God 1533. at the desire and request of any of the kings subiects, to whome any denial of sale, or from whome any restraint of sale of any such wines shall be made, and full payment therefore without delay offered to be made according to the prices which at the time of such denial or restraint of sale, be or shall be set by the Lords and Iustices, or hereafter to be set, according to the saide statute heretofore made, to enter into the houses and cellers, and other places, where any such wines shall lie and be, and to sell and deliuer the same wine or wines desired to bee bought, to the person or persons requiring or desiring to buy the same: taking of the buyer of the same wine or wines so to bee sold, to the vse of satisfaction of the forfeiture aforesaide, after the rate of the prices thereof nowbeing set, or hereafter to bee set, as is aforesaid.

Marchant
Refuse
Forf.
Iust. of P. Maiors Bailifs.
Sell

Prouided alwaies, that if at ỹ time of any such sale of wine purposed to be made, the marchãt vintener, or other owner or owners thereof, doe truely, fully, and manifestly declare & shew to the said Iustice of peace, Maior, Bailife, or other head officer, purposing to make the saide sale by

vertue

vertue of this acte, what and how much quantitie and sorts of wines he then shall haue, and affirme, and depose vpon his bodily othe, to be made and giuen by the discretion of the same Iustice of the Peace, Maior, Bailife, or other head officer, that he keepeth and deteineth the same wines, to the intent only to draw and expend the same in his owne house by retaile, or otherwise, and not to sell the same wines, nor any of them in grosse, that then the same marchant vintener, or other owner, shall kéepe and reteine the same wines, without any sale thereof to bee made, in forme aboue written, & without any forfeiture for refusal or restraint of sale therof to be made in grosse. And in case that after such othe so made, the same marchãt, vintener, or other owner or owners, doe sell the same wines, or anie of them in grosse, that is to say, by the tun, butte, tyerce, pipe, hogshead, barrel, or rundlet, he shal forfeit and lose the double value of al such wines so sold in grosse. The one halfe thereof, and of the other forfeiture aboue written, to bee to the king our souereigne lord, and the other halfe to the partie or parties ẏ shall sue &c. Prouided alwaies, that this act extend not to take effect in anie shire of this realm, other thẽ in ẏ citie of London, and within three miles compasse of the same before the last day of July, in the yere of our lord God aboue written, vnlesse that in the meane time this statute be openly proclaimed in some open faire or market within ẏ same shire, where before the saide last day of July it shall happen to be put in execution. Anno 24. H. 8. cap. 6.

Othe
Iust. of P. Maior Bailife
Retaile
Vintener
Forf.
Wottie
London

20 ¶ No person or persons shal sel any Gascoine, Guion, or Frẽch wines, aboue viii. d. the gallon, that is to say, i. d. ẏ pinte, ii. d the quart, iiii. d. the pottel, and viii d. the gallon, vpon paine of forfeiture for euery pinte to be sold aboue the saide price iiii. d. and for euery quart solde aboue the said price viii. d. & for euery pottle so solde aboue the saide price, xii. d. and for euerie gallon so solde aboue the saide price afore limited ii. s. And that no Malueseis, Romnes, Becks, or other swéet wines, shall be sold by retaile aboue xii. d. the gallon, vi. d. the pottle, iii. d the quart, and three halfe pence the pinte, vpon pain to lose & forfeit iii. s. iiii. d. for euery gallon, xx. d. for euery pottle, xii. d. for euery quart, and vi. d. for euery pinte, that shall bee solde contrary to this act.

Price
Forfe
Sweete wines Retaile Price
Forf.

Prouided alway, that the L. Chancellor, L. Treasurer, L. President of the kings most honourable councell, L. Priuie seale, and the two chiefe Iustices of either bench, or fiue, foure, or three of them shall haue power and authoritie by their discretions, to set the prices of all kinde of wines. that is to say, of the prices of the butte, tun, pipe, hogshead, ponchẽ, tierce, barrel, or rundlet, when it shalbee solde in grosse, so that they or any of them cause the prices by them set to bee written, and open proclamation thereof to bée made in the Kings Courte of Chancerie openly in the terme time, or else in the citie, borough, or towne where any such wines shall bee solde in grosse, any thing conteined in this act to the contrary hereof notwithstanding. And it is &c. that if any person or persons, after such prices bée set and put in writing by the saide Lorde Chanceller, L. Treasurer, L. President of the kings most honorable councell, Lord Priuie seale, and the two chiefe Iustices, or by fiue, foure, or three of them, and proclamation thereof had (as is aforesaide) do sell any wines in grosse by any fraud or couin, contrary to the said prices so set and proclaimed: that then euery offender in that behalfe shal lose and forfeit for euery vessell by them solde in grosse, contrary to the saide prices xl. s. the one halfe of all which forfeitures to bee to the king our souereigne lord, and the other halfe therof, if it bee within any Citie, Borough, or towne corporate, to be to the Maiors, shirifes, Bailifs, or other head rulers of such cities, boroughs, or townes corporat. And if it bee without citie, borough, or towne corporate, then to be to such of the kings subiects as will sue for the same. And that euery such forfeiture shal be recouered by originall writ of debt, bill, plaint, or information: In which sute no wager of lawe shal be admitted, nor any protection or essoinie allowed.

Lord Chanceller
Prices in grosse
Sell
Forf.
Wottie
Maior Shirifes Bailifes
Recouerie

And it is &c. that the Iustices of peace in euery shire of this present realme, and all Maiors, shirifes, bailifes, & other head officers in cities, boroughs, & towns corporat, that is to say, euery of them within the limittes of their cõmissions & authorities, aswel within franchises as without, shal haue power & authoritie to examine, heare, enquire, & determine the defaultes of such as shall attempt to sell any wines in grosse, or by retayle, contrarie to this act, and to punish the offenders by imprisonment

Iust. of P.
Enquire Diet & ter.
Imprison

sonment, or otherwise by their discretions. An. 28. H. 8. cap. 14. See here 21. 23.

21 ¶ Such lords as by the said former acte (S Anno 28. H. 8. cap. 14. before 20.) haue authority and power to set prices of wine in grosse, shal by vertue and force of this act, haue the same authority to mitigate and enhance the price of wines hereafter to be sold by retaile, as oftē as time and occasion shall require, any thing in the said former acte conteined to the contrary thereof notwithstanding. And their said prices, and ordinances, after proclamation thereof made, to bee obserued and kept vpon paine and penaltie in the same proclamations conteined. The moitie of all which penalties to be to the king our souereigne lord, and the other moitie to the partie that will sue for the same in any of the kings courts of Record, by bill, plaint or information, in the which no wager of law, essoine, or protection shalbe allowed. This act to endure to the end of the next Parliament. Anno 34 H. 8. cap. 7. See here 22. & 25.

Price Retaile

Moitie

22 ¶ An. 37 H. 8. cap. 23. this last acte of An. 34. H. 8. cap. 7. is continued to endure to the ende of the next Parliament. And it is there further enacted, that ẏ said L. Chanceller. L. Treasurer. L. President, L. Prinie seale, and the two chiefe Justices, or fiue, foure, or three of them, shal yeerely set the prices of all kindes of the said wines mētioned in the said former act, betweene the twenty day of Nouember, & the last day of December, and at no other time or times, & that all and euerie person selling in grosse or by retaile, any of the saide wines mentioned in the same act, shall not sel any of the same wines aboue the prices so by them set, vpon such paine and forfeiture as bee made & prouided in ẏ same statute made at Westminster, the viii. and twenty yere of the reigne of our said most dread souereigne lord the king (before 20.) And be it ec. that if any person or persons, that now haue, or hereafter shal haue any maner of wines to sel in grosse, within any Citie, Borough, or town corporate, or any other hauen, corporat town, or townes within this realm, or within any ẏ kings dominons, or territories of the same, & do at any time hereof refuse to sel any kinde of ẏ same wines, according to the price, as now, or at any time hereafter shall be limited & appoynted by the said L. Chanceller, L. Treasurer, L. President, L. Prinie seale, and other the said chief Justices, or by any fiue, foure, or three of them: that then it shalbe lawfull to the Maior of the City of London, Recorder of the same Citie, and two of the ancient Aldermen of the same Citie, being no Vinteners, for the time being, and to the Maior, Bailifs, Aldermen, and other the head officers, or to any two of them, whereof the Maior, or chiefe Aldermen, or bailife to be one within all and euery citie, borough, & port towne within this Realme, wherein any wines now be or hereafter shalbe to sel, to enter into the houses, cellers, and places, of all and euery such owner and owners of the same wines, in any of the said cities, boroughs, and port towne, and the same wines lawfully to sell to the vse of the owners of the same wines to any person or persons willing to buy the same, according to such prices and rate as by the said L. Chanceler, L. Treasurer, L. President, Lord Prinie seale, and the said two chiefe Justices, or by any fiue, foure, or three of them, is or hereafter shall bee set, limited, and assigned, according to the tenour of the said act made in the saide eight and twentie yere of the Kings Maiesties reigne. An. 37 Hen. 8. cap. 23. And after Anno 5. Edw. 6. capitulo 17. that foresaid Act of Anno 34. Henr. 8. capit. 7. and the articles aforesaid in Anno 37. Henr. 8. capitulo 23. bee continued vnto the last day of the next parliament, and so discontinued.

Lord Chanceller

Prises

Refuse

Maior

Recorder

Aldermen London

Sell

23 ¶ For auoyding of many inconueniences, much euill rule, and resort of disordered persons to many Tauernes newly set vp in very great number in backe lanes and suspicious places within London and other where: Bee it ec. that no person or persons whatsoeuer inhabiting within any of the Kings Maiesties dominions of England and Wales, shall after the feast of Saint Michaell the Archangell next comming, vtter by retayle by small measure, that is to saie, by gallon or any other measure of greater or lesse quantitie, any wines called Gascoyne, Guion, or French wines, but after the rate of eight pence the gallon at the most by any manner of meanes, colour, engin or craft, nor any Rochell wines, at greater prices or valuation then after the rate of viii. d. the gallon at the most, nor any other wine or wines, at greater price or valuation then after the rate of xii. d. ẏ gallon at the most, vpon pain that euery person doing the contrary, shall forfeit for

Retaile

Price

Forfe

euery

euery such offence v.li. of lawfull money of England. (But See this clause altered to the forme of the statutes of 28. H.8. cap. 14. & 34. H.8. cap 7. (before 20. & 21.) which see in Ships 13.) And be it &c. that it shall not be lawfull to any person or persons within any the dominions aforesaid, except he or they shall and may dispend in lads, tenements, hereditaments, or other yerely profits certaine, the summe of an hundred markes of lawful money of England, or els be worth of his owne proper goods and cattels one M. markes, or shall be the sonne of a Duke, Marques, Earle, Viscount or Baron of this realme, to haue or keepe after the said feast of S. Michael the Archãgell, in his house or custody any piece or vessell of any of the said wines of Gascoine, Guió, Frech or Rochel wines, containing aboue the quãtitie of ten gallons, to the intent to spend or drinke the same in his or their house or houses by any colour or meanes, vpon paine to forfeit for euery such offence, x. pound of lawfull money of England.

100. marke land

Goods

Forf.

And also be it &c. that it shal not be lawfull to any person or persons within anie of the said dominions, after the said feast of S. Michael, to keepe any Tauerne, or to sell or vtter by retaile, by the gallon, or lesse or greater measure in any place, any of the said wine or wines within any of the said dominions, except it be in Cities, townes corporate, boroughs, port towns, or market townes, or in the townes of Grauesend, Sittingborne, Tuxford and Bagshot, vpon paine that euery person or persons that shal so offend, contrary to the forme of this acte, shall lose & forfeite for euery day so offending, the summe of ten pound of lawful money of England. Nor that it shalbe lawfull to any person or persons, after the said feast of S. Michael, to keepe any Tauerne, or sell, or vtter by retaile by the gallõ, or lesse or greater measure, in any Citie, Borough, or Towne corporate, any maner of wines, but onely such person & persons as shal be thereunto nominated, appointed, & assigned by the head officers, & the most part of the Common counsell, Aldermen, Burgesses, Jurats or cõminaltie for the time being, of such Citie, Borough, or towne corporate, where such person or persons shal tauerne, sell, or vtter wine by retaile as is aforesaid: the said nominatiõ and assignement to be made by writing, vnder the Common seale of such Citie, borough or towne corporate, as is aforesaid, & the said nomination, appointment & assignment, shall continue in their force, or be chaunged at the election and pleasure of the head officers or officers, and the most part of the Common counsaile, Aldermẽ, Burgesses, Jurates or comminaltie for the time being, of such Citie, Borough or towne corporate, by writing, and vnder such Common seale as is aforesaid. Nor that it shall bee lawfull to any person or persons, to keepe any Tauerne, or to sell or vtter any wine by retaile, as is aforesaid, in any Citie, Borough, Port towne or market towne not corporate, within the Realme of England or Wales, or in the said Townes of Grauesend, Sittingborne, or Bagshot, but onely such person or persons as thereunto shalbe assigned, nominated, & appointed by all or the most part of the Justices of Peace for the time being, of such shire or Countie where such Tauernes, or selling of wine by retayle shalbe had or allowed, as shalbe present at the generall sessiõ for the time being to be holden within euery of the saide shires or counties, the said assignment, nomination and appointment to be had and made in full Session by writing vnder the seuerall seals of euery of the said Justices, and to be continued, altered or changed in like forme, and by like authoritie as is aforesaide, vppon paine that euery person that shall after the said feast, sell or retaile any wine, beyng not thereunto licensed & authorized, as is aforesaid, shall forfeit & lose for euery day that hee shall so offend, fiue pound of lawfull money of England. Nor that any person or persons hauing authoritie by this present acte, to nominate, assigne or appoint what persons shall tauerne, vtter or sell wine by retayle, as is aforesaide, shall nominate, assigne or appoint by his or their writing any moe, or greater number of Tauerns or wine sellers by retaile, to sel or vtter wine, or kẽp or continue any Tauerne at one time in any one citie, borough, towne corporate, porte towne, or market towne, or in Grauesend, Sittingborne, or Bagshot, (all & euery such citie & towne hereafter expresly named onely except) then two wine sellers or Tauernes. And it shall not be lawfull to any person or persons hauing authoritie to nominate, assigne or appoint Tauerns or sellers of wines by retaile, by this acte to nominate, assigne or appoint by writing any moe, or greater

Tauerne Sell

Cities Townes

Forf. x. pound

Retaile

Licenced

Just. of P.

Sessions

Forf. v. pound

2. Tauerns

London / xl. tauerns

number of tauernes or wine sellers in the Citie of London, to sell or vtter wine by retaile at any time, aboue the number of fortie Tauernes or wine sellers. And in Yorke eight, in Norwich foure, in Westminster and in Bristoll sixe, in Lincolne three, in Kingston vpon Hull foure, in Shrewesbury three, in Exceter foure, in Salisbury three, in Glouceſter foure, in Westchester foure, in Hereford east three, in Worcester three, in Southampton three, in Canterbury foure, in Ipswich three, in Winchester three, in Oxford iij. in Cambridge foure, in Colchester three, in Newcastle vpon Tine foure tauernes or wine sellers, vpō paine that euery person authorised by this act, to nominate, assigne or appoint tauerns or wine sellers, to forfeit for euery nomination, assignement or appointment by him made, contrary to the forme of this act, v.li.

Forf.

And be it, &c. that no person or persons whatsoeuer, from & after the said feast of S. Michael, shall sell or vtter by retaile, any kind of wine or wines to bee drunke or spent in his or their mansion house or houses, or other place in his or their tenure or occupation by any colour, craft, engine, or meane, vpō paine to forfeit for euery such offence x.li. of lawfull mony of England, the one halfe of which forfeytures shal be to the king our Soueraigne lord, & the other halfe to him or them that will sue for the same, by action of debt, bill, plaint, or informatiō, in any of the kings courts of record, in which &c. Prouided alwaies, that it shalbe lawfull to all and euery merchant and merchants aduenturing for ỳ same at his or their owne costs and charges, to haue and keepe to spend in his or their house or houses, such wine or wines, as he shall transport or cause to be transported into this Realme or any part thereof, not taking any mony or other recompence for the same that shalbe so spent in his or their houses. And that it shall be lawful to euery high shirife of euery countie, Maior, bailife and shirife of euery citie and towne corporate within this realme of England, and other the said dominions for the time being, during his or their office of charge, & to euery other person inhabiting or dwelling in any of the Kings Maiesties fortes or townes fortified and kept for the warres, during his or their dwellings in any such Forte or towne of warre, to haue wine in their houses by the vessel, to spēd the same in his or their houses, without taking any money or other recompence for the same so spent in his or their house or other place in their tenure or occupatiō. This act or any thing therein conteined to the contrary in any wise notwithstāding. And it is &c. that the Justices of peace of euery shire or Countie, Citie & Towne corporate in their seueral sessions, and the Steward in euery Leete, and the shirife in his turne, and euery Elchetor shal haue ful power and authoritie by this present act, to enquire by the othes of xij. lawful men, of all and euery offence and offences perpetrated or done contrary to the forme of this act. And that euery enquirie and presentment taken & had by the othes of xij. lawfull men, as is aforesaid, shall be of such force and effect, as if the same were taken or had before the King in his Maiesties Wench. And that euery of the paines, penalties & forfeitures aforesaid, to be due by force of this acte for any offence so committed or done by anie person or persons, cōtrarie to the forme of this present acte, as shall be found by presentmēt before the said Justices of peace, Elchetors, shirife or Steward, or by verdict of twelue men, as is aforesaid, and no bill, plaint, action, or information thereof commenced in any of the kings courts of record, shall bee deuided equally into two parts, whereof the one shal be to the king our soueraigne lord, his heires and successours, and the other to be to the poore people of the towne or place where such presentment shalbe found.

Justi. of P. / Steward / Shirife / Enquirie

Retaile / Forf. / Moitie / Merchants / Shirife / Maior / Baylife / Warres

Prouided alway and bee it &c. that this acte or any thing therein conteined, shall not extend to charge any person or persons with any penaltie or forfeiture, for and concerning any offence to be done cōtrary to the tenour of this acte, vnlesse he or they so offending, bee sued, indicted or presented for the same within one yeere next after the same offence to be done and committed as is aforesaid, anie thing in this acte conteined to the contrarie notwithstanding.

One yeere

Prouided alway, that this Acte or anie thing therin cōteined, shal not in any wise be preiudiciall or hurtful to any of the inhabitāts of Oxford and Cambridge, or to the Chancellers or Scholers of the same, or their successors or any of thē, to empaire or take away any of ỳ liberties, priuiledges, frāchises, iurisdictiōs, powers or authorities to them or anie of thē appertaining or belonging, but that they & euery

of

of them, & their ſucceſſors may haue, hold, vſe & enioy all their liberties, priuiledges, franchiſes, iuriſdictions, powers, & authorities, in ſuch large and ample wiſe, as though this acte had neuer bæne had ne made, ſo alwaies that there bee not any more or greater nũber of tauerns kept or maintained within any of the ſaid townes of Orford or Cãbridge, then may be lawfully kept & maintained by the prouiſion, true meaning, & intent of this ſtatute, any thing in this prouiſo mentioned to the cõtrary notwithſtanding. An. 7. E. 6. cap. 5.

Orford Cambridge

* ¶ Witneſſe.

Proceſſe

When a deed, releaſe, acquitance, or other writing is denied in the kings court wherein witneſſes be named, proceſſe ſhal be awarded for to cauſe ſuch witneſſes to appeare, as before hath bin vſed, ſo that if none of them came in at the great diſtreſſe returned, or if it be returned, that they haue nothing, or that they cannot be foũd, yet the taking of the inqueſt ſhall not be deferred by the abſence of ſuch witneſſes. And if the witneſſes do come in at ỳ great diſtreſſe, and the inqueſt for ſome cauſe remaineth vntaken, the witneſſes that came in, ſhal haue like day giuẽ them as is aſſigned for the taking of the inqueſt, at which day, if the witneſſes doe not appeare, the iſſues that were firſt returned vpon them ſhall be forfaite. And the taking of the inqueſt ſhall not bee deferred becauſe of their abſence. And for abſence of witneſſes dwelling within franchiſes where the Kings writ originall doeth not lie, the taking of an inqueſt ſhall not be deferred. An. 12. Ed. 2. cap. 2. Statute of Yorke.

Iſſues

¶ Wood.

Fayrest Houſebote Heybote

Euery man that hath any wood within the forreſt may take houſebote & heybote within his ſaide wood without being attached for the ſame by any miniſters of the foreſt, ſo that he doth the ſame by vertue of forreſters. An. 1. Ed. 3. ca. 2. ſtat. 2.

Cut downe Licence

2 ¶ If any of his ſubiects, hauing woods of his owne, growing in his owne groũd within any forreſt, chace or purlieu of ỳ ſame, within this realme of England, frõ the firſt day of this parliamẽt, ſhall cut or cauſe to be cut the ſame wood or part therof by licence of the king or of his heires in his forreſts, chaces or purliewes, or without licẽce in the forreſt, chace or purlieu of any other perſon, or make any ſale of ỳ ſame wood: It ſhall be lawfull to the ſame ſubiects owners of the ſame groũd wherupon the wood ſo cut did growe, and to other ſuch perſons, to whom ſuch wood ſhal happen to bee ſolde, immediatly after the wood ſo cut, to cut and encloſe the ſame grounde with ſufficient hedges, able to kẽpe out all maner beaſts and cattell out of the ſame ground, for the preſerving of their yong ſpring. And the ſame hedges ſo made, the ſaid ſubiects may kæpe them continually by the ſpace of ſeuen yæres next after the ſame encloſing, & repaire & ſuſteine the ſame as often as ſhall nede within the ſame ſeuen yæres, without ſuing of any other licence of him or of his heires, or other perſons, or any of their officers of the ſame forreſts, chaces & purliewes. Anno 22. Ed. 4. cap. 7.

Enclose

7. yeeres

3 ¶ In and vpon all ſ singuler woods, commonly called coppies, woods or vnderwoods, which from and after the feaſt of Saint Michaell the archangell, which ſhal be in the yere of our Lord God 1544 ſhall be felled at the 14. yæres growing or vnder, there ſhall bee left ſtanding and vnfelled, for euery acre of wood that ſhalbe felled within the ſaid coppies, twelue ſtandils or ſtorers of Oke: if there be not ſo many ſtandils or ſtorers of Oke, that then there ſhalbe left ſo many of other kind, that is to ſay, of Elme, Aſhe, aſpe, or Bæch as ſhall make vp the ſaide number of xij. ſtandils, or ſtorers likely to prowe and to be timber trees, the ſame ſtandils or ſtorers to bæ of ſuch ſtandils or ſtorers as haue bæne left there ſtãding at any the felling of the ſame coppies, woods or vnderwoods in times paſt: And in caſe there be no ſuch ſtãdils or ſtorers there ſtãding which were there left of the laſt felling of the ſame coppies or vnderwoods, that thẽ the ſame ſtandils or ſtorers there to bee left, ſhall bee left at this now next felling of the ſaid coppies, woods, or vnderwoods of ſuch moſt likelieſt okes. And if there be not ſufficient of Okes, then of ỳ moſt likelieſt elmes, aſhe, aſpe, or bæche to prowe & to be timber træs, as ſhall grow within any ſuch ſeuerall woods, coppies or vnderwoods, and that the ſame ſtandils or ſtorers ſo left, ſhall bee preſerued and not felled or cut downe, till they and euery of them ſhall be of tenne inches ſquare within thræ foote of the grounde, vpon paine that euery owner of euery ſuch ſtandils

Coppies Woods

14. yeeres old

Standils 12. Okes

10. inches

& ſtorers, hauing an eſtate of inheritance, or an eſtate for terme of life of freehold or by copie of court roll, or for yeres in the ground or ſoile, where the ſame ſtandils or ſtorers ſhall growe, cauſing or cõmanding any ſuch coppies, woods or vnderwoods to be felled or cut downe, & not leauing the ſaid ſtandils or ſtorers there ſtãding in forme aforeſaide, to loſe & forfaite for euery ſtandil & ſtorer, ſo not left ſtanding in the ſaide coppies, woods, or vnderwoods iij.s.iiij.d. And vpõ paine that euery owner, as is aforeſaid, of any ſuch coppies, woods, or vnderwoods, cauſing or cõmanding any of the ſaid ſtãdils or ſtorers ſo left, as is aboueſaid to be cut downe, cõtrary to the forme of this act, to forf. & loſe for euery of ỳ ſaid ſtãdils or ſtorers which ſhalbe ſo cut downe iij.s. iiij.d. the one halfe of which ſaid forfaitures to be to the king our Soueraigne Lord, and the other halfe to be to the partie that wil ſue &c. in the which action &c. And be it &c. that all & ſinguler coppies, and vnderwoods, which after the ſaid feaſt of S. Michael the archangell, ſhall happen to bee felled or cut downe, at the age of xiij. yeres, the 20. day of Aprill, next after the felling therof, during the terme of iiij. yeres then next enſuing, ſhall be ſufficiently encloſed, or the ſprings thereof otherwiſe ſaued & preſerued from deſtruction by any maner of cattel or beaſts by him or thẽ, which then ſhall haue lawfull intereſt & poſſeſſion in the ſaid woods, coppies, vnderwoods, as is before ſaid, vpon paine of euery perſon or perſons ſo bounden to encloſe, fence, ſaue or preſerue the ſaid coppies or vnderwoods, to forfait & loſe for euery rodde thereof ſo not incloſed, fẽced, ſaued, or preſerued during the ſaid foure yeres, 3.s. 4.d. for euery moneth that the ſame coppies or vnderwoods ſhall happen to lie or be vnclo-ſed, & fẽced, ſaued or preſerued as is afore-ſaid. And that al & ſinguler coppies or vnderwoods, which after the ſaid feaſt of S. Michael the archangel ſhall happen to be ſo felled or cut downe, beyng aboue the age of 14. yeres growth, & not aboue the age of 24. yeres growth from the xx. day of Aprill, next after the felling or cutting downe thereof, during the terme of fiue yeres next enſuing the ſame twentieth day of April, ſhalbe ſufficiently encloſed, or the ſprinʒes thereof otherwiſe ſaued & preſerued from deſtruction thereof by any maner of cattel or beaſts, by & at the coſts of ſuch which then ſhall haue lawfull intereſt & poſſeſſion in the ſaid woods, or coppies, as is before ſaid, vpon paine of euery perſon or perſons ſo bounden to encloſe, fence, ſaue or preſerue the ſaid coppies, or vnderwoods, to forfaite and loſe for euery rod thereof ſo not encloſed, fenced, ſaued, or preſerued, during the ſaid vj. yeres, iij.s.iiij.d. for euerie moneth that the ſame coppies or vnderwoods ſhal happen to lie or bee vnclo-ſed & not fenced, ſaued or preſerued as is aforeſaid. And be it &c. that no perſon or perſons after the ſaid feaſt of S. Michael the archangel, ſhal conuert or turne into paſture or tillage, any ſuch coppies or vnderwoods, cõtaining in quãtitie two acres or aboue, which now bee wood or vnderwood, and put or reſerued to the vſe of encreaſe of wood or vnderwood, and being two furlong diſtant from the houſe of the owner thereof, or from the houſe whereunto the ſaide wood doth lie, appertaine or belong, vpon paine to for-faite & loſe for euery acre of wood ſo to bee conuerted or turned from wood into paſture or tillage, xl.s. Prouided alway that this acte ſhall not extend to anie coppies, woods or vnderwoods deſtroied, or turned into tillage or paſture, within xx. yeeres laſt paſte, although the more part, or anie parte thereof bee now ouergrowen with buſhes or vnderwood. And be it &c. that all & euery perſon and perſons, bodies politique & corporate, which haue or hereafter ſhal haue any ſeuerall woods or coppie growing & ſet with great trees, beyng aboue the age of 24. yeeres growth, ſhall at the felling or weeding thereof, leaue ſtanding within the precinct of the ſaid wood & coppies, for euery acre ſo felled 12. trees of oke of the ſame ſuch great trees, if there be ſo many trees of oke there to bee left, & for lacke of okes, then to leaue for euery acre ſo felled, as many other trees of elme, aſhe, beech, or aſpe, as ſhall make the full nũber of xij. of ſuch as ſhal be then growing, the ſame trees there ſo left to ſtãd, cõtinue & to bee preſerued by ſuch owner or owners as is aboueſaid during the ſpace of xx. peres next after the felling of ỳ ſame woods. And alſo from the xx. day of April, next after the felling thereof, during the terme of 7. yeres thẽ next following, ſufficiẽtly encloſe them, or the ſprings thereof otherwiſe ſaue and preſerue from the deſtruction thereof by anie manner of cattell, as beaſtes, vpon paine that euery ſuch perſon or perſons, or bodies politike or corporate beyng owner of the ſaide great

Fork. Fork. White Fork. 4. yeeres Fork. Fiue yeeres Fork. Pasture Tillage Fork. 24. yeeres old 12. ſtandils 7. yeeres

Forf. great woods as is aforesaid, to forfait and lose for euery such great tree of the said number lacking & not lefte so standing in the said wood as is abouesaid, vi.s. viij.d. And vpon paine that euery owner of the ground or soyle, whereupon such great trees as is aforesaid, shall be left standing or growing, causing or commanding any of the saide great trees, there so left standing as is aforesaid, to be cut downe con-
Forf. trary to the forme of this acte, to forfait & lose for euerie of the same great trees so left, which shall bee so cut downe as is afore-
Forf. said vi.s. viij d. And vpon paine also to lose & forfait for euery rodde of such great wood so not enclosed, fenced, saued or preserued, during the said space of viij. yeres, for euery moneth iij.s.iiij.d. Prouided alway, that it shall be lawfull to euery owner or owners of any of the said coppies, woods, vnderwoods, standilles, or stozers, great woods, and trees afore rehearsed, to
Building fell, cut downe and take any of the same for building, repairing, inclosing, & mainteyning of houses, orchards, & gardeins, and euery of them, and for paling, railing, or enclosing of parkes, forrests, chases or other groundes, and for making, or repairing of water workes, dammes, bridges,
Ships floodgates, making, repairing or amending of ships and all other vessels, and for all other thinges concerning their owne vses or affaires, in such like maner and forme, as he or they should or might lawfully haue done before the making of this acte, any thing in this present acte before mentioned to the contrarie thereof notwithstanding.

And further be it &c. that it shall not be lawful to any person or persõs, which after the said feast of S. Michael shall haue any woods or vnderwoods, wherin any other person or persons iustly hath or haue vsed time out of mans remembraunce, to
Cõmon of pasture haue cõmon of pasture, to kel or cut downe the said woods & vnderwoods there growing or beyng, or ỹ shall grow or be in any such woods or vnderwoods, except it bee to his owne vse and occupation, vntill such
4. part time, as the fourth part of such woods, vnderwoods, or grounds, where ỹ said woods now grow, or as much as the fourth part of the said groũd or soyle, whereupon such wood is or shall be, and growing, shall amount vnto, shall be by the Lord & owner for the time beyng of the saide grounde or
Set out soyle diuided, set out, meted, bounden, fenced, and inclosed, in maner and forme, as by this acte hereafter shall be declared, ordeined, & prouided, that is to say, that the said Lord that thẽ shalbe owner of the said ground or soile, shall call together the tenants & inhabitants being commoners in the said groũd or soile, or the more part of them, and vpon the assembly and meeting of the said Lord, tenants and inhabitants, or the more part of them, the said Lord or owner, by the assent, consent, and agreement of the said tenants and inhabitãts, or the more parte of them, shall seuer, diuide, set out, mete & bound the fourth part of the saide woods and vnderwoods, or so much thereof as shall amount to the full fourth part thereof. And if the said Lord Lords
and the saide tenants and inhabitants, or Tenants
the more part of them, can not, will not, or doe not assent, consent, and agree, for or vpon the seuering, diuiding, setting out, meting, and bounding of the saide fourth part of the said woods and vnderwoods, or of as much thereof as shall amount to the
ful fourth part thereof, that then two Iu- 2. Iust. of p.
stices of the peace, not beyng of the kinde, alliance, counsaile, or fee, of or to the saide lord or owner, being thereunto appointed by the more nũber of the Iustices of peace of the shire, where the said groũd or soile
lieth, in their open quarter sessions, vpon Quarter sessions
request and suite made vnto them by the lorde or owner, or by his or their lawfull deputie or deputies of the said woods, vnderwoods, grounds or soile, shall haue full power and authoritie to call before them, vpon such paines & penalties, as the saide
Iustices shall limit and appoint, such xij. xij. Commoners
of the said Commoners and inhabitants nigh vnto the same woods, or vnderwoods, as by the discretiõ of the saide two Iustices shall be thought mete and conuenient: And vpon or after the apparance of the same lordes or owners, cõmoners, and inhabitants, or the more parte of thẽ, the same Iustices shall open and declare vnto the same Lorde, owners, Commoners, and inhabitantes, the cause of their assembly and apparance, and that done, shall by the aduice and assent of the saide lorde, owners, commoners, and inhabitãts, or their lawfull deputie or deputies, or of the more parte of them, effectually
proceed to the seuering, diuiding, and me- Diuide
ting, and bounding of the said fourth part of the said woods and vnderwoods, or of so much thereof as shal amoũt to the feurth part thereof.

And if the said Iustices, owners, com-

moners and inhabitants, or the more part of them cannot or will not agree vpon the diuision, bounding or setting out of the said fourth part thereof, as is aforesaid: that
Justices. then the said Justices shal haue full power and authoritie by this act, to seuer, diuide, and set out by mete and bound the fourth part of the said woods and vnderwoods, or so much thereof, vnder the same iiij. part of the said woods and vnderwoods, as shal by the discretions and wisdome of the said Justices be thought necessarie & requisite
Set out to limit & set out. And within the moneth
One moneth next after such seuerance and setting forth thereof, the owner or owners of the same woods and vnderwoods, in fourme aforedeclared, shal sufficiently inclose the same
Enclose part of the said ground or soile so set forth as is aforesaid, and after such inclosure made, the said owner of the said woods or vnderwoods, may at his libertie and plea-
Cut downe sure, fell, cut downe, and take the saide woods or vnderwoods, being, or that shall be in, or vpon the said coppies, woods, vnderwoods, ground or soyle so set forth, or in any part thereof.

Prouided alway and be it &c. that there shalbe left stãding and vnfelled in and vpon the said parte of euery the same woods or vnderwoods, ground or soile so seuered, bounden, & set out distinctly in maner and fourme as is aforesaide at euery felling
Standils thereof, such & like number of standils or storers of young okes or other yong trées of elme, ashe, aspe, or beech, if it be coppies or vnderwoods, which shalbe so felled or cut downe. And if the woods that shall be felled, shalbe great trées or great woods, then such number shalbe left standing of great trées, in, or vpon the sayd part to all intents, constructions and purposes, and vpon like and the same penalties as is before limitted and appointed for not leauing, reseruing and preseruing of standils, or storers aboue appointed to be left standing in seuerall woods and grounds. And that the saide part or parcell so seuered, bounden, and set out in maner and forme aforesaid, after euery felling or cutting downe of the coppies, woods, or vnderwoods, for the time beyng, in, or vpon the same, by the authoritie of this act, shal be sufficiently inclosed and defenced, and the inclosure thereof sufficientlie and continually kept, made or repaired, pre-
7. yeeres serued & mainteined by the space of seuen yéeres next after euery felling thereof, in like maner and forme to all intents and purposes, and vpon the same & like paines and penalties as is before limitted, rehearsed and appointed for the not closing, or fensing, and for the not kéeping, maintening, repayring and preseruing of the said seuerall coppies, vnderwoods, & woods. And also that the standils, storers, and great trées limitted and appointed to bée left standing in, or vpon the saide parte, shalbe there left standing, preserued and not cut downe in such like maner and forme, and by all such time, and vpon such like penalties to al intents and purposes, as is afore limitted, appointed and declared for the preseruation and not felling of the said standils, storers, and great trées limitted and appointed to bee left in, and vpõ the said seuerall coppies, vnderwoods and woods.

And that after the saide felling of the said coppies, vnderwoods and woods, standils growing or being, or that shal stand, grow, or be in any such part of any of the said woods, groundes, or places, as is before declared, no beasts, or cattell, during the space of seuen yéeres next after the felling of the same woods shall willingly by any person or persons be put in, or shall be suffered to féede or continue in any parcel of anie such parte so set forth as is aforesaid, during the said terme of seuen yéeres next after the felling thereof, vpon paine
Forf. of forfeiture and penaltie of foure pence, for the putting in of euery beast, or wilful suffering of euery beast or cattel to be put into any of the said seuerall copies, vnderwoods or woods. And if it shall happen any persõ or persons being owner or owners of any such woods, vnderwoods, coppies, set, lying & being in any waste grouñd as is aforesaid, to cut downe anie trées, or vnderwoods contrarie to the fourme aforesaid: that then euery person or persons, owner or owners so offending contrary to this act, shall lose and forfaite for
Forf. euery trée so cut downe vj. s. viij. d. the one halfe of all the said forfeitures to bée to our Soueraigne lord the King, and the o-
Moitie ther moitie to such person that will sue &c. in which sute &c.

Prouided alway and be it &c. that for as much as the said tenãts, commoners and inhabitants shall be by authoritie of this acte excluded of their common in the said part so to be seuered and set forth as is aforesaid, by all the said space and terme of seuen yéeres next after the felling or cutting downe of the said coppies, woods, &
vnder-

vnderwoods, that shall growe in, or vpon the same part from time to time, that for recompence thereof the same Commoners, tenants and inhabitants shall & may vse, take and haue their comin for their cattell within the residue of the said woods, vnderwoods, ground and soile, not beyng inclosed, in maner and forme as if this act had neuer bene had ne made. And that the lord being owner of ỳ said ground or soile, shalbe by authoritie of this acte excluded and forebred to put or haue any cattel or beastes in or vpon the same residue, or to take any profite of the pasture, in, or vpon the said residue, during and by all the said terme of seuē yeres next after the felling or cutting downe of ỳ said coppies, woods or vnderwoods, being or growing, or that shall be or growe in or vpon the said part which shall be so severed, diuided, set out, bounden and inclosed as is afore said.

Lord Excluded

And that from and after the saide seuen yeres expired & ended vntill the next felling or cutting downe of the said coppies, woods or vnderwods being vpon the said part, beyng severed & diuided as is afore said, as well the same part as the said residue of the said ground and soyle, shall lie and be vsed in common, & the pasture and other profits thereof shal and may be vsed and taken aswel by the lord being owner of the saide ground or soyle, as by the said tenants, commoners and inhabitants, in like maner, forme & condition as it should or ought to haue bene before the making of this act, and as if this act had neuer bin had or made, any thing in this acte conteined to the contrary thereof notwithstanding.

Common

Prouided also that it shall be lawfull to euery person and persons to fell and to enclose all their coppies, woods, and vnderwoods, in any waste grouds, which before the making of this act haue bin vsed to be enclosed, preserued & kept for the maintenāce of wood & vnderwood, any thing in this act to the contrary notwithstanding.

Enclose

And whereas peraduenture the lord or owners of the foresaid wood, and vnderwoods, after that they haue enclosed and fenced the fourth part thereof, or as much of the same as shall bee to them limitted and assigned by the said Justices of peace, or Commoners, will not nor doe not sell the same woods and vnderwoods so enclosed or to be enclosed, but suffer the same to stand and grow, whereby the commoners, who ought to haue their common of pasture within the same part so enclosed, shall lose and be put from their said common therein: Be it therefore enacted by the authoritie aforesaid, that if the same part of wood & vnderwood so inclosed, bee not felled within foure moneths next after the enclosing thereof, that then and so long as the woods shall not be felled, it shalbe lawfull to the said commoners, to put their cattell into the same wood and ground so enclosed, & that the owner thereof shal leaue open conuenient places within the same enclosure, whereby the Commoners beastes may haue accesse & come into the same wood so enclosed, & there to pasture & feed, as long as the same wood shal stand and be vnfelled, any thing contained in this act to the cōtrarie notwithstanding. Prouided alway &c. and be it &c. that this acte or any thing therein conteined or exprest, extend not or be preiudiciall to any of the Lords or owner of the woods, vnderwoods or wood lāds, growing or being within any of the Townes, Parishes, or places commonly called or knowen to bee within the weilds of the Counties of Kent, Surrey, and Sussex or any of them, other then onely to the common woods growing and being within any of the said weildes of the said Counties of Kent, Surrey & Sussex, any thing in this present act to the cōtrary notwithstanding.

4. monethes

Cōmoners

Kent. Surrey Sussex

Prouided also that this present act or any thing therein conteyned, shall not extend or be preiudicial or hurtful to extend to charge anie person or persons which before the feast of Saint Michael the Archangel in the xxviij. yere of the reigne of our Soueraigne Lord king Henrie the eight, haue bargained and bought woods, or great trees, growing in any the same woods, for or cōcerning the felling or cutting downe of the same woods, or trees, or not leaning of any standils or storers, of, and in the same according to the tenor of this present act, any thing, penaltie or forfeiture in this present act cōteined to ỳ contrary thereof notwithstanding. Prouided alway and be it &c. that this acte or any thing therein conteined, shall not extēd to charge any person or persons with anie penaltie or penalties, conteined in this present act, for or cōcerning any timber trees growing within two miles of the sea, in the Countie of Cornewall, or any other Timber tree within the realm, beyng seare and dead in the tops, or anie

Standils

Timber Cornewall

other timber trees to be taken by vertue of the kings Highnes commission within the Realme, of, for, or concerning any offence done contrarie to the tenor of this act, vnlesse the same person or persons offending this acte, bee sued for the same within one yeere next after the same offence cõmitted or done, anie thing in this act conteined to the contrary in any wise notwithstãding. Prouided alway and be it &c. that if anie person or persons doe breake or destroy anie seuerall fences or hedges made or to be made for the sauing of the same woods, vnderwoods, grouñds or soiles: that euery person so offending, shall forfaite and lose for euery such offence ten shillings.

And be it &c. that if anie person or persons suffer his swine being of the age of.v. weekes or aboue, during such yeeres, as the said woods be appointed and ordeined by this acte to be enclosed, at any time after the first day of August next comming to go or runne in any common or seuerall ground or woods, vnlesse the same swine be sufficiently ringed or pegged: that then the owner or owners of euery such swine shall forfaite and lose for euery such swine that shall so goe or runne in any the saide grouñds, woods or vnderwoods, and not being sufficiently ringed or pegged, as is aforesaid, from and after the said first day of August next comming iiij.d the one halfe of al and euery the said forfeitures, if it be in any of the kings woods or grounds, to be to his highnes, and the other to the finder thereof. And if it be within any other person or persons said grounds, woods, or vnderwoods, then the one halfe of all and euery of the same forfeitures to bee to the owners of the soile, & the other part thereof to be to him that will sue &c. wherein &c. Prouided alway that where anie woods or vnderwoods shall after the said feast of S. Michael the Archangel be felled or cut downe in any parke or ground enclosed, wherein any Deere shalbe kept: that the owner or owners, possessioner or possessioners of such parke & parkes, or grounds enclosed for Deere, to be chargeable for the enclosure and preseruation of the same, as is aforesaid, but onely for the space of foure yeeres after any such time of felling or cutting downe of the same coppies, woods or vnderwoods, & not aboue: any thing conteined in this act to the contrarie in anie wise notwithstanding.

Prouided also and be it &c. that if the enclosure or enclosures of any of the said coppies, woods, vnderwods, or grouñds, happen to be broken or pulled downe by anie person or persons against the willes and mindes of the owner or owners, possessioner or possessioners of the same woods, or vnderwoods, whereby cattell or beastes escape in the same woods, grounds or vnderwoods, and destroy or hurt the spring thereof: or if the same woods, ground, or vnderwods be by any meanes destroyed, hurted, or hindred by any maner of person or persons, or by the cattel or beasts of any person or persons, without the assents, mindes and willes of such owner or owners, possessour or possessours: that then and in euery such case the saide penalties conteined in this act, to be extended vpon the same person or persons in or by whose default the same spring wood or vnderwood shall be so destroyed, hurted or hindred, and not vpon the owner or owners, possessor or possessours of the said woods, grounds or vnderwods, any thing cõteined in this acte to the contrarie thereof in any wise notwithstanding.

Prouided also & be it &c. that it shall and may be lawful to euery owner & owners, possessor or possessors, their farmors & assignes, of all and singuler the said woods, vnderwods, grounds, and coppies, after such time the same woods or vnderwods, grouñds and coppies haue bene fenced and enclosed, or the spring thereof otherwise preserued by the space of two yeeres, next after the felling thereof, to put coltes and calues, being vnder the age of one yeere, into the said woods, vnderwods, grouñds, and coppies, anie thing conteyned in this acte to the contrary thereof notwithstanding. And this present act and actes to endure onely by the space of seuẽ yeeres next after the said feast of Saint Michael the Archangel, and from thence vntil the end of the next Parliament. An.35.H.8.cap.17. And after Anno 7. Edw.6.cap.11. this Statute was reuiued and continued vnto the last day of the next Parliam. And after Anno 1.M.1.Parl.ca.13. this act was continued vnto the laste day of the nexte Parliament. And after Anno 1.M.2.cap.12. this acte was continued vnto the last day of the next parliament. And after 1.&2.P.&M.cap.10. it is continued to the last day of the next Parliament. And after Anno 2. and 3. Philip & Marie cap.21. And 4. and 5. Philip and Marie cap.9. And 1. Elizab.cap.19. it is continued vnto the last day

Dne yeere
Breake hedges
Forf.
Swine
Forf.
Woltis
Parke
Enclose
iij.yeeres
Enclosure
Pull downe
iij.yeeres
Colts
Calues

daie of the next Parliament, which began 5. Eliz. and ended 8 Eliz. then this act was discontinued. And 13. Eliz. cap. 25. it was reuiued and made perpetual (With an addition, which See here 5.)

4 ¶ For the auoiding of destruction and wasting of timber, Be it enacted &c. that no person or persons hereafter conuert or employ, or cause to be conuerted or employed to Coale, or other Fuell for the making of iron, any timber tree, or timber trees of Oake, Beech, or Ash, or any part thereof of the breadth of one foote square at the stub, and growing within fourteene miles of the Sea, or of any part of the riuers of Thames, Seuerne, Wye, Humbre, Dee, Tyne, Teese, Trent, or anie other riuer, creeke, or streame, by the which cariage is commonly vsed by boate or other vessel to any part of the Sea, vpon pain of forfaiture for euery such tree, or ante part therof so imploied or conuerted to Coale, or other Fuell, for the making of iron, as is aforesaid, fourtie shillings of lawfull money of England, the one halfe of all which forfaitures to bee to our Soueraigne Ladie the Queenes Maiesty, and to her heires and successors, and the other moitie to him or them that wil sue for the same by originall writ, bil, plaint or information, wherin no essoine, protection, iniunction or wager of lawe shalbe admitted or allowed. Prouided alwaies that this act shall not extend to the County of Suller, nor to the Weild of Kent, nor to any the Parishes of Chare wood, Newdigate, and Ligh in the Weild of the county of Surrey. This acte to begin and take effecte from & after the feast of the Natiuitie of S. John Baptist next comming after this session of parliament. An. 1. El. cap. 19.

Coale
Fuell
Iron
Timber
Riuers
Forf.
Moitie

See Courts. An. 33. H. 8. cap. 39. concerning the wood sales of the kings lands.

5 ¶ Forasmuch as the acte for the preseruation of woods made 35. H. 8. (before 3.) hath bin by experience found to be very necessary: Be it &c. that the same and euery thing therein contained shall be reuiued, and from henceforth remaine and continue in force and effect for euer. And for the more increase of woods, because the space of the yeeres of inclosure or preseruation limited in the said statute, is by experience found not sufficient: Be it enacted &c. that from the twentie day of June next, all manner of Woods or Coppies, intended by the said act to be enclosed and the springs thereof preserued, shalbe sufficiently inclosed, or the springs thereof otherwise saued from destruction, by the space of two full yeeres more then in the seuerall clauses of the said acte is seuerally limited according to the age of the woods felled, vpon like paines as are contained in the foresaid clauses of the said acte, concerning inclosure or preseruation of the said woods, coppies or springs, and that frō the said twenty of June next following, it shall not be lawfull for any maner of person to put any maner of cattell into any coppie, woods inclosed to bee preserued from the time of the sale thereof, vntil the end of fiue yeres, nor from the ende of fiue yeres, any other cattel but calues and pereling coltes only, vntil the end of fiue yeeres, if the wood was vnder age of 14. yeres at the last fall, or vntil the age of 8. yeeres, if the wood was aboue the age of fourteene at the time of the last fall &c.

Two yeres
Coppies Enclosed

Prouided, that this addition to the statute of woods, shall continue as long in force as the aforesaid estatute made in the 35. yere of the raigne of King Henrie the eight. An. 13. El. cap. 25.

6 ¶ Whereas by reason of the late erection of sundrie Iron milles in diuers places of this Realme, not farre distant from the Citie of London, and the Suburbes of the same, or from the Downes and Sea coastes of Suller, the necessarie prouision of wood, aswell timber fitte for building, and other vses, as also all other fellable woods seruing for Fuell, doth dailie decaie and become scant, and will in time to come become much more scarcer, by reason whereof the prices are growen to bee very great and vnreasonable, and in time to come will be much more, if some remedy be not prouided, to the great dammage not onelie of the inhabitants of the said citie of London and the suburbes of the same, but also to all others the Q. Maiesties most louing Subiects, hauing occasion daylie from al parts of the realm to repayre vnto the same and the places aboue said: For remedie whereof, Be it therefore enacted by the Queenes most excellent Maiestie, the Lords Spirituall and temporall, and the commons of this present Parliament here assembled, and by the authoritie of the same, that no person or persons from and after the feast day of the Natiuitie of S. John the Baptist nert comming, shal conuert or employ, or cause to be cōuerted or imploied to cole or other

Fuell for yron mettal

other Fewel, for the making of yron or of yron mettal in any yron mils, furnace or hammer, any maner of wood, or vnderwood nowe growing, or which hereafter shall grow within the compasse and precinct of two and twenty miles from and about the citie of London or the Suburbs of the same, or within 22. miles of the riuer of Thames, from Dorchester in the countie of Dorsett downewards the said riuer of Thames, or within foure miles of the foote of the hils called the Downes betwixt Arundell & Pemley, in the countie of Suſſex, nor within foure miles of any of the townes of Winchelsey, and Rye, nor within two miles of the Towne of Pemley, nor within three miles of the towne of Hastings in the said countie, vpon paine to forfait for euerie load of wood so to bee employed or conuerted into cole or other fewell for the making of yron or yron mettall, in anie yron mille, furnace or hammer, as is aforesaid, forty shillings of lawfull money of Englande, the one halfe of all which forfaitures to be to our Soueraign Ladie the Quéenes Maiestie, and to her heires and successors, and the other moitie to him or them that will sue for the same, by originall Writte, bill, plaint, or information, wherin no essoine, protection or iniunction, or wager of law shalbe admitted and allowed.

22. Miles London

Dorchester

4. miles

Downes

Rie 2. Miles Pemley 3. Miles Hasting Forf.

Moitie

Prouiſo

Prouided alwaies, that this Acte shall not extende to anie woods growing or to growe in anie such part of the Weildes of Surrey, Suſſex, or Kent, within the saide twenty two miles of the said citie of London and the Riuer of Thames, as is distant aboue eighteene miles from the Citie of London, and eight miles from the said Riuer of Thames.

Weildes

No new yron-works

And be it likewise further enacted, that from henceforth no newe yron workes shalbe erected within twentie two miles of the saide Citie of London, nor within fourteen miles of the Riuer of Thames, nor within foure miles of the Downes aforesaide, or of the saide Townes of Pemley, Winchelsey, Hastings or Rye, vppon paine of one hundred pounds of lawfull money of England, likewise to bee recouered and employed, as is aforesaid.

Prouiſo

Prouided also, that this acte nor anie thing therein contained, shall extend to any woods or vnder woods now standing or growing, or which hereafter shal stand or growe in or vpō any lands of Christopher Darrell Gentleman, in the Parish of Newdigate, within the Weilde of the Countie of Surrey, which woods of the said Christopher haue heretofore beene, and be by him preserued and coppised for the vse of his yron workes in those parts. Anno 23. Eliz. cap. 5.

Darrell

7 ¶ No person or persons from and after the feast of Easter next after the end of this present Session of Parliament, shall make, erect, build or newe set vp, at or in anie place within the Counties of Suſſex, Surrey or Kent, or anie of them, any maner of yron mils, furnace, finarie or blomarie, for the making or working of anie maner of yron or yron mettall, other then either vpon such olde and former Bayes or Pennes whereupon hath lately bin, or at the time of the new erection shalbe then standing some yron mils, fornace or hammer, or els in and vpō such lands as the partie or parties so erecting any such intended new worke, shall continually furnish the same with sufficient supplie of his or their own proper woods, standing or growing in and vpon his or their owne proper soile or lande, being to him or them in fee simple, fee taile, or for terme of life or lines, without impeachement of waste at the least, and not otherwise: nor shal conuert or employ, or cause to bee conuerted or employed to Coles, or other Fuel, for the making or working of yron or yron mettall, in or about anie maner of yron milles, furnaces, hammer, finarie, forge or blomarie, the bodie or bodies of anie sound Timber tree or trees, apt for the making of good and sufficient clefte wares, or sawing timber of Oake, Ashe, or Elme, growing of the breedth or bignesse of one foote square at the stubbe, or any part of the same bodie or bodies of any such tree or trees, vpon paine of forfaiture of euery iron mill, furnace, forge, finarie or blomarie, made, erected, builded or set vp contrarie to the tenour and true meaning of this acte, the summe of three hundred pounds, and for euerie bode of euerie such Timber tree so imployed or conuerted to Coale or other Fuell, for the making or working of iron as is aforesaid, the summe of fortie shillings of lawfull money of England, the one halfe of which forfaitures to bee to our Soueraigne Ladie the Queenes Maiestie, her heires and successours, and the other halfe to him or them that will sue for the same by Originall Writte, Bill, Plaint, or information,

Iron mils

Woods

Coales

Timber tree

Forf.

formation, wherein no essoine, protection or wager of Lawe shalbe admitted or allowed.

Prouided alwaies and be it further enacted by the authoritie aforesaide, that it shal and may be lawful to and for the owners of such trées, the bodies wherof haue bin or shalbe from time to time conuerted and employed to or for any maner of timber or cleft ware within the Weildes of Suller, Surrey, or Kent, or any of them, the same not being within eighteen miles of the Citie of London, or eight miles of the riuer of Thames, or four miles of the townes of Rie and Winchelsey, or within three miles of Hastings, or within iiij. miles of the foote of the hilles called the Downes between Arundel and Pemsey in the countie of Suller aforesaid, or anie of them, to employ the toppes, and offals of all such trées, to or for Coales or other Fuell, seruing to or for iron workes, at their owne will and pleasures, this statute or any other to the contrarie hereof in any wise notwithstanding. And forasmuch as the high wayes in the said counties of Suller, Surrey and Kent, are in many places greatly empaired and spoyled by meanes of carriages of Coales, Mines, and iron, to and from the iron workes in the said counties, to the great hinderance of the common passages of the Quéenes Maiesties Subiects trauelling through the same: For remedie whereof, bee it further enacted by the authoritie aforesaid, that the occupiers of al maner of iron workes whatsoeuer, as owners or farmers of the same, by or for any estate or estates of inheritance, for life, liues, or for terme of yere or yeeres, which shall at any time hereafter carie or cause to bee caried any Coles, Mine, or iron, to or for any their iron workes, betwéen the twelft day of October, and the first day of May yeerely, shall likewise yeerely carie & lay, or cause to be caried and laid for euerie 6. loades of Coales or Mine as well, as also for euerie Tunne of iron which shal be caried by anie maner of Waine or carte, betweene the said twelft day of October, and the first day of May, yeerely by the space of one mile through any high waies, being vnder any the hilles commonly called the North Downes of Surrey, and Kent, to or from any maner of iron work, one liuall carte loade of Sinder, grauell, stone, sand or chalke, meete for the repairing and amending of the said high waies to be laid and employed in such place and places of the high waies, as any Justice of the peace of any of the Counties aforesaid, dwelling nér vnto the places where the high waies within the limites aforesaide shall bee most annoyed by any the meanes aforesaide, according to the greater and more présent necessitie shalbe appointed or assigned, or els paie or cause to be paide, for and in allowance of euerie carte loade in maner and forme aforesaid to haue bén so caried and laide, two shillings and fiue pence, within eight dayes after the demand thereof, to the hands of the said Justice of Peace or his assignee, the same to be leuied after default of paiment vpon the demaunde thereof from time to time, vpon such vzon as shall bee by and throwe the same high waies so caried, by waie of distresse. And if such Justice of Peace, by reason of absence or other occasion, doe not or shall not within fortie daies next after the said first daie of May, yeerelie assigne or appoint where and in what place of the high waies, the said Sinder, Grauell, Stone, Sande or Chalke, to bee caried as aforesaide, shall be laide, or where and how the money thereof due or to paide, shalbe employed and bestowed: That then the same sinder, grauell, stone, sand or chalke, shalbe laide and employed, by such person and persons as by this acte are to carie and laie the same, or to cause the same to bee caried and laid in such place and places of the high waies, as the Surueyors of the high waies within the parish for the time being, where the high waies shal be most annoyed as is aforesaide, shall assigne or appoint, or in default thereof paie to the said Surueiours for euerie such loade due and vncaried, two shillings and fiue pence in maner and forme aforesaid, vpon paine of forfaiture of tenne shillings for euerie loade of Sinder, Grauell, Stone, Sande or Chalke not caried, laide and employed in the high waies, or two shillings and fiue pence vnpaid as is aforesaid, to be forfaited and paied by the person and persons which by this acte ought to carie and lay, or cause to be caried and laid the Sinder, Grauell, Stone, Sande, or Chalke, or therefore to haue paid as is aforesaide, after due presentment and conviction thereof had before the Justices of Oier and Terminer, or Justices of Peace in anie of their open Session or Sessions to be holden before them or anie of them.

All

All which ſumme and ſummes of money to be forfeited by reaſon of this act, for or in default of cariage and laying of the ſaid Hinder, Grauel, Stone, Hand or Chalk, or paiment thereof as aforeſaid, ſhall bee likewiſe beſtowed and employed vpon the amendmente and repairing of the high waies in the ſaid pariſhes, where ỹ cauſe or forfeiture by default or refuſall greiwe and was giuen, at and by the diſcretion of any ſuch Juſtice of Peace as ſhall dwell and be reſiant next vnto the place or places being moſt annoyed by the cariages aforeſaid, and where the money therefore due ſhould haue bẽn paied as aforeſaide. Diſtreſſe and the ſame to bee leuied by waye of diſtreſſe by any Conſtable, Tithingman, Hedborough, or other officer therunto to be aſſigned by warrant made in open ſeſſions by any Clerke of the Peace of the Countie where any the offente or offences aforeſaid ſhalbe committed, or by any two Juſtices of the peace, whereof one to be of the Quorum, which were preſent at the Seſſions, wherein the ſaid conuiction of or for any the offences aforeſaid ſhal be had. And if no ſufficient diſtreſſe can be foũd by the ſaid officer appointed to leuie the ſame, or if the ſaid offender ſhall obſtinately refuſe to pay the ſame forfaiture, or doe not pay the ſame within twentie daies after a lawfull demand of the ſame, by the ſaid officer to bee appointed for the leuying thereof as aforeſaid, that then euery perſon ſo denying or refuſing, and not paying the ſame forfeiture within twentie daies aforeſayde, Forf. to forfaite the double ſumme bee ſhould before haue paied, to be leuied by ſuch waies and meanes, as to two of the Juſtices of Peace of the ſame Countie where the ſaid offence ſhall bee committed, whereof one to bee of the Quorum, ſhall bee thought moſt meete: the ſame forfeiture to be likewiſe imploied vppon the amendemente of the high waies, as the other forfaiture ſhould haue bin, if the ſame had been leuied, according to the true intent & meaning of this Statute. Anno 27. Eliz. cap. 19.

¶ Woolles.

Merchant Stranger Forf. NO merchant forreine, or denizen, or ante other, of what eſtate or condition that he bee, vpon paine of forfaiture of life and of member, and of as much as hee may forfaite towardes our Soueraigne Lorde the king, ſhall carie or cauſe to bee carried by himſelfe nor by other, priuily nor apertly, from henceforth anie wools out of the Realme, til by the king and his counſaile it be therof otherwiſe prouided. An. 11. E. 3. cap. 1.

2 ¶ The ordinantes made before this time, vpon the taking of fortes of woolles in euerie countie, be wholly adnulled and defeated: And that euerie man aſwell ſtranger as priuie from henceforth maie buy woolles, according as they may agree with the ſeller, as they were wonte to do before the ordinances aforeſaid. And that no man bee impeached nor grieued, becauſe of any buying made in times paſt againſt the ordinances aforeſaid. An. 18. E. 3. cap. 3. ſtat. 2. Woolles Bay

3 ¶ No merchant priuy nor ſtranger, nor other, ſhal cary out of our Realme of England, woolles, leather, woolfelles to Berwike vppon Twede nor elſewhere, nor into Scotland nor that no man, merchant nor other, of what condition that he be, ſell his woolls, woolfelles, nor leather, to any man of Scotland, nor to none other to bring into Scotland, vpon the paines and articles contained in the ſaide third article. An. 27. E. 3. cap. 12. ſtat. ſtaple. Merchant Leather Berwike

4 ¶ All thoſe that ſhall be conuict, that they haue caried wools, leather, and woolfelles to the parts beyond the ſea, againſt the defence and Proclamation thereof made before the making of this ordinãce, ſhall be indged to priſon, and incurre the forfaiture of the ſame wools, leather, and woolfelles ſo paſſed, and of all their goods and cattels, and moreouer bee ranſomed at their will. Anno 27. Edw. 3. cap. 27. ſtat. ſtaple. Impriſon Forf.

5 ¶ Whereas at the grieuous complaint of the Commons of the Realme of England it was ſhewed ỹ the merchants which buy wools in faires & markets, and other places by couin and conſent betwixt them, do abate the price of wools, and vſe other weight, that is ordained by the ſtatute before this time, in annoiance of the people: It is accorded & eſtabliſhed, that proclamation be made through ỹ realme, that no merchant doe ſuch couine, vpon a grieuous forfaiture. And if any do againſt the ſame after the proclamation, the king ſhal aſſigne his Juſtices to inquire at the ſuite of the party of al that do ſuch couin, and to heare & determine for the king and for the partie. And that certaine ballances and weights of facke, halfe facke, and quarter, pound, halfe pound, and quarter, Couine Weight Forf. Diet & ter. Ballance

according

according to the standard of the Eschequer, be sent to al shirifes of England betwirt this and the Natiuitie of S. John next comming, so that they (such ballantes and weights receiued) shall make open proclamation throughall their counties, that euery man that will haue such ballances and weights, shal come to the shirife before Michaelmas, to make their ballances and weights, according to the saide standard at their costs without anie thing giuing to the shirife for to haue assay or example of the saide ballances and weights, and that from henceforth none shal sel nor buy other weight. And if any do against the same he shalbe punished by fine at the kings wil. An. 31. E. 3. cap. 2.

Proclamation

Shirife

6 ¶ That the king assigne his Iustices to enquire, heare & determine of those that haue caried wools, leather and wolfels to the parties beyond the sea, & therof haue done couin and excesse, and otherwise attempted against the ordinances, & the forme of the statute of the staple. An. 31. E. 3. cap. 7.

7 ¶ Euerie merchant & other, aswell alien as denizen, may carie to the parties beyond the sea which be of the Amitie, wools, leather and wolfels from the fift day of May next comming, to the feast of S. Michael next ensuing, paying for euery sacke, 1 s. and for CCC. wolfels, 1. s. & for the last of leather C. s. for the custom and subsidie of the same. And that no merchant nor other that buyeth wolles, shall make other refuse of wools, the was wont to be made in times past, that is to say, of coate, gare & vilaine fleeces, & that euerie sacke contain 26. stones, and euery stone 14. pound, according to the weight of the standard of the Eschequer, and no more nor lesse. And that all the wools, fels, and leather bought in the countrey, shall bee brought to the staples, and there shall abide at the least xv. daies. And those that may not there be sold or deliuered within the fiftene daies, shall be brought to the ports ordained for the staples, to passe frō thence to the parts aforesaide, paying the customs and subsidies aforesaid. And that no wools vendible shall be lodged, shewed, nor solde within three miles of the staple, but in the same staple, sauing that euery Lord and other man their merchant, may freely lodge, shew and sell his wools, which be of his own growing, in his own house and else where shal please him. An. 31. E. 3. cap. 8.

Transport

Leather

Custome

Weight

Staple

8 ¶ The Chancelour and Treasorer which for the time shall bee, by the aduice of other the kings Counsell, shall haue power to deferre the terme of passage of wools, when they see that nede is. An. 31. E. 3. cap. 9.

Chancelor Treasorer

9 ¶ The king by the assent aforesaid, hauing regard to the grant that the commons haue granted now in this Parliament of wols, leather and wolfels to bee taken for three yeers, wil & grant, that after the said terme passed, nothing bee taken nor demanded of the said commons, but onely the ancient custome of halfe a marke, nor that this grant now made, or which hath been made in times past, shall not be had in example nor charge of the said cōmons in time to come. And that the merchant denizens may passe with their wools aswell as the forraines without being restrained. And that no subsidie nor other charge be set nor granted vpon the wolles by the merchants nor by none other from henceforth without the assent of the parliament. An. 36. E. 3. cap. 11.

Custome

Subsidie

10 ¶ Whereas it was another time ordained in the statute of the staple, that no English man shoulde passe the Sea with wools, leather, nor wolfels by him nor by other, vpon paine of forfaiture of life and member, lands, tenements, goods and cattels: It is accorded, that the forfaiture of life and member shalbe wholly out. And y no man be impeached because of such forfaiture of life and member, as well of times past as of the time to come. And the forfaiture of lands & tenements, goods and cattels, shal stand in their force. An. 38. E. 3. cap. 6.

Transport

Fork.

11 ¶ The staples of Calice &c. shall bee wholly put out, and the Staples of wools, wolfels and leather of the realme of England, shall be holden in the places vnder written, that is to say, at Newecastle, Kingstone vppon Hull, S. Botulfe, Yarmouth, Queneseborough, Westminster, Chichester, Winchester, Excester, and Bristowe. And the Staples of Ireland and of Wales, shall be in the places where they were first ordained. And moreouer it is ordained, y all merchants, aliens, & denizens may freely go throughout Englande, Ireland and Wales, and buy and sel wools, wolfels & leather, and al other merchandises at their will, without impeachment or disturbance, so that no wools, wolfelles, nor leather, shall passe out of the realme of Englande, Ireland, nor

Staples

Strangers

noꝛ Wales, till they bee bꝛought to the ſtaples and there weighed, cocketted and cuſtomed. And that al the wools that ſhal be bꝛought to the ſtaples at Weſtminſter and Wincheſter, ſhalbe betwixt merchãt and merchant, oꝛ merchants & other lawfully weied by the ſtandard: And euerie ſacke & ſarpler of the ſame wools ſo weyed, ſealed vnder the ſeales of the Maioꝛ of the ſtaple and of the conſtables, oꝛ Maioꝛ and one of the conſtables. And alſo that al the wools ſo weied & ſealed at the ſtaples, and leather and woolfels that there ſhall come (the cuſtomes of the ſtaples thereof paid) ſhall be witneſſed by bill enſealed of the ſeales of the Maioꝛ of the Staple, and conſtables, oꝛ Maioꝛ & one of the conſtables, and bꝛought from Weſtminſter to ẏ poꝛt of London, & from Wincheſter to the poꝛt of Southampton, and there the ſaid wools ſhalbe another time weied in the pꝛeſence of our cuſtomers and comptrollers aſſigned in the ſame poꝛts. And an indenture ſhall be made betweene the Maioꝛ of the ſtaple and the conſtable, oꝛ Maioꝛ and one of the conſtables, being in the ſaid poꝛts, and our cuſtomers there, of all the wools ſo weied, and alſo of the leather and woolfels, which ſhal come to the ſame ſtaple to paſſe there. And the ſame wools, leather, woolfels, & al other wools wel and lawfully weyed, cocketted, & cuſtomed in the other poꝛts and Staples aforeſaid, ſhall be bꝛought out of the ſaide realme & lands by aliens, to what parties ſhall pleaſe them at their will, and not by denizens. And if any denizen doe againſt the ſame, he ſhal incurre the foꝛfaiture of the wools, leather and woolfels ſo paſſed, and of impꝛiſonment of his body by thꝛee yeeres, and moꝛeouer be ranſomed at the Kings wil. And the ſhippe charged with the ſame merchandiſes, to whomeſoeuer he be, ſhalbe foꝛfait to the King. An. 43. E. 3. cap. 1.

Poꝛts

Inventures

Cuſtomers

Leather

Foꝛf.

Impꝛiſon

Foꝛf.

12 ¶ No impoſition oꝛ charge ſhall be put vpon wools, woolfels and leather, other then the cuſtome and Subſidie granted to the king in one part without the aſſent of the parliament, and if any bee, it ſhal be repealed and holden foꝛ none. An. 45. E. 3. cap. 4.

Cuſtome

13 ¶ See merchants. Anno 4. Ric. 2. cap. 3. what merchants may carie wools and other merchandiſe of the ſtaple to other places then to the ſtaple.

14 ¶ Anno 5. R. 2. ſtat. 2. cap. 2. it was enacted foꝛ a certaine time, that wools, leather, and felles might bee ſhipped and caried to any place paying the cuſtoms beforꝛe hand.

15 ¶ And that none buy noꝛ ſell wooll at no moꝛe weight thẽ at fourteen pound the ſtone, vpon pain to paie the double to him that feeleth him grieued, and to make fine & ranſome to the king after the quãtitie of the treſpaſſe. And that no denizen noꝛ foꝛreine make none other refuſe of woolles but cot, gare, and billeine. And that no merchant noꝛ other man buy his wools by theſe woꝛds, good packing, noꝛ by like woꝛds, vpon paine, that is to ſaie, the Bꝛoker to haue impꝛiſonment of half a yere, and the buyer to make a fine to the king after the quantitie of the treſpaſſe, and the partie that feeleth him grieued, ſhal haue double damages of that that he hath ſuffered by the ſaid occaſiõ. And that none ſhal make wools to be cocketed but in the name of him to whom the woolles be, vpon paine of foꝛfaiture of the ſame, as it hath been another time oꝛdained by Statute. An. 13. R. 2. cap. 9.

Weight

Fine

Foꝛreine

Bꝛoker Impꝛiſon

2. damages

Foꝛf.

16 ¶ To keep the high pꝛice of wools the better, that no denizen of Englande ſhal buy woolles but of the owners of the ſheepe and of the tithes, except in the ſtaple. And that no denizen regrate woolles noꝛ other merchandiſes of the ſtaple pꝛiuily noꝛ apertly, vpon paine to foꝛfait the value of the thing regrated. And that the Juſtices of Peace in the Countrey, haue power to inquire, and ſhall enquire, from time to time, of ſuch Engliſh regratoꝛs, and of the weights of the ſtaple, & puniſh them by the paine afoꝛeſaide. And that no Engliſhman buy any wool of any perſon, but foꝛ himſelfe, oꝛ foꝛ his owne vſe, as to ſell at the Staple, and foꝛ to make cloth. Anno 14. R. 2. cap. 4.

Pꝛice

Denizen

Foꝛf.

Juſt. of ẏ.

17 ¶ That no denizen carie woolles, leather, woolfels, oꝛ lead out of the realm of England, to the paꝛts beyond the Sea, vpon paine of foꝛfaiture of the ſame, but only ſtrangers. An. 14. R. 2. cap. 5.

Denizen Leather Lead

Foꝛf.

18 ¶ As in the parliament holden the firſt yere of king Henꝛie the 4. Father to the King that now is, by the aduice of the Loꝛds & commons in the ſame aſſembled, it was oꝛdained, & aſſẽted, that the ſtaple of wools, leather, woolfels, lead, & tinne, ſhould bee wholly at Calice, Saving alwaies that all the merchaunts of Jeane, Venice, Cateloigne, Aragon, and of other realmes, landes and countries towardes the Weſt, being of the Kings amity, that would

Staple Lead Tinne

woulde bring to Hampton or elsewhere within the realme, carickes, ships, galies or other vessels charged, or discharged, might freely sell their merchandises to whom pleased them, and ther to recharge al their said vessels of wools, leather, wolfels, lead and tinne, and of other merchãdises of the staple, & freely bring them into their countrey towards the West, after the forme of the statute thereof made the second yere of king Richard the secõd after the conquest: And saued also to the burgesses and merchants of the towne of Berwike vpon Twede, & to the resiants and inhabitants of ỹ same, that they may buy wools, leather, and wolfels, aswell of the growing of Tindale, and other places within the realm of Scotland, & other of the growing of Englãd, that is to say, of all that place betwirte the waters of Twede and Cocket, as of the growing of other parts within the realme of Scotland: And the same wools, fels, & leather, to bring to the porte of the saide towne of Berwicke, & to carie thẽ to forrein parts, or set thẽ to sale in the said towne of Berwicke, according to the forme and effect of an ordinance therof made the first yere of the said K. Richard: and nowe so it is, that certain merchants aswel of the Iles of Jerneley & Garneley, as marchants of the parts of Britaine and Guyon, do buy in diuers places of Cornwal whole tinne not molten, and the same carie and sende to be sold in diuers parts of France, Normandie, Britaine, Guyon, and elswhere, then to the said staple, and also diuers other merchants aswell denizens as strangers, doe buy and send molten tinne, called shotten tinne, out of the realme to the parts of Flanders, Holland, Zeland, and to other parts beyond the sea, then to the said staple, against the form of the said ordinance so late made, to the great fraude, losse and damage to the king as of his customes, and to the hinderance of al the repairers to the same staple, as the king is therof certified by the motion of his Commons now present: the king considering the same ordinance to be necessarie & profitable for him & the said staple, wil, granteth and commandeth, that the same shal stand in his force: and moreouer the king by the assent of his lords spirituall & temporall, and of his cõmons here assembled in the parliament will, & ordaineth, that no woolles, felles, leather, leade nor tinne, whole or molten, called shotten tinne, nor none other merchandise of the staple, frõ hencefoorth shall be sent nor caried to anie parts beyond the sea, vnlesse they be first brought to the said staple after the forme of the said ordinance made the saide first yere of king Henrie, vpon paine of forfaiture of al the marchandises in such maner sent or caried out of the realme, vnlesse it be by the kings licence, and except those persons, places and things, which bee excepted in the said ordinance made in the first yere of the saide king Henry, for the time that the persons of the places so excepted be of the kings amitie, and that in the forme contained in the same ordinãce. And moreouer, ỹ euery man (except those before excepted) which shall send or carie any such merchandise of the staple, out of the realme of England in time to come, shal find good and sufficient suertie to the K. before his customer of the place where the same merchandises shall be taken and customed, within the same realme, before that he depart with the same marchandises, that he shal first bring or send them to the said staple, in the forme aforesaid, vnlesse he haue the kings licence as afore is said. An. 2. H. 5. cap. 6.

Verwike

Tinne

Leather
Lead
Tinne

Staple

Forf.

Licence

Suertie

19 ¶ Euerie merchant stranger, buying wools in England, to bring them to the West parts and elswhere not cõming to the staple, there to be sold, shal bring to the Maister of the Mint of the Tower of London of euery sacke, one ounce of Bullion of gold, & in the same manner of three pieces of tinne, one ounce of Bullion of gold, or the valure in bulliõ of siluer, vpon paine of forfaiture of the same wools and tinne, or the valure of the same to the K. Anno 8. H. 5. cap. 2. See staple 32. Anno 2. H. 6. cap. 4.

Stranger

Mint

Gold

Siluer

Forf.

20 ¶ If any person bring, or cause to be brought any wools or wolfels not customed, out of the realme, to other places thẽ to the said staple, he shal forfait to the king the value of the merchandises so shipped, and his body to prison, till he hath made & paied a fine & ransome. And that hee that thereof giueth knowledge to the Treasorer of England for the time being, and the trespasser for the same duely conuict, shall haue the fourth part of the forfaiture due to the king in this behalf. An. 2. H. 6. ca. 5.

Forf.

Imprison

21 ¶ Euery merchant aswell denizen as alien, may freely and safely ship wools, leather, wolfels, & other merchandises of the staple, in the port of Melcombe, in the countie of Dorset, & from thence to bring them

Port

Customs

theim to the Staple of Calice, paying the customs & subsidies due to the king. And that no merchant be impeached, molested, nor grieued by the king nor his heirs for any shipping of the merchandise aforesaid in the said port, any statute, ordinance or Proclamation made to the contrary notwithstanding. An. 6 H. 6 cap. 6.

Lead Tinne

22 ¶ No person ship nor do to be shipped from henceforth no maner of wools, woolfels, leather, leade, nor tinne, whole nor shotten, nor the same carie and conuey out of any parts of the said realm, nor out of the lands of Wales or Ireland, to none other partes beyond the sea, but all only to the staple of Calice, vpon paine of forfaiture of the double value of the merchandises so caried or conueied to any other parts thē to the said staple of Calice, and also vpon paine of imprisonment of his body for the space of two yeres without baile or mainprise. And he which can spy any person from hencefoorth offending and doing in any wise contrarie to this ordinance, and the same offence doe present to the Treasorer of England for the time being, and the trespasser thereof dulie conuict, or if such trespasser confesse before the Treasorer, and Barons of the Eschequer, such trespasses by him done, that then he shalbe conuict by his owen cōfession: And the presenter shall haue for his labour the third part of the forfaiture of the merchandises caried or conueied against this ordinance. Sauing alwaies that the merchants of Janes, Venice, Tuskain, Lumbardy, Florence, & Catloigne, may ship wools, woolfels, leather, leade & tinne in their ships, gallies, Caracks and other vessels, and to bring the same into their countrey towards the West, in the maner accustomed before this time. Saving also to the Burgesses of the town of Berwike vpon Twede the priuiledges & benefits to them before this time graunted, as in diuers statutes thereof made is fully contained, notwithstanding this ordinance. An. 8. H. 6. cap. 17.

Staple Forf.

Imprison

Wainprise

Third part

Transport

Berwike

Mariner

23 ¶ No mariner straunger, or other mariner, that is likewise owner & maister of any ship or vessel, shal take nor receiue within England, Wales, nor Ireland in his ship or vessell any manner of wolles, woolfels, nor other merchādises of the staple, nor carry the same out of the realme to any other parts beyond the sea, but onely to the staple of Calice, except such which by the ordinance made shal passe ouer the straights of Marrocke, & that vpon paine of forfaiture to the K. of such ships & goods so found defective, as of the goods of the same mariners being in the same ships or vessels. And that the Maior of the staple for the time being, shal haue power & authoritie to make due search in this partie. And the ships, goods & marines, if any bee therof found defective, for to be presented & deliuered to the kings counsell of England, by iust relation therof to be made by the said Maior or his deputie, he hauing for his reward the third part of the forfaitures by him presented & taken in the maner aforesaid. An. 8. H. 6. cap. 19.

Calice

Forf.

Maior

Search

Third part

24 ¶ Their licences shall be repealed. And if any of euill will sell or carie any wools or woolfels, leather, lead, or any other merchandise of the staple in defraud of the king, or hinderance of the commodity of this realme into Scotland, that he shal forfait the same goods, with the double valour, & his body to prison by the space of a yere. An. 8. H. 6. cap. 21.

Scotland Forf.

Imprison

25 ¶ No stranger shal do to be forced, clacked nor barded, no maner of wools to carie them out of the realme, vpon paine of forfaiture of the same wolles with the double valour of the same, & imprisonmēt of his body. And that no woolpacker shall make within the realme but good and due packing, & that no man make within the fleece of wools at the winding of his wools, nor put in the same, lockes, pelt woolls, tarre, sand, earth, glasse, nor no dirt. And if any do, he that feeleth him grieued, shal haue his action at the commō law of trespasse and deceit. An. 8. H. 6. cap. 23.

Stranger

Forf.

Imprison

Woolpacker

Action of trespasse

26 ¶ Whereas by a Statute it was ordained that all the wools and woolfels, hides, leade and tinne, and diuers other merchandises passing out of the Realme of Englād, the lands of Ireland, Wales, and Berwicke vpon Twede, ought to repayre to the Staple of Calice, and to none other place beyond the sea to be sold vnder the gouernance of the Maior and Constables of the said staple, vpō certain paines contained in the said statute, which paines be so easie and not doubted, that manie take in custome to carie, and doe daylie to bee caried out of the realme and landes aforesaide by diuers meanes and waies a great substance of wolles, woolfels, hides, lead, and tinne, and other merchandises, which ought to repaire to the said staple into Scotland, & into Flāders, Holland, Zeland, and Brabant, without

Staple

custome

cuſtome or other charge thereof, paying as is payed for wools repairing to Calleis: And alſo by the ſaide wools and marchandiſes ſo carried to the ſaid parties, there commeth no money into this realme of England, nor the ſame realme is in no wiſe encreaſed, nor the mint of Caleis ſuſteined: And moreouer the ſame wools and marchandiſes be ſolde in the ſaid parties at ſo little price and valure, that the marchants aliens be ſo great enriched of the ſame, that they come not to Calleis for to buy wools & woolfels as they were accuſtomed to do, to the great loſſe and dammage of our ſoueraigne lord the king, and the vniuerſal dammage of his Realme, & great hinderance of the vtterance of the commodities of the ſaid Realme repairing, and being at the ſaid towne of Caleis as the ſame our ſoueraigne Lorde the king hath conceiued at the grieuous complaint to him made by the marchants and commons of the Realme in this preſent Parliament aſſembled: Our ſoueraigne Lord the king conſidering the greuous loſſes and dammages aforeſaide, hath ordained that the valure of all ſuch goods ſo found caried, or to be caried to the ſaide parties, except thoſe wools & woolfels which by our ſoueraigne lord the king be or ſhalbee licenced, if there be any fotf. whereof the ſame our ſoueraigne lord the king ſhall haue ẏ one halfe, and the perſon that eſpieth & prooueth the ſame by the diſcretion of the Treaſourer & the barons of the Eſchequer, ſhall haue the other halfe. And that euery man haue power by authoritie of the ſame parliamẽt to make ſuch ſearch in euery place where it ſhalbee needfull. Anno 10. H. 6. cap. 7.

Fotf.

Wottie

27 ¶ Becauſe that merchants aliens & denizẽs by an euil cuſtome riſen of late, haue bin conſtrained to paie cuſtome & ſubſidie for their canuas with which their wools be packed: It is ordeyned that ſuch canuas with their corners, ſhall from henceforth be allowed to them without paying cuſtome or ſubſidie of the ſame. An. 24. E. 3. cap. 19.

Cuſtome

28 ¶ See Staple 33. concerning the prices of wool & other marchandiſes of the ſtaple, & ready money to be payed for them &c.

29 ¶ Foraſmuch as the great number, quantitie & ſubſtance of the wools growing in the realm of England by theſe three yeres paſſed, be ſhipped and in great ieopardie and doubt come to the town of Caleis, there to be ſolde for ready money, whereof it behoueth the ſaide marchants ſellers to receiue vpon euery ſarpler a certaine of bullion to bee brought to the kings mint at Caleis, the which ready money & bullion after that they be forged and coyned, & receiued by the ſaide marchants ſellers ought duely & equally to be diſtributed & departed to euery one after his portion to be ſent into his realme, for the increaſe and vniuerſal weale of the ſame, by vertue of certaine ſtatutes made in the ſame Parliament holden at Weſtminſter the viij yere of our ſaid ſoueraigne lord the king, and renewed in the Parliament holden the xi. yere of his raigne, which ſtatutes be ſtraitly obſerued & kept, as by ſuch perſons which by vndue meanes doe ſhippe wolles in the creekes and other ſuſpicious places, and alſo in diuers other ports of the realm, and them carrie to other places then to Caleis, and alſo by ſuch perſons which in derogation of the vniuerſall weale of the realme, and in deſtruction of the good ordinance of partition, & in abatement of the price of wools, doe purchaſe licences for their ſingular auaile, to ſhip wools at Caleis, there to be ſolde before all other wools there being, & be not bounde to kepe the price, nor to receiue no bullion, nor to make partitiõ nor diſtributiõ of their money, in maner as all marchants of England there repairing be ſtraitly bound to doe by the ſtatutes aforeſaid, by reaſon whereof the ſaid marchants by the meanes and licences aforeſaid be in point to bee deſtroyed, the ſaid ſtaple to be diſſeuered and deſtroyed, and conſequently the ſaid towne of Caleis, which by the ſaid ſtaple hath hitherto bẽ greatly maintained & inforced, is like to be vndone & loſt, & the ſaid realme in point to bee greatly hindered & hurt, as the ſame our Soueraigne lord the king hath conceiued by the greeuous complaint to him made in the ſame Parliament by the Commons of the ſame: Therefore the ſame our ſoueraigne Lord the king, willing for ẏ ſame in this caſe to prouide a remedie by the aduice of the ſaid lords ſpiritual and temporall, and at the ſupplication of the ſaid cõmons, hath ordayned in ẏ ſame parliament, that no ſuch licẽce, which is ſo preiudicial & contrary to the common and vniuerſal weale of this realme, & of the ſaid marchãts, and in deſtruction of the ſaid town, and of the ſaid ordinance of partition, & of the price of ẏ wools, ſhal in no wiſe be granted. And that euery man which ſhippeth or doe to be ſhipped any woolles or woolfels, to cary them ouer ẏ ſea in any wiſe, ſhal repaire with the ſame to Caleis, & there diſcharge & ſel the ſaid wools and woolfels after the tenour of the ſaide ſtatutes, & after the good rule & ordinãce of the ſaid ſtaple, in maintenance & ſuſtentation of the ſame, relief & increaſe of the ſaid town of Caleis, & for ẏ publik weale of this his realm

Licence

Caleis

Bullion

of England. Hauing alwayes to our Soueraigne lord the king, power & authoritie to moderate ẏ same statute when it shal please him by aduise of his counsell, according as to him best shall séme for the profite of him & of his realm of Englād. Hauing also to ẏ marchāts of Jeane, Venice, Muskain, Lumbardie, Florence & Cateloyne, & also of the Burgesses of Barwicke vpon Twede, the liberties to them granted by a statute heretofore, & to al other the kings liege people, the benefite of licence to them granted by the king by ẏ aduice of his counsel. An. 14. H. 6. ca. 2.

Berwicke

30 ¶ All the wools & woolfels, & all other marchandizes, which by statute ought to repaire to the said staple, found in any creekes shipped contrary to the said statute & ordinãces, shalbe forfait to our soueraigne lorde the king. And moreouer that euery persō which at any time ship or doe to be shipped any maner of wolles, woolfels, or any other marchandises to go to the Staple aforesaide, and come not there, shal forfait as much goods as the wools, woolfels, & other marchandises by them so shipped and caried to other places then to Caleis do amount, by extent after ẏ very value, except the marchandises which be to be excepted to passe by the kings licēce to other places. Reserued al ways to the king the whole moitie of such forfaitures, which be cocketted & customed to go to Caleys, and come not there, as afore is said: And to them which finde & seise the marchandises, ẏ other moitie without any diminution or impediment. And if any person put any wols, woolfels, or any other marchandise of the staple to any suspicious place adioyning to ẏ coasts of the water, whatsoeuer place that it be, and no indenture thereof made betwirt him and the Maior, bailife or constable of the towne, in the which such wools, woolfels and other marchandises of the staple bee so put, that then the same wools, woolfels & marchandises be forfait. And that the king haue one moitie of all such forfaitures, and the Lord of the town where such marchādises be so put, and he which them findeth and seiseth, the other moitie to bee equally betwirt them departed. And euery man shall haue power by authoritie afore said, to make search in euery place vpon such goods of the staple so caryed or shipped, or put to bee shipped as afore is said, without impediment or disturbance of any person. An. 14. H. 6. cap. 5.

Shipped Forf. Forf. Moitie Forf. Moitie Search

31 ¶ No maner person of what conditiō that he be, shal carry nor do to be carried any woolles or woolfels customably out of this realme to other places then to the staple of Caleis, without the kinges special licence, vpon paine of felony. And if any person from hencefoorth do contrary to this ordinance, and thereof be conuict or attainted, that he be adiudged for a felon. And that as well commissioners assigned, as the Justices in euery countie where such wools and woolfels shal be so caried out, haue power & authoritie by the same ordinance to enquire of the premisses, & them to heare and determine. Prouided alwaies that the wools which passe ẏ streits of Marrock, shalbe in no wise cōprised within this ordinance. An. 18. H. 6. cap. 15.

Licences Felony Cōmissioners Justices Diet & ter.

32 ¶ An. 3. E. 4. ca. 1. an acte was made for thrée yéers, concerning strangers, for buying & shipping of wools & fels, and carying therof to the staple at Caleis, and paying and receiuing of ready payment therof in money, plate or bullion, at the staple of Caleis, & for coyning of the same plate and bullion.

That wools and woolfels, mozling & shozling, that shall bee shipped to passe out of this realm, after the feast of Easter, which shalbe in the yere of our Lord M.CCCC.lxb. shall be shipped at the townes of such ports wherein ẏ king hath his beame, his weights, & collectors of custome, to serue & deliuer the marchants, that is to saye, at the towne of Pole, Southhampton, Chichester, Sandwich, Lōdon, Ipswich, Boston, Hull, Linne, & in none other place, créeke or port, the wools, & woolfels to be shipped in galeis & carracks, and in none other vessels, to passe out of this realme by ẏ streits of Marrock, forepriled & except. And that by the same authority, euery person that so shall ship, or cause to be shipped out of this realm any wools, woolfels, mozling or shozling, after the said feast, vpō the shipping of them, & before that they passe out of any of the said townes, where they shal bee shipped, shal find sufficient surety to the king & to the collectours of his custome there for the time being, that the same wols, woolfels, shozling and mozling shal passe to Caleis, & to none other place, without fraud or collusiō. And also by the same authoritie it is ordeined, that euery person, which so shall ship wols, woolfels, shozling & mozling to Caleis, shal bring within twelue moneths next following such shipping into the kings Eschequer, there to be entred of record a certificate of him, which is, or for the time shall be called the kings customer at the port there, testifying the comming of all such shippes with wolles, woolfels, mozling and shozling to Caleis. Also it is ordained by the authority afore said, that if the same customer at the port, do not deliuer to the marchant bringing such wolles, woolfels,

Ports K. beame Surette Customers Certificate

fels,

fels, mozling & shozling to Caleis, a due ter-
tificat, after the fourme of this act, within 8.
dayes after due request to him thereof made,
Fork. he shal forfait to the owner of the said wols,
woolfels, shozling and mozling, at any time
that hee shall refuse to make and deliuer such
certificate C.li. And if he which so shall ship
wools, woolfels, shozling oz mozling, to bee
had to Caleis, doe not bring into the kings
Eschequer the certificat as aboue is recited,
and there offer the same in open court befoze
the Treasozer and Barons of the same Es-
chequer, foz the time being, to be entred of
recozd within the said 12. moneths, oz if any
person do contrary to the saide ozdinance, he
Fork. shal forfait all such wools, woolfels, mozling &
shozling so shipped contrary to the saide ozdi-
nance, whereof he bringeth not a certificate,
as befoze is recited, oz the value therof. The
Mottie one halfe to bee employed to the expences of
the kings house, and the other halfe to such
person as shal sue foz the same in this behalf,
being Maioz of the kings staple at Caleis
at ẏ same time of such suite commenced. And
that he in this case may sue an action of debt
of such wools, woolfels, shozling & mozling,
so forfeit, oz of the value therof at his electiõ
against such person oz persons, which shal do
contrary to this ozdinance: The said action to
be taken, and euery issue therin ioyned, to be
Counties tried in the countie where such wools, wool-
fels, shozling & mozling shalbee shipped: ex-
cept that if any issue be taken in the said actiõ
vpon the offer of the certificate, that then it
shalbe tried in ẏ countie where the said court
of the Eschequer foz ẏ time shalbe. And that
Proces the same proceste lye in such action, as is & li-
eth in an action of debt at the common law, &
ẏ no protection noz essoine lye oz be allowed
oz adiudged foz ẏ defendãt in such action. And
though the plaintife in such action be discharg-
ed of his said office of Maioz, hauing ẏ same
action, he shal maintaine and pursue the said
suite, notwithstanding the same discharge.

Prouided alwaies that if any wols, wol-
fels, mozling oz shozling, to be shipped in the
fozme afozesaid, be taken with enimies vpon
the sea, oz else there perished oz lost by mis-
foztune, & such taking, perishing oz losse, bee
found & prooued befoze the Treasozer & the
Barons of ẏ king foz that time being, by ex-
amination of the person oz persons, which so
should ship such wools, woolfels, shozling, oz
mozling, oz their executozs, oz two credible
psons swozne, oz other reasonable witnesses
& prooues, testifying the same wools, wool-
fels, shozling oz mozling, so taken, lost oz pe-
rished, ẏ no persõ foz any such woolfels, shoz-
ling oz mozling so takẽ, lost oz perished, shal
be greued oz otherwise preiudiced by this act.

Prouided also, that the wools, woolfels,
shozling, oz mozling only of the growing be-
twixt the waters of Teese, & Twede, Noz-
thumberland, Cumberland, Westmerland,
the Bishoprieke of Durhã, Richmondshire,
& Nozthalderton shire, may be shipped in the
porte of Newcastle vpon Tine, to passe at
their libertie, this acte notwithstanding. An.
4. Ed. 4. ca. 2.

34 That no person shal ship oz cause to
be shipped, at the said port & town (S. Newca-
stle) any wools oz woolfels, mozling oz shoz-
ling of ẏ growing of any county oz countrey
other then of ẏ growing of ẏ coũtrey beyond
the said waters, oz of any of ẏ said counties of
Nozthumberland, Cumberland, Westmer-
land, Richmondshire, Nozthaldertonshire,
oz of ẏ said bishoprick of Durham. And if any
person ship oz cause to be shipped at the saide
Shipped towne oz port any wols, woolfels, shozling oz
mozling, of ẏ growing of any county oz coũ-
trey, other then the said countreis, betwixt ẏ
same waters, oz of the saide counties of Noz-
thumberland, Cumberland, Westmerland,
Richmondshire, Nozthaldertonshire, oz of ẏ
said bishoprick of Durham, to be caried into
any place beyond the sea, other then the saide
staple of Caleis, shal forfait the double value
Fork. of the same wools & woolfels so shipped, and
not growen betwixt the said waters, noz in
none of the said counties of Nozthumberlãd,
Cumberlãd, Westmerlãd, Richmondshire,
Nozthaldertonshire, oz in the said bishoprick
of Durham: Wherof our souereigne lozd the
king shal haue the one half, & he ẏ will sue in
Mottie this partie the other half: and that aswel the
king, as he ẏ will sue foz the same in this be-
halfe, shall haue his recouery by an action of
debt. The said action to be takẽ, & euery issue
therin ioyned, to be tried in the said county of
Yozk, & not in the said towne, noz in none of
the said counties of Nozthumberlãd, Cum-
berland, Westmerland, Richmondshire, noz
Nozthaldertonshire, oz in the said bishoprik.
Proces And like proces to be had in the same action,
as is comonly vsed in an action of debt. And
that the defendant in this case haue no aduã-
tage by any essoine oz protection, noz be ad-
mitted to wage his law. An. 4. E. 4. ca. 3.

35 No person by himselfe oz any other,
Buy shall buy oz bargaine, from the xviii. day of
March, which shalbe in the yere of our Lozde
1444. any wols then not shozn, oz take pro-
mise of bargain of any wols then not shozn,
of ẏ growing of Berkshire, Drenfozdshire,
Glouceſterſhire, Shzopshire, Herfozdshire,

Worcestershire, Wiltshire, Somersetshire, Dorsetshire, Hamshire, Esser, Cambridgeshire, Norffolke, Kent, Surrey, and Sussex, or of any of the same, till the feast of S. Bartholomewe then next ensuing, or buy any wools, or take any promise of bargaine of wools which shall growe in any of the same counties, the yere then next ensuing the said feast, before the same feast then next following, or in like maner buy any wools, or take promise of bargaine of any wools, which shal grow in any of ỳ said counties, the yere then next ensuing the same feast, til the same feast then next following, which feast shalbe in the yere of our Lord 1467. but onely such persons which the said wools shall make, or do to be made yarne or cloth, win this realm vpon the paine of forfaiture of ỳ double value of all the wools bought or to be bought, bargained, or take by promise of bargaine against this ordinance: The one half to be had to ỳ kings vse, & the other halfe to the vse of him that wil sue in this behalfe. And that euery person that wil sue in this behalfe, shal haue an action of debt of the same forfaiture, & like proces in the same action, as is had in an action of debt. And that no essoine, protection nor wager of law be allowed for the defendant in this action. An. 4. E. 4. cap. 4.

Forf.

Woitie

36 ¶ All maner of wools & woolfels, and fels called morling & shorling, growing win any part of this Realme & Wales, wools & woolfels, morling & shorling, growing in any part within the Counties of Westmerland, Cumberland, Northumberland, in the bishoprick of Durham betwixt the waters of Tine & Tese, & of the counties of Richmondshire, and Northaldertonshire, except wools to bee shipped towardes the West in galleis & carracks, to be shipped and carried out of the realme, shalbe conueyed to ỳ Staple of Caleis, & to none other place, vpō pain of forfeiture of the said wools, woolfels and fels called shorling & morling, as in the same statutes doth more fully appeare. Neuertheless the said ordinances & statutes notwithstanding, a great multitude of wools & woolfels, called morling & shorling, growing in Yorkeswold in ỳ counties of Lincolne, Notingham & Derby, & other counties of this realme of England, vnder the colour of the exception before recited, in the same Northpartes bee caried out of the Realme into Flaunders, Holland, Zeland, Brabant and other parties beyond the sea, whereby ensueth not onely great decay of the customes and subsidies of our Soueraigne Lorde the king, but also the destruction of the price of wools, woolfels, and fels called morling and shorling, growing within this Realme, to the vniuersall dammage and impouerishing of the same, thereupon by the aduise, assent and authoritie aforesaid it is enacted, ordained and stablished, that all the wools, woolfels & fels, called morling & shorling, growing within this realme, other then before excepted, to be shipped, & conueyed out of this realme, shall bee conueyed to the Staple of Caleis and to none other place. And that all other wools, woolfels & fels, called morling and shorling, growing and being within the said counties of Westmerland, Cumberlād, Northumberland, the Bishoprik, Richmōd, and Alderton, to be caryed out of this realme of England, shalbe shipped at Newcastle vpon Tine only. And from thence to be cōueyed to Caleis, or to newe Middleborough in Flaunders, there to be stapled & vttered, & at none other place. And if a man attempt & do the contrary, and thereupon be duly conuict, that then he shal stand & be of like condition as a man attainted of felonie after the course of the common law, and shall incurre like paine and forfaiture as hee so attainted for the same should do. And it is ordeined by the same assent and authoritie, that al wools and woolfels and fels called morling & shorling, growing or being in any cōutry of this realme or Wales, or in the marches of the same, other then before excepted, to be caried out of this realme, shalbe conueyed to ỳ said staple of Caleis, & to none other place, vpon the same paine and forfaiture: The prerogatiue of our soueraigne lord the king to grant any licence to the contrary except. This act to begin and to take effect at the feast of S. Michael which shalbee in the yeere of our Lorde God 1474. And to endure by the space of fiue yéres onely. An. 12. E. 4. ca. 5.

Caleis Forf.

Porte

Felonie

Licence

37 ¶ Which act (S. An. 12. Ed. 4. cap. 5. before 36.) our Lorde the king will & ordeineth to be in full strength & force, in euery point thereof. Sauing only, where it is by ỳ same act ordained, that all wools, woolfels, & fels called shorling or morling, growing & being within the saide counties of Westmerlande, Cumberland, & Northumberland, ỳ bishoprick, of Richmōd & Alderton, to be caried out of this realme, shalbe shipped at Newcastle vpon Tine only. And from thence to be conueyed to Caleis, or to newe Middleborough in Flaunders, there to be stapled & vttered, & at none other place. The saide acte for so much shal be voide, and that in steed of those wordes, it shalbee as followeth. It is ordayned by the same authoritie, that all wooles,

Felles

Newcastle vpon Tine Caleis

Voide

and

and woolfels, called ſhorling and morling, growing & being within the ſaid counties of Weſtmerland, Cumberland, & Northumberland, the Biſhoprycke of Durham, Richmondſhire & Aldertonſhire, to be caried out of this realm, ſhalbe ſhipped at Newcaſtel vpō Tine only: And from thence to be caried to Caleis, or to the towne of Berwike in Brabant, or to any other certain place at ẏ kings pleaſure to be named, there to be ſtapled and vttered, & at none other places. And alſo it is ordeined by the aſſent & authoritie aforeſaid, that in caſe where our Soueraigne lorde the king ordeined that the ſaid wools, woolfels, and felles called ſhorling and morling, of the growing of ẏ Counties & Biſhoprycke aforeſaid, to be placed in any other place beyond ẏ ſea then at Caleis or Berwick aforeſaid, that then the place ſo to be named by ẏ king, ſhall be certified & publiſhed by open proclamations in the ſaid counties of Yorke, Northūb. Cumb. Weſtmerland, the Biſhoprycke of Durham, & the town of Newcaſtle. And that euery of the ſubiects of our Soueragne lorde the king, after ſuch Proclamation made, and after thræ monethes after the ſame Proclamation paſſed, ſhalbe bound to haue & cary ẏ ſaid wools & woolfels to the ſaid places to be named by our ſoueraigne lord the king, & erpreſſed in the ſaid proclamation vpō ẏ paine before limitted. Anno 14. E. 4. cap. 3.

Berwicke

Vttered

Yorke

Proclamation

3. moneths

38 ¶ An. 6. H. 8. cap. 12. an acte was made againſt Norffolke wooles to be caried ouer the ſea, to endure to the nert Parliament.

39 ¶ No maner of perſon or perſons doe wind or cauſe to be wound any fleece of wool being not ſufficiently riuered or waſhed, ne wind or cauſe to be woūd within any fleece, clay, lead, ſtones, ſand, tailes, deceitful locks, cotcals, cumbre lambs, wood or any other thing wherby the fleece may be more weightie to ẏ deceipt & loſſe of the buyer, vpō paine the ſeller of any ſuch deceitfull wools to forfait for euery ſuch fleece vi s. viii d. ẏ one mottie to the king, the other to ẏ finder & prouer of the ſame deceipt by action &c. Prouided alway, that this act cōcerning riuering & waſhing of any wool, ſhal not in any wiſe extend to any ſhire or ſhires, the inhabitants whereof hath not cuſtomably vſed before this time to riuer or waſh their ſhæpe afore they be ſhorne: nor ſhal in any wiſe be hurtful or preiudiciall to any perſō or perſons that hath vſed cuſtomably to ſel their wools by taile or number of ẏ fleece or fleeces, & not by weight, any thing in this acte to the contrarie not withſtanding. This act to endure to the nert Parliament. An. 23. H. 8. cap. 17. And after Anno. 28. H. 8. cap. 8. this act was continued to the laſt daie of the nert Parliament. And after An. 21. H. 8. cap. 7. this act was cōtinued to the laſt day of the nert Parliament. And after An. 37. H. 8. cap. 23. this acte was continued to the laſt day of the nert Parliament. And after An. 7. E. 6. cap. 11. this acte was continued to the laſt day of the nert Parliament. And after An. 1. M. 1. Parliamēt ca. 13. this act was cōtinued to the laſt day of the nert Parliament. And after An. 1. M. 2. Parliament cap. 12. this act was cōtinued to the laſt day of the nert Parliament. And after An. 1. & 2. P. & M. cap. 16. it is continued to the laſt day of ẏ nert Parliament. And after An. 2. & 3. P. & M cap. 21. it is continued to the laſt day of the nert parliament. And after An. 4. & 5 P. & M. it is continued to the end of the nert Parliament. And after 1. El. it is continued to the laſt day of the nert parliament, which began 5. El. ended 8. Eliz. cap. 25 and made perpetuall.

Wools

Winde

Deceipt Forf. Mottie

Waſh

40 ¶ An. 4. H. 7. cap. 11. an act was made concerning maintenance of Drapery, and againſt regrating of woll of like effect as this that nert here followeth to endure for tenne yæres. And after An. 22. H. 8. cap. 1. the ſame ſtatute was reuiued, and ſome other article adioyned vnto it to endure for other x. yæres.

Drapery Regrating

41 ¶ After the ſaide firſt day of March now nert cōming, no maner of perſon other then the merchants of the ſaid ſtaple, & their ſeruants and factours, for the onely prouiſion of the ſaid ſtaple, and for to be ſhipped only to the ſaid ſtaple, & other then ſuch as ſhall conuert the ſame into yarne or cloth, within this Realme by himſelfe or by any other, buy or bargaine, or take promiſe of bargaine of any wolles being now vnſhorne ne of the growing of the Shires of Kent, Surrey, Suſſex, Southhampton, Wiltſhire, Dorceſter. Somerſet. Glouceſt. Worſ. Herf. Salop. War. Leceſt. Noting. Derb. Yorke. Lincolne. Rut. Northamp. Norf. Suff. Eſſex. Camb. Huntington. Buck. Bedford and Hertford. or any of them, before the feaſt of the Purificatiō of our Lady nert after the ſhearing and clipping of the ſaid wolles, or buy or bargaine of any wolles, take or promiſe of bargaine of anie wools that ſhall grow in any of ẏ ſaid ſhires, in any yære or yæres to come after the ſaide feaſt of the Purificatiō of our Lady, that ſhal be nerte after the ſhearing or clipping of the ſaid woll, but onely ſuch perſons, their ſeruāts and factours, that of the ſaid wools ſhall make or doe cauſe to be made yarne, hattes, girdles, or cloth within this Realme, and not ſell the ſame wooll againe, or the ſtapler or his factours to bee ſhipped onely to the ſaide

Buy

Yarne Hats Girdels Cloth

Fork. staple, vpon paine of forfaiture of the double value of al the said wools bought or for to be bargained, or taken by promise of bargaine contrary to this act and ordinance.

Markets Prouided alwaies, that it shalbe lawfull for euery man to bring or send his owne wool into the common markets, & there to sell the same vnto the merchants of the staple or his factour, or to him or them that wil buy the same for to make yarne or cloth within this Realme, or their factours or seruãts. And in case neither ỳ stapler or his factour or other for him, or ỳ clothier or other for him wil not buy the same wool so brought to ỳ market in their default, to sel ỳ same to any other ỳ wil buy ỳ same in the said opẽ market, any thing in this present act to ỳ cõtrary notwithstanding. And further it is &c. that no persõ after the first day of March nowe next comming, shal buy or bargaine any maner of wool wõin this realme for any merchant estranger, nor shal take any promise of a bargain or sale of any wool for any merchant stranger within this realm, vpõ paine of forfaiture of ỳ same wool so bought, or wherof promise of bargain & sale shalbe so taken, to the vse of any merchant stranger, or the value of ỳ same wools.

Stranger Fork.

Moitie The moity of all which forfaitures to be to the king our soueraigne lord, the other moitie to the party that wil sue for ỳ same, the party that shal breake this ordinance, & that any person ỳ wil sue in that behalf, shall and may haue an actiõ of debt of ỳ said forfaiture.

Proces And such proces in the same to bee had as in an action of debt at the comon lawe, or after the custome of the Citie, Borough or towne where it shalbe sued, wherin no essoine, protection, ne wager of lawe shal bee admitted.

Bargaines And further it is &c. that al bargaines, couenants, promises & contracts for wools heretofore made, or any time hereafter before the first day of March now next comming to be made by any person, of or for any wools of ỳ growing of any of the said shires, being vnshorne, shalbe void & of none effect. Except ỳ buyer, prouider or such person or persons to whome such former promise or bargaine is made, doe put the same wools by him receiued by such former contract, couenãt or promise, into yarne or cloth within this realm, or do ship the same to the said staple. It is also further prouided &c. that ỳ said merchants of the said Staple may bargaine & sell their refuse or course wools, such as is not méete for the said staple, to any other person ỳ will buy the same to make yarne or cloth within this Realme, any thing in this act to the contrary notwithstanding. This act to continue and endure to the ende of the next Parliament. Anno 37. H.8. cap. 15.

Cloide

Parne

42 ¶ All and euery person and persons dwelling & inhabiting within the said Countie of Norff. & citie of Norwich, or in either of them, by his or themselues, or by his or their factours, seruant or seruants, may lawfully from henceforth, without paine, forfaitures, dãger or breach of any law or ordinance, buy & bargaine wools, & take & make prouision to buy or bargaine wools growing or ỳ shal growe only within the said county of Norff. in as large & ample maner & forme as ỳ same inhabitants within the said countie and citie might & did vse to doe before the making of the said act of Parliament. (S. An. 37. H. 8. cap. 15. before 41.) and as the said act of Parliament had never bin had or made, so that ỳ same person & persons so buying or bargaining, or making promise to buy or bargaine the said wools, doe sell or retaile the same againe in the common Market or open place within the said Countie of Norff. or citie of Norwith to any person or persons at their pleasure & libertie, that will buy the same or any parcel thereof, dwelling and inhabiting within the said countie & citie of Norwich, or any of them, that shal or wil spinne the same within the said county of Norff. and citie of Norwich, or any of them, the said former act (S. Anno 37. H. 8. cap. 15. before 41.) or any article, clause or sentence therein contained, or any other acte or actes, lawe or ordinance heretofore made to the contrary thereof in any wise notwithstanding. An. 1. E. 6. cap. 6. This act is confirmed by 5. E. 6. cap. 7. as appeareth here following 43.

Bargaine

Retaile

43 ¶ No maner of person ne persons being within the kings obeisãce, shal after the last day of May next, buy, bargaine, take, or make any promise or bargaine of wools, but onely such person or persons, his wife, or his or their apprẽtice or apprentices inhabiting in his or their mansiõ house or houses as shal of the said wooles make yarne, any kinde of clothes, chamblets, worsted, sayes, stamin, knit hose, knit peticoates, knit gloues, knitte sleeues, hattes, copes, cappes, arras, tapestry, couerlets, girdles or any other thing vsed to be made of wol, or mired with wol, within ỳ realme, or els a merchant or merchants of the staple at Caleis, or his or their apprẽtice or apprentices, dwelling in his or their mansion house or houses, to be shipped onely to the staple at Caleis, vpon paine of forfaiture of ỳ double value of the saide wools so to be bought or bargained, or taken by promise of bargaine, cõtrarie to this present act. And

Bargaine

Wife

Apprentices

Staple

Fork.

be

be it &c. that no merchant ſtranger after the xx. day of Aprill next comming, by himſelfe or by any other perſon or perſons for him in his name, or to his vſe, in any yeere after the ſaid xx. day of Aprill then to come, ſhall bargaine or buy any wools before the feaſt of the purification of our Lady next after the clipping or ſhearing of the ſame wools, vpon paine of forfaiture of the double value of the ſame wools. And be it &c. that no maner of perſon or perſons hauing any wool or wools of his or their own growth, ſhall at any time after the feaſt of the Natiuitie of S. Iohn Baptiſt next comming, keepe the ſame wools to the intent to ſel ẏ ſame in wool vnwrought, ouer & aboue one whole yere next & immediatly after the ſhearing of the ſame wools, ſo as there be offered without fraud or couin to the owner or owners thereof within ẏ ſame time, ſuch price as then ſhalbe moſt cõmonly giuen in the ſame Shire for wool of like goodnes & packing, vpon paine of forfaiture for euery tod or tod weight thereof ſo kept aboue one yeere vnſolde, as is aforeſaide, the ſumme of x. s. The moitie of all and euery ſuch forfaiture & forfaitures, penaltie or penalties before rehearſed, to bee to the vſe of our ſouereigne lord the king, his heires and ſucceſſors, and the other halfe to the vſe of him that will ſue &c. wherein &c. Prouided alwayes, that the merchants of Newcaſtle & other perſõs, may buy wools of the growth of the Counties of Northumberland, Cumberland, Weſtmerland, Richmond, and Alderton ſhire, or the Biſhoprike of Dureſme, to the intent to ſhip or tranſport the ſame into the parties beyond the ſea, as they haue been accuſtomed, any thing in this acte to the contrary in any wiſe notwithſtanding. Prouided alſo &c. that the merchãts of the ſtaple from time to time, may bargaine or ſell their refuſe, courſe wools and locks, ſuch as is not mete for the ſaid ſtaple, to any perſõ or perſons that wil buy the ſame to make yarne or cloth, or other things, as is aboueſaid, within this realme, ſo as the ſame be ſhotte & packed by the woll packer, declaring of what packing or countrey the refuſe or lockes be, and writing vpon the clothes wherein the ſaid refuſe woll is packed in great letters, as they do vpon the wools that are ſhipped to Caleis. Prouided alwaies & bee it &c. that it ſhal and may be lawful to the king our ſouereigne Lorde, by his Proclamation at anie time hereafter to be made and ſet forth, to repeale this ſtatute and all and euery article, clauſe, ſentence, and other thing or thinges therein conteined, and to make the ſame void to al intents and purpoſes, as though this act had neuer bin had or made, any thing in this ſtatute to the contrary notwithſtanding.

Prouided alwaies, that the act made at the firſt ſeſſion of this parliament holden in the firſt yere of the reigne of our ſouereign lord the king, called & entituled, an act for ẏ continuance of making of Worſted yarn in Norf. & euery article & clauſe therof, ſhal remain & continue in full force, vertue & ſtrẽgth. And ẏ al perſons inhabiting, or ẏ ſhall inhabit win ẏ ſaid countie of Norff. or citie of Norwich, & euery of thẽ, ſhal & may buy & ſel wool growing within ẏ ſaid county of Norff. according to ẏ purport, true effect & plain meaning of ẏ ſaid act made in the ſaid firſt yere of ẏ reigne of our ſaid ſouereigne lord ẏ king, any thing in this act cõteined to ẏ contrary therof in any wiſe notwithſtanding. An. 5. E. 6. ca. 7.

Note a parcell of the ſaid act of An. 1. E. 6. cap. 6. is here next before 41. And parcell thereof is in Norwich. 2.

44 ¶ Be it &c. that it ſhalbe lawfull to any perſon or perſons inhabiting within the parith of Halifax, to buy any wool or wools, at ſuch times as the clothiers may buy the ſame, other then by engroſſing & forſtalling, ſo that the perſons ſo buying the ſame, do carry or cauſe to be caried ẏ ſaid wools ſo bought by them, to the towne of Halifax, & there to ſell the ſame to ſuch poore folkes of that and other pariſhes adioyning, as ſhall worke the ſame in cloth of yarne (to their knowledge) & not to ẏ rich & wealthy clothier, nor to any other to ſell againe. And if either the ſaid wool driuer ſhal ſel his ſaide wools at any other place, forth of the ſaid town of Halifax, or if any ſuch as ſhal buy their wools at Halifax, ſhall ſell their wools that they bought again vnwrought in yarne or cloth, ẏ then euery ſuch offender to loſe & forfait ẏ double value of the wool ſo ſolde or vttered, the one moity therof to be to the King and Quẽnes Maieſties, her heires and ſucceſſors kings of this realm, & the other moity to him or them that wil ſue for the ſame in any of the king & Quẽns maieſties courts of record, or before ẏ Juſtices of peace in their ſeſſions, who by vertue hereof in their open ſeſſions ſhal haue authoritie vpõ information to heare & determine ẏ ſame, & to make proces againſt ẏ offẽders as in any other caſe to be determined before them. An. 2. & 3. P. & M. cap. 13.

¶ Women, Widowes, Wiues, and Maides.

A Widow after the death of her huſband, incontinent, and without any difficultie,

shal haue her mariage & inheritance, & shall giue nothing for her dower, her mariage, or her inheritance, which her husband and shee held the day of the death of her saide husband. And shee shall tary in the chiefe mansion of her husband, the space of fourtie dayes after the death of her husband, within which daies her dower shalbe assigned her, (if it were not assigned her before) or that the house be a castle. And if shee depart from the castel, then a competent house shalbe foorthwith prouided for her, in the which shee may honestly dwel, vntil her dower be to her assigned, as it is aforesaid. And she shall haue in ỳ meane time her reasonable estouers of the commō, And for her dower shalbe assigned the thirde part, except she were endowed of lesse at the Church doore. ¶ No widow shal be distrained to mary her self, neuertheless shee shal finde surety, that shee shall not mary without our licence & assent, (if shee hold of vs) nor without the assent of the Lord, if shee hold of another. Magna charta, ca. 7. An. 9. H. 3.

40. dayes
Dower
Estouers
Surety

2 ¶ Also he shall assigne to widowes, after the death of their husbands, that belde of him in chiefe, the dower that to them belongeth &c. though the heire be of ful age (if the widowes will) and such widowes before assignement of their dower, shall sweare that they shal not mary themselues without the kings licence whether their heires be of full age or not. And if they mary without licēce, then ỳ king shal take into his handes by way of distresse al such lands & tenemēts as they hold of him in dower, vntill he be satisfied at his own will, so that she shal take nothing of the issues &c. for after such distresses, they or their husbands must fine at ỳ kings wil. And his will in the time of king Henry father of king Edward, was estéemed to the one yeres value of her dower, vnlesse they had ỳ greater fauour. Womē ỳ hold of the king in chief of whatsoeuer age they be, shall sweare likewise ỳ they shal not mary themselues without the kings licence. And if they doe, their lands & tenemēts shalbe takē in like maner into ỳ kings hands, vntill they haue satisfied at the kings wil. Prærog. Regis. ca. 4.

Dower
Oth:
Licence
One yeres value
Chiefe

3 ¶ Where as in al partes of this realme diuers people of power, moued of insatiable couetise, against al right, gentlenes, trueth, & good conscience, haue laboured & found new inuentions, & them doe busily execute to the danger, trouble, & euil treating of all ladies, gentlewomen, & other women sole, hauing any substance of lands, tenements, or other moueable goods within this said Realme of England, perceiuing their great innocencie & simplicitie, willing to take them by force, or otherwise come to them séeming to bee their great friendes, promising them their faithful loue, & so by great dissimulation or otherwise get them in their possessiō, cōueying them into such places, where the said offenders be of most power, & when any woman by such meanes, or by any other meane be in their gouernance, the said euill disposed person or persons wil not suffer them to goe at large, & be at their libertie, till that they wil bind them to the said offenders or other person or persons to their vse, in great sums by obligation or obligatiōs aswell simple as conditionall, or by obligation or obligations of statute merchāt made before the Maior or Bailife hauing power to take such recognisances: Also they wil many times cōpel them to be maried by them, contrary to their own desires, or otherwise they will leuy the saide summe or summes of their lands and goods, and put their person or persons in danger to their great dammage, which hath bin and is likely to be an vniuersal preiudice to the law of holy Church and the law of this Realme, vnlesse due remedy thereupon be prouided: Our said soueraigne Lorde the king considering the premisses hath ordeined and stablished by authority of this present parliamēt, that in al such cases aforesaid, the party bound may haue a writ out of the chancery conteyning al the matter of their vnreasonable entreaty, directed to the shirife of the County, where any such offences were so don or after should be don, commaunding him that he by force of this writ make proclamatiō in ỳ full county, & in the next county court after the receipt of the same writ, that the person or persons conteined in the saide writ shall appeare at a certain day & place prefixed in the said writ, before the Chancellor of England for the time being, or otherwise before ỳ Iustices of assises in the counties where ỳ saide offences were done, or otherwise before any other notable persō to be assigned by ỳ Chancellor of England for the time being. At the which day & place if ỳ said parties appeare, that then the said Chancellor of England for the time being, Iustice or other person so to be assigned by the Chancellour for the time being by vertue of this ordinance, shal duely examine the said parties vpon the premisses. By which examination if they may finde the saide obligation or obligations, or any of them so to be made as is aforesaid: that then the said obligation or obligations & al proces and execution sued, or to bee pursued thereupon, shalbe voide and of no force nor effect.

Obligations
Chancery
Shirife
Proclamation Countie court
Examine
Voide

And

And if it be found by examinatiõ before thẽ, that the said obligation or obligations were made, or shal bee found to be made for a true dutie, & by no such meanes as afore is saide, that then the said obligation or obligations and all the proceste & execution sued or to be sued therupon, shall stand good & effectuall. And if it be so that the person or persons in such writtes named or to be named, against whom any such letters or writtes hereafter shalbe shewed, make default at the day and place limited in the same writ or writs, that then all such obligations, as bee before specified, and declared, and in the said writ or writs expressed, declared, and specified, & all maner of proceste and execution sued or to be sued thereupon, shal be void & of no force nor effect. And that the said shirife or shirifes, to whom such writ or writs vpõ this ordinãce hereafter conceiued shalbe directed, shal execute the said writs, according to the tenor of the same, vpon paine of C C C. li. whereof the king to haue the one halfe, and the other half to the party which shal sue the said writ of proclamation, and that the saide partie so grieued may haue an action of debt in euery such case against the saide shirife, for the halfe of the said C C C. li. so forfeited, with proceste of outlagarie. And that the party or parties defendants in any such action from henceforth against any shirife or shirifs to be pursued, shall allege no protection, nor shall wage his lawe, nor shal be receiued to make or plead any forreine plea, to be tried in any other place, then there where the saide writ grounded vpon this ordinance is shewed. An. 31. H. 6. cap. 9.

Default

Most Shirife

Moity

4 ¶ Bee it enacted &c. that it shall not bee lawfull to any person or persons, to take or conuey away, or cause to be taken or cõueyed away any maid or woman child vnmarried, being within ẏ age of xvi. yeres, out of, or from the possession, custodie, or gouernance, & against the will of the father of such maid, or woman child, or of such person or persõs, to whom the father of such maide or woman child by his last wil & testamẽt, or by any other act in his life time, hath or shal appoint, assigne, bequeath, giue or grant ẏ order, képing, education or gouernãce of such maide, or woman child, except such taking & cõueying away as shall be had, made, or done by or for such person or persons as without fraud or couin be or then shalbee the maister or mistresse of such maide or woman childe, or the gardein in socage, or gardein in chiualry, of or to such maid or woman childe.

Conney

16. yeares olde

And be it further enacted by the authoritie afore saide, that if any person or persons aboue the age of xiiii. yeres, shal from and after the first day of Aprill next comming, vnlawfully take or conuey, or cause to be takẽ or conueyed any maid or woman child vnmarried, being within the age of xvi. yeres, out or from the possession, and against the will of the father or mother of such child, or out of, or frõ the possession, & against the will of such person or persons, as then shall happen to haue by any lawfull wayes or meanes the order, keeping and education or gouernance of any such maiden or womã child, that then euery such person and persons so offending, being therof lawfully attainted or conuicted by the order & due course of the laws of this realm, other then such, of whom such person taking away shall hold any lands or tenements by knights seruice, shal haue & suffer imprisonment of his & their bodies by the space of two whole yéres, without baile or mainprise, or els shall pay such fine for his or their said offence, as shalbe assessed by the councel of the Quẽnes highnesse, hir heires or successors, in the Starre chamber at Westminster.

14. yeres olde

16. yeres olde

K. seruice Imprisõn Mainprise

And be it further enacted by the authoritie aforesaid, that if any such person or persons after the said day shall so take away, or cause to be taken away, as is aforesaid, & deflower any such maid or womãchild, as is aforesaid, or shal against ẏ will, or vnknowing of or to the father of any such maid or womanchilde, if the father be in life, or against ẏ wil, or vnknowing of or to ẏ mother of any such maide or woman childe, hauing the custody and gouernance of such child, if ẏ father be dead, by secret letters, messages, or otherwise contract matrimony, wt any such maiden or woman child, except such contracts of matrimony, as shalbe made by the cõsent of such person or persõs, as by the title of wardship shal then haue, or be intitled to haue ẏ marriage of such maid or woman child, that then euery such persõ or persons so offẽding, being therof lawfully conuicted, as is aforesaide, shall suffer imprisonment of his or their bodies by the space of v. yeres, without baile or maynprise, or els shall pay such fine for his or their said offences, as shalbee assessed by the sayde councell in the saide Starre chamber. The one moity of all which fine shalbe to the king and Quẽnes Maiestie, her heires and successours, the other moity to the parties grieued. And be it further enacted by the said authoritie, that the King & Quẽnes highnesse honourable councell of the Starre chamber, by bill of complaint or information, and Iustices of Assise by inquisition or indictment,

Deflowers

Contract matrimonials

Imprison Mainprise

Moities

Iust. of ass

Dier & ter. ment, shall haue authority by vertue of this acte, to heare & determine the saide offences, vpon euery which indictmẽts & inquisitions, Proceste such proceste shal bee awarded & lie, as vpon an indictment of trespas at ỳ common law. And further be it ec. that if any woman child or maiden, being aboue the age of xii. yeres, Twelue yeres old and vnder the age of xvi. yeres, doe at any time consent and agree to such person that so Consent shall make any contract of matrimony, contrary to the forme and effect of this statute, that then the next of the kinne of the same woman child or maide, to whom the inheritance should discend, returne, or come after the decease of the same woman child & maid, shall from the time of such assent and agrement haue, hold, and enioy al such lands, tenements, and hereditaments, as the same woman child and maiden had in possession, reuersion, or remainder, at the time of such assent and agrément, during the life of such person that shal so contract matrimony. And after the decease of such person so contracting matrimony, that then the said landes, tenements, and hereditaments shall discend, reuert, remaine & come to such person or persons, as they should haue done in case this act had neuer bin had ne made, other then to him onely that so shall contract matrimony.

Reuert

Prouided alwayes, and be it enacted, that this act nor any thing therein conteined, shal extend to take away or diminish any liberty, custome, or authority touching or cõcerning any orphan or orphans, which now bee or hereafter shalbe within the citie of London, or any other citie, borough, or towne, where orphans are commonly vsed to be prouided for, either by graunt, or by custome, but that the L. Maior of the said citie of London, and the Aldermen of the same for the time being, and all & euery other head officer or officers of any other city, borough, or towne where such orphãs be prouided for, shal & may haue and take like rule, order, képing, and charge of such orphan and orphans, & all other their lands, tenements, goods & cattels, as heretofore they or any of them lawfully had or vsed, or lawfully might haue had & vsed, if this act had not bin made. An. 4 & 5. P. & M. c. 8.

Orphan London

Maior

¶ Worsteds.

THe marchants and workers of clothes called single Worsted, may bring bolts of single Worsted to what parties that thẽ pleaseth (except to ỳ kings enimies) paying the custome and subsidies thereof due, without paying the deuoires of Calice, notwithstanding any statute, ordinãce, proclamatiõ, inhibition, commandements, or charters, liberties, vsages, or priuileges, granted or to be granted to the burgesses of Calice, or to the marchãts of the staple of Calice, or to any other made or to be made to the cõtrary. And that the obligations and sureties taken before this time for the deuoires of Calice, shalbe restored and deliuered.

Custome Calice

Surreties

Prouided alwayes, that vnder the colour of the said bolts of single Worsted, they shal bring no double Worsteds, nor halfe double, nor Worsteds ray, nor Motley, vpon pain of forfeiture of the same. An. 17. R. 2. cap 3.

Bolts

Fork.

2 ¶ An. 20. H. 6. cap. 10. an act was made to endure for three yeres, for ỳ true making of Worsteds in Norwich and Norfolke.

3 ¶ An. 23. H. 6. cap. 4. an act was made to endure for three yeeres, for the true making of Worsteds in Norwich and Norfolke.

4 ¶ Men of the said craft (S. Worsted makers) within the said city (of Norwich,) shall haue power euery yere the Sunday next after the feast of Pẽtecost, to chuse iiii. wardẽs within ỳ said city of the same craft. And also the artificers of the same craft likewise out of the city, that is to say, within ỳ county of Norff. shall haue power euery yére at the same day, to chuse iiii. wardens, within, & of the saide countie of the same craft. And the aforesaid wardens in the said county & city to come before the maior of the said citie for the time being, vpon the Sunday next after the feast of Corpus Christi then next following: And then to bee sworne before the Maior of the said citie, and the steward of the duchy of Lãcaster, within the said county for the time being, if it happen him within the saide Citie then to be present, or else before the said Maior only, the said steward then being absent. And that all the said wardens, aswell within the said citie as without, or else the greatest part of them, vnder this form before recited, chosen, and sworne, shall haue full power for the yére then next following, to survey the workmanships of the saide artificers, & that they make and worke rightfully and well and of good stuffe, and to ordeine such rulers and ordinances within the saide craft, as often as it shal séeme nédeful or necessary, for the amendement of the saids Worsteds and craft. And that such rulers and ordinances so made & ordeined to them, to be obeyed & kept by the saide artificers, or els iiii. of the saide wardens, calling to them vi. of the most discréte of their said artificers within the said citie, and vi. of the same artificers within the said countie, by the discretion of the said Maior and Steward, or one of them, shal punish such of the saide artificers, which breaketh

Warders

Maior

Dthe Steward of Lancaster

Surney

Punish

or

or doth contrary to any of their saide rules & ordinãces. And ỳ euery piece of Worsted be throughe the piece of lawfull making, good & conueniẽt stuffe. And that they shal hold the length & bredth as ỳ assise was wont to bee of olde time rightfully accustomed, that is to say, beds of ỳ greatest assise fourtæne yards largely in length, and foure yards largely in bredth. And beds of the meane assise, twelue yards in length, and thræe yards in bredth. And beddes of the least assise tenne yards in length at the least, & fiue quarters in bredth: and clothes called chanon clothes, of the one assise sixe yards in length, and two yards in bredth. And of the other assise fiue yards in length, and seuen quarters in bredth, & double motlies seuen yards in length, & v. quarters in bredth. And single motlies sixe yards in length, and fiue quarters in bredth, & double Worsted x. yards in length, & fiue quarters in bredth. And ỳ halfe double Worsted sixe yards in length, & v. quarters in bredth, & the roll of Worsted thirty yards in length, & demie yard in bredth. And that no lambs woll be put in any of the said worsteds. And that the wardens of the said craft, & euery of them for the time being, shall haue power & authoritie to seise all such clothes & stuffe so being defectiue. And that the said Maior and steward, and euery of them, by twelue of the discréet artificers of the said city and countie shal haue power at al times to inquire, heare & determine of all such as do against the said ordinances within the sayd citie or countie. And moreouer in eschewing of all such deceits and falsitie, which might happen to bee wrought & done in the said craft by the eight wardens aforesaid, or betwixt thẽselues only, or in concealing of the false workmãship of other of ỳ said artificers in the said citie or countie: That the Maior of the said city for the time being, & the saide steward, or one of them, at such time as he shal thinke conuenient, shal cal before him the said twelue artificers, or the greatest part of them, & charge them to be sworn to make rightful search, as well in the stuffe as in al the working of the worsted by ỳ said viii. wardens hereafter to be wrought & made. And ỳ the said wardens so found defectiue, or in executiõ of their office in search of al other of the same artificers within the said city & county, or in their own stuffe or workmãnship, shalbe corrected by ỳ same maior or steward, in such form as other offenders of the same craft ought of right to be corrected. And that the saide wardens and euery of them in euery part of the said city of Norwich, & elswher, in the counties of Norfolke, Suffolke, & Cambridge at all times conueniẽt, shal haue power to search all maner of Worsteds, & the stuffe of them, aswell wõin the lomes as out of ỳ lomes, wrought within the said city of Norwich, or coũtie of Nork. And if any man before the saide Maior and steward, or any of them, be ther of found defectiue, by their discretiõ he shall be corrected: And the Worsted & stuffe found in maner and forme aforesaid defectiue, shalbe forfeit'. The one halfe of such forfeiture found in the said city of Norwich, to be to the maior of the same city, & found in any other place, to the maior or bailifs of the cities, boroughs and townes, or the chiefe lords of the fée, of & in such place as shal happẽ any such Worsteds & stuffe by the said wardens, or by anie of thẽ by any cause aforesaide, to be found defectiue or forfeitable, & the other halfe to the wardens of the said craft for the time being. And that no man of the said craft make any worsted, vnles he put his proper marke fixed or wouen vpon the same, by the ordinance of the said wardẽs, or els the same Worsted to be forfeit to our Souereigne Lord the king. Moreouer for the full reformation of the deceits & falsitie aboue rehearsed, by the authoritie aforesaid it is ordeined and enacted, that the said viii. wardens, the said Munday next after Corpus Christi, yerely incontinẽtly after their charge aboue recited, before the said maior & steward, or one of them, shall assigne incontinently a certaine place or two within the said city, & certeine dayes by the wéeke: And another certeine place, or two, or more, if they thinke it necessary, in ỳ said countie of Norfolke, and certaine dayes by the wéeke, for the yere then next following, to the intẽt ỳ euerie piece of worsted, which in the same yere shalbe set to sale, shal be brought before the wardens of the said craft for the time being, to one of the saide places so by thẽ assigned, to the intent that aswel the artificers of worsteds, as the said wardens may certeinly know the place, wher the said worsteds may duely and rightfully be searched. And if the said wardens find the said worsteds by their search well and lawfully made, that then such a marke or token shal be set by the saide wardẽs, or by the one of them, without fine or fée vpon the same, so that all buyers may well knowe, which piece is sufficiently and rightfully searched and wrought. And that the said search shal aswel extend to the stuffe of the same, as to the sufficient making. And such as they shall finde defectiue, that the Maior of the said Citie, and Steward of the said Duchie, or one of them for the time being

Length Bredth

Lambs wooll

Weild

Wier & ter.

Maior Steward

Oths

Wardens

Search

Dunish

Fork. Mottie Maior

Lords

Fork.

Marke

Place

Marke

ing, by the assent of the saide wardens & xii. artificers, shal haue power by this act, to set therein such correction as to them shal seme reasonable. And for euery price of Worsted sold, not marked after the forme aforesaide, that the first seller therof shall forf. the price of the piece so by him sold, to our souereigne lord the king. And that all ordinances, acts, and grants made, or to be made in preiudice contrary to the premisses concerning Worsteds, be void and of none effect. And that all Maiors, Shirifs, and Bailifs, and all other officers shall bee attending, ayding, and supporting to the said wardēs in their search, as often as they or any of them shalbe by ẏ said wardens, or any of them reasonably required. An. 7. E. 4. cap. 1.

Punish

Forf.

Void Maior Shirife Bailife

5 ¶ An. 11. H. 7. cap. 12. an acte was made concerning the shearing & shearers of Worsteds in Norwich. But it is repealed by 19. H. 7. cap. 17.

6 ¶ No person ne persōs within this said realm hereafter do take vpō him or them to drie calender any Worsted within this said realme, vpon pain to forfeit for euery Worsted that is so drie calendred xx.s. And ouer that, whereas the said olde calendring of Worsteds, called wet calendring, hath bēn vsed well & substantially in times past in the city of Norwich, & yet is by persons hauing cunning in the same: Be it therefore &c. that no person ne persons hereafter do take vpon him or them to wet calender any Worsted, but only such persons as haue bin bound apprentices to other persōs of the same craft or occupation of wet calēdring of Worsted by the space of vii. yeres, or bee cunning in the same, & their cunning approued & admitted by the Maior of the said citie of Norwich for the time being, & that two maisters of ẏ saide craft & occupation yerely to be chosen within the said city of Norwich, in the countie of Norfolke, of the craft of wet calendring, vpō paine of euery such person or persons, which hereafter shal do the cōtrary, to forfeit for euery price so calendred against the ordināces & putueyāces aforesaid C. s. The one moity of which penalties & forf. (aboue specified) & of euery of them, to bee to the king our souereign lord, & the other moitie therof to be to the maisters of ẏ said occupatiō of wet calendring, for the time being. And that it shal be lawfull to the maisters of ẏ said occupation (for the time being) & their successors, to sue for the one moitie of all such penalties hereafter to be forfeited, against euery such person or persons, as hereafter shall do contrary to the forme & effect of this statute, by action of debt, by a writ at the commō law or by bil or plaint, after the custome of such city, port, or town, wher shal happē any such forf. to be or fall, or by information in the kings Eschequer. And that no protectiō or essoine, ne wager of law for the defendāt, in any such action, plaint or informatiō, be allowable before any maner of Justices, where any such sute or information shall be vsed for the saide forfeiture. And this act to endure to the next parliament. An. 5. H. 8. cap. 4. This acte is made perpetuall. An. 25. H. 8. cap. 5.

Calender

Calender Forf.

Norwich

Apprētices

Maior Maisters

Forf.

Moitie

7 ¶ No manner of person vsing the craft or misterie of dying of worsteds, stamins, or sayes, or any of them, neither by themselues, or any seruant, factor, debuty, or any other by his cōmandement or assignement frō ẏ feast of Christmasse now next ensuing, shal vse to calēder any worsteds, stamins, or sayes, or any other cōmodities made, of worsted yarn, during all such time as the same person shall vse the mysterie or craft of dying aforesaide, vpon paine to forfeit for euery piece, so dyed & calēdred by colour, couin, fraud, or contrarie to the true meaning & intēt of this preset act xl.s. to be diuided in thre egall parts, the one part thereof to the king our souereigne lord, and one other part to the Maior for the time being, & the third part to him or them that wil sue for ẏ same by bil, action of debt, plaint, informatiō, or other wise in any of the K. courts, wherein no essoine, delay, or protection shal be allowed. An. 25. H. 8. cap. 5.

Dyers

Calender

Forf.

3. parts

8 ¶ The craftesmen (called Worsted weauers) inhabited in the said town of great Yarmouth, shal haue power & authoritie by this present act, from henceforth to elect and chuse yerely for euer, in the Munday next after the feast of Pentecost, one honest man of the same misterie and occupation, being an houseolder within ẏ said town of great Yarmouth, & hauing of his proper goods and cattels of the value of x. pounds at the least, or lands and tenements to his owne vse, of estate of freehold at the least, to the clere yerely value of xx.s. to be warden of ẏ same craft & mysteriz for the yere next ensuing, which man so elected & chosen, shall personally appeare before the maior of the said city of Norwich for the time being, ẏ Munday next after the feast of Corpus Christi then next ensuing, then & there to be sworne and charged by like othe, concerning the true & substantiall making of the said clothes within ẏ said towne of great Yarmouth, as the wardēs of the said city of Norwich by vertue of ẏ saide act of Parliament made in the saide seuenth yere of king Edward the fourth (S. cap. 1.

Weauers

Wardēs

Maior

Oths

before

before 4.) bẽn charged and ſworne for the ſame citie of Norwich. And if the ſaid Maior happen to be abſent the ſaide Munday after Corpus Chriſti, or els thẽ refuſeth to receiue or take the ſaid othe, then the ſaid warden ſo elected, within foure dayes next after the ſame Munday ſhal come before the bailifs of the ſaide towne of great Yarmouth for the time being, or before one of them, the other being abſent, & then & there receiue a corporall othe for the true exerciſing of the ſame office of wardenſhip, after the tenour of the othe accuſtomably vſed to be giuẽ to the ſaid wardens of the ſaide citie of Norwich. And then the ſaid Warden of the ſaide towne of great Yarmouth for the time being, ſo elected & ſworne, may ordayne & appoint a ſeale with this letter Y. to be grauen in the ſame ſeale, & may haue full power & authoritie to view, ſearch, ſeale, and ſeale in lead with the ſame ſeale ſo to be appointed and ingrauen, and none other, all Worſteds, Sayes, and Stammins, within the ſaide towne of Yarmouth, & ſuburbs of the ſame, made or to bee made, and not elſewhere, in as large & ample maner as the ſaid wardens of the ſaide citie of Norwich, & wardens of the ſaid county of Norffolke or any of them hath or haue within the ſaid citie or coũtie, or in any wiſe may doe in that behalfe by authority or vertue of the before remembred acte, made in the ſaide vii. yeere of king Ed. the iiii. any thing in the ſame act contayned to the contrary notwithſtanding. And that no perſõ inhabited within the ſaid town of great Yarmouth, or ſuburbs thereof, weaue any worſteds, ſayes, or ſtammins within the ſame towne, except he be an Engliſhman borne, & haue bin apprentice to ỳ ſaid occupation, & without he weaue there ſuch proper marke as ſhal be limitted & appoynted by the ſaid wardẽ of the ſaid town for the time being, elect & ſworn, as is afore-ſaide, vpon paine of forfeiture thereof to the king our ſoueraigne Lord. And that euery warden of the ſaid towne ſhal limit & diſtinct ſeuerall marks to euery of the ſaide worſted weauers of ỳ ſame town of great yarmouth, & the ſame markes by the ſaid warden to be regiſtred in a booke. And alſo be it &c. that if & whenſoeuer hereafter the ſaid town of Lin, ſhalbe inhabited with x. ſundry houſholders, or more nũber of houſholders exerciſing & vſing ỳ ſaid craft or myſtery of worſted weauers, then & from thencefoorth, that is to ſay, as long as the ſame town of Lin ſhalbe inhabited with the number of x. ſuch houſholders at the leaſt, it ſhal be lawful to ỳ ſame inhabitãts of the ſame town of Lin yerely in the Munday nert after the feaſt of Pentecoſt, to elect & chooſe of them ſelfe one warden of the ſame craft and myſtery of worſted weauers, to be of the value in landes & goods, as is before-ſaid of the warden of Yarmouth, which warden ſo elect, ſhall yeerely be ſworne and charged at the ſaid citie of Norwich, in like maner and at like day, as is before limitted to the wardens of Yarmouth: Or in default of the ſaid Maior of Norwich, then the ſayd warden ſo to be elect for the towne of Lin, to take a corporal othe before the Maior of the ſaid towne of Lin within ſuch time and after ſuch forme, as is before limited vnto ỳ warden of Yarmouth. And that the ſaid warden of the ſaid towne of Lin, for the time being, ſo elect and ſworne by himſelfe, may ordaine and appoynt a ſeale, with the letter L. to bee grauen in the ſame ſeale, and may haue full power and authoritie to view, ſearch, ſeale, & ſeale in lead with the ſame ſeale to be engrauen, & with none other, al Worſteds, Saies, and Stammins, within the ſaid town of Lin & ſuburbs of the ſame, made, or to bee made, and not elſwhere, in as large & ample maner as the ſaid warden of the ſaide citie of Norwich, and wardẽs of the ſaid county of Norfolk, or any of them hath or haue within the citie or countie, or otherwiſe may doe by authority or vertue of the before remembred act, made in the ſaid ſeuenth yere of king Edward the fourth: any thing contayned in the ſame act to the cõtrary notwithſtãding. And that no perſõ inhabited within the ſaid town of Linne or ſuburbs thereof, make any worſted, ſayes, or Stammins, within the ſame towne, except he be an Engliſhman borne, & haue bẽn apprentice to the ſame occupatiõ, & without he weaue therin ſuch proper marke as ſhall bee limited and appointed by the ſaid warden of ỳ ſame town of Lin, for the time being, vpon paine and forfeiture thereof to the king our ſoueraigne Lord. And that euery warden of the ſayd towne ſhall limit and diſtinct ſeuerall markes to euery of the ſayde worſted weauers of the ſame towne, and the ſame markes by the ſaid warden to be regiſtred in a booke.

Abſent Refuſe — Bailifes Yarmouth — Othe — Seale — Weaue — Engliſhmã Apprentice — Fork. — Warks — Regiſter — Linne — Warden — Othe Maior — Seale — Engliſhmã Apprentice — Fork. — Warkes Regiſter

And be it &c. that from the feaſt of S. Michael tharchangel next comming, vnto ſuch time as the ſaid Towne of Linne, ſhalbe inhabited with ỳ ſaid number of x. houſholders of the ſaid craft of Worſted weauers, & alwaies after when the number of x. houſholders ſhall happen to faile & not be inhabited in the ſaid towne of Linne, the ſaid wardens of the ſaid city of Norwich, and their ſucceſſors ſhall procure & cauſe one of themſelues, or

Wardens

or one of the wardens of the said craft, of the said county of Norfolk, personally to come & be euery eight and twenty day from & after the said feast of S. Michaell the Archangell, in and to the said towne of Linne, or within fiue dayes next after euery such eyght and twentie day, and there to cõtinue and abide by so long time, as he may search and seale al such Worsteds, Sayes, & Stammins made in the same towne of Linne as then shall be brought to him to be sealed win the space of one whole day. And ỳ said inhabitãts of worsted weauers of ỳ same towne of Linne being, shal content & pay to the said warden of Norwich or Norffolk, which shal so come to Lin, in the said twenty & eight day, or within six dayes next after the said xx.viii. day, for his costs and expẽces for euery time that he shal so come to Lin, betwẽne the feast of S. Michael the archangel, and the Annuntiatiõ of our Lady S. Mary, iii.s. & for euery time that he shal so come to the said town of Lin, betwẽn ỳ feast of ỳ Annuntiation of our Lady, & the feast of S. Michael the archangell, ii.s. And if ỳ said inhabitãts of worsted weauers of the said town of Lin, doe not content and pay the said warden comming to Linne, in fourme aforesayd, for his saide costes and charges the said iii.s. or ii.s. as is aboue limited, then the same inhabitants shall forfeit & pay to the said wardẽ, or to his executors for euery such default of paymẽt xl.s. And if none of the said wardens of Norwich & Norffolke come to the said town of Linne, for the cause aforesaid, in maner and form aboue remembred, then the said wardens of the saide citie of Norwich, shal forfeit and pay to the sayde inhabitants of Linne of the said mistery of worsted weauers, for euery such default xl.s. For recompence of which penaltie & forfeits the said wardens of Norwich, or Norffolk, being therunto entituled by this present act, by his proper name with this additiõ, ỳ is to say, vnus Gardianorũ, or Nuper vnus Gardianorum artis, siue mysterij textorum panni lanei vocati Worsteds in ciuitate Norwich, vel comitatu Norfolke, as ỳ truth requireth, shal and may haue actiõ of debt, by writ, bil, or plaint, in any cõpetent or lawful court of this Realme, against the said inhabitants of Lin, of the said mistery for the time being, by their sundry proper names. And ỳ said inhabitants by the said names, with this additiõ, Textorum panni lanei vocati Worsteds inhabitantes villæ de Lin, shall and may haue like actiõs of debt against ỳ said wardẽs of Norwich, by ỳ name of Gardiani artis siue mysterij textorum pannorum laneorum voc. Worsteds, infra ciuitatem Norwich, vel cõm Norfolke, to be vsed in good congruitie of Latine, and forme of the lawes of this Realme. In which actions or any of them, none essoyne, protection or wager of lawe shall be suffered or allowed. And that the particular bodies, or goods of any of the said wardens or inhabitants being condemned in any of the sayd actions, shall and may bee put in execution, after such maner and forme as is vsed in actions of debt by course of the common lawe of this Realme. And moreouer bee it &c. that al clothes of worsteds, sayes, and stammins, made or to bee made within any of the sayde townes of Linne, and great Yarmouth, or suburbes of the same, or any of them, and marked with such marks as shalbe limitted to the makers by the saide Wardens of the said towne in maner and forme aboue saide, & weaued and sealed by any of the wardens of the said townes of Linne and Yarmouth in forme aboue remembred, by force and vertue of this present acte, may be lawfully put to sale by the owners & makers of the same, without any other marking or sealing vpon the said clothes, or vpon any of them, or to be had or made by any other wardens dwelling or abiding without the said towne, and without any arrest, seisure or forfeiture to be had or made of or vpõ any of the said clothes for lacke of any other seales or markes: any thing contained in the said former acte made in the said vii. yere of king Ed. the fourth, to the contrary notwithstãding. And ouer this be it &c. that euery craftesman of the said mistery & occupation of worsted making, dwelling within any of the said townes of Linne and great Yarmouth, & suburbs of the same, at their owne free wils & liberties frõ henceforth for euer, may haue and take apprẽtice or apprentices (being male) of the age of fourteene yeares and vpward, and being the kings natural subiects, for the terme of seuen yeares and not vnder, so that none of them exceed the number of two at once, to learne, vse and exercise the saide craft within eyther of the said townes of Linne and great Yarmouth or suburbes of the same, albeit the father of the same apprentices or apprentice, may not expend in lands & tenements, to the yerely value of xx.s. any act or ordinance to ỳ cõtrary made, or to be made notwithstãding.

Search

Pay

Costes

Fork.

Forfeit

Addition

Action

Execution

Sell

Apprentice

Father

Maior Wardens

Prouided alway that this present act, nor any thing therin cõtained, be not in any wise hurtfull or preiudicial to the Maior of Norwich or to his successors, or to the wardẽs of the said citie & county, or to their successors, in any poynt, article, power or authority,

other then for weauing, searching, & sealing of worsteds, sayes, & stammins, made or to be made only within the said towne of Lin & Yarmouth, or suburbs of the same, or to any of them: And for limiting of markes to ẏ making of worsteds, sayes, & stammins, only inhabited in either of the sayd townes or suburbs thereof, & taking apprentices in forme aboue remembred, but that the said maior of the said citie of Norwich, & Wardens of the said citie & countie, and euery of them may haue and vse all other points, articles, powers, and authorities, contained & specified in the aboue remembred acte, made in the saide vii. yeare of king Ed. the fourth, aswel for the search, sealing, correction and reformation of the said wardēs, newly to be elect by vertue of this present act and euery of them, according and after such forme as they may do or vse, any of the said wardens of the said city or county by force of the said act made in the said vii. yeare of king Edward the fourth, as all and euery other inquiries, corrections, searches, sealings & reformations to bee had for the true making of worsteds, sayes, and stammins, in and vpon any person or persōs, aswel within the said townes of Lin & Yarmouth, as without, without trouble, let, or veration of any of the inhabitants of the said townes, in as large and ample wise as they might haue done before the making of this present acte, any thing contained in this present act to the contrary notwithstanding.

Crafteſman And also prouided and be it &c. that the said craftesmen of worsted weauers inhabited, or hereafter to be inhabited within eyther of the said towns of Lin and Yarmouth, or suburbs of the same, and the merchants, or any other person or persons which shall happen to buy of the same craftesmē or any of them, or of any other person, any of the said clothes of worsteds, stammins, or sayes, made or to be made within either of the said townes of Lin & Yarmonth, & sealed by the said wardēs of the same townes, to be elected and sworn as is aforesaid, & any of them, shall not shere, die, or put in colour, or calender any worsteds, stammins, or saies, made or to be made within eyther of the said townes of Lin and Yarmouth or suburbs of the same, in any other place or places, but only within the said city of Norwich, or suburbs of the same, vpon paine of forfeiture of euery piece of worsted, sayes, or stammins, to bee made within any of the saide townes of Linne and Yarmouth, or suburbs of the same, or the value thereof, shorne, died, coloured, or calēdred by any of ẏ said craftesmē, buyers, or merchāts, in any other place or places, then in the saide citie of Norwich or suburbs of the same. The one halfe thereof to be to the king our soueraigne lord, and the other halfe therof to such person or persons as shall seise the same. So that the said worsteds brought to the said citie of Norwich to be shorne, died, colored and calendred, without couin or craft of any of the said inhabitants and merchants, may be shorne, died, colored and calendred, at and by as conuenient price or prices, and in as ready wise as the saide inhabitants of eyther of the said towns of Lin and Yarmouth, & merchants buyers of the said worsteds, or other of the saide city or countie hath had in times past or hereafter shall haue.

Pottis

Prices

And also that the same inhabitants & merchāts, & euery of them so bringing their said worsteds to ẏ same citie for to be shorn, died, coloured, & calendred, bee reasonably & lawfully entreated according to ẏ said acte made in the said vii. yere of king Ed. the iiii. and the ordinance made & affirmed, or hereafter to be made and affirmed for the said mysterie, without let or disturbance contrary to the same act or ordinances in that behalfe.

Transport And bee it &c. that no person or persons at any time hereafter conuey or transport into any of the parts of beyond the Sea, any maner of clothes of Worsted, before the same clothes be shorne, died, coloured, & calendred, vpon paine and forfeiture of the value thereof, the one halfe to the king our soueraigne lord, and the other halfe thereof to the party that will sue therefore, by action or plaint of debt in any of the kings courts. In which action or suit, no protection or essoine shalbee allowed, nor the offender admitted to wage his law. This act to endure to the nert Parliament. An. 14. H 8. cap. 3. And after An. 21. H. 8. cap. 21. It is continued to endure to the end of the nert Parliament. And after An. 26. H. 8. cap. 16. this act is made perpetuall.

Forf. Pottis

¶Wreckes.

Shere Die Calender

Norwich Forf.

COncerning wrecks of ẏ sea, it is agreed, that where a man, a dog, or a cat escape quicke out of the ship, ẏ such ship nor barge, nor any thing within them, shal be adiudged wrecke, but the goods shall bee saued and kept by view of the shirife, Coroner, or the kings Bailife, and deliuered into the hands of such as are of the towne, where the goods were found, so that if any sue for those goods, & after proue that they were his, or perished in his keeping, within a yeere and a day, they shalbe restored to him without delay. And if not, they shal remaine to the king, & be seised

Quicke thing

Shirifes Coroners

Restore King

by

by the shirifes, coꝛoners, and bailifes of the towne, which shal answere beꝛore the Justicers of the wꝛeck belonging to the king. And where wꝛecke belongeth to an other then to the king, he shal haue it in like maner. And he that otherwise doth, & thereof bee attainted, shalbe awarded to pꝛison, & make fine at the kings will, & shal yéeld damages also. And if a bailife do it, & it be disalowed by his loꝛd, & the loꝛd will not discharge him thereof, the bailife shall answere him (if he haue wherof) and if he haue not whereof, the loꝛd shal deliuer his bailifes body to the king. W.1.ca. 4.

Impꝛison
Fine
Damage

Bailif.

2 ¶ Also the king shal haue wꝛeck of the sea thꝛoughout the realme, Whales, & great Sturgeons taken in ẏ sea oꝛ elswhere within the realme, except in certaine places pꝛiuiledged by the king. Prærogatiua regis cap. 11. An. 17. E 2.

Whales
Sturgeons

¶ Writs and abatement of writs.

And as often as from henceꝛoꝛth there shal happé in the Chancery that in one case there is a wꝛit found, & in like case happening vnder the same right, and the like remedy is not found foꝛ him that néedeth it: The clerks of the Chancery shal gré in making the wꝛit, oꝛ shal aduoꝛne the plaintifes vntill the next Parliament, & wꝛit the case wherein they cannot agré, & referre them to the next Parliament, & of the consent of the expert in law let the wꝛit be made, least that hereafter it shal happen that the kings court faile in giuing iustice to them that cõplaine. W. cap. 47.

Chancery

Clerke

Parliament

Justice

2 ¶ To the intent that wꝛits of debt & accompt, & al other such actions be from henceꝛoꝛth taken in their counties, and directed to the shirifs of the coũties, where the cõtracts of the same actions did rise: It is oꝛdeined and accoꝛded, that if from henceꝛoꝛth in pleas vpon the same wꝛits it is declared, that the contract thereof was made in an other countie then is cõtained in the oꝛiginal wꝛit, that then incontinently the same wꝛit be vtterly abated. An. 6. R. 2. cap. 2.

Counties

3 ¶ An. 4 H. 6. cap. 4. it was enacted, that the wꝛits and suits of them that were made knights in the parliament should not abate.

Abate

¶ Yarne.

No man shall carry noꝛ bꝛing out of the said realme no maner of thꝛummes noꝛ woollen yarne vnder colour of thꝛums, vpon paine to foꝛfait the double value of the same, An 8. H. 6. cap. 23.

Foꝛf.

2 ¶ An. 23. H. 6. cap. 3. it was enacted that no thꝛums noꝛ woollen yarn should bee shipped oꝛ packed oꝛ caried ouer during thꝛée yéeres, vpon paine of foꝛfeiture.

Shipped

¶ Yorke.

Whereas great inconueniences and damages haue come now of late in the city of Yoꝛke, & moꝛe in time to come be like to happen if pꝛouision thereof be not had: foꝛ that diuers & certaine persõs, citizens of the said citie, haue purchased & gotten of our soueraigne Loꝛd the K. seuerall letters P. thereby to bee exempted of the offices & occupatiõs of Maioꝛalty, shirif, chamberlaine, collectour of dismes, & quinzimes, & citizen of ẏ said city, to come to ẏ parliaments of our soueraign loꝛd the king and his heires within the said city: Our said soueraign loꝛd the king considering ẏ premisses, by aduise & assent afoꝛesaide, hath oꝛdeyned & established, that all such letters patents graunted oꝛ to be graunted to any person oꝛ persõs now citizens of the said city, oꝛ which in time comming shalbe made, shalbe voyd & of none effect. And moꝛeouer that if any citizen of the said citie nowe being, oꝛ which in time comming shall bee, do purchase, admit, take oꝛ get any such letters patents, therby to be exempt of any of the offices oꝛ occupations afoꝛesaid within the same citie, he shall foꝛfait xl. li. the one halfe to our Soueraigne loꝛd the king, & the other halfe to the Maioꝛ & citizens of the saide citie & their succesꝛs. And that the Maioꝛ foꝛ the time being and his succesꝛs may & might haue and maintaine an action of debt to demand the said xl. li. against euery of the said person oꝛ persõs purchasing, admitting, taking, oꝛ getting such letters patents of exemption, the one halfe of the said xl. li. so recouered, to be to the vse of our said soueraigne loꝛd the king & his heires, & the other half of the said foꝛty pound to be to the vse of the Maioꝛ of the saide citie foꝛ the time being, and of the citizens of the same city & their succesꝛs. And that in such actions of debt hereafter to bee pursued, the parties defendants in no wise shalbe admitted to their law. An. 29. H. 6. ca. 3.

Letters patents

Foꝛf. Writs

2 ¶ An. 21. H. 8. cap. 17. an acte is made wherby certaine letters patents made to the ayd of Yoꝛke concerning shipping & conueying of wolls and felles, be repealed.

Shipping

3 ¶ Anno 34. H. 8. cap. 10. an acte is made concerning the making of coueꝛlets within the towne of Yoꝛke, and none to be made to be put to sale in Yoꝛkeshire, but in the towne of Yoꝛke onely.

Coueꝛlets

FINIS.

A generall Table, containing (in order of the Kings raignes) the ſeuerall times of the Parliaments holden ſince the eight yeere of the raigne of King H. the 3. till this preſent yeere 1593. together with their ſeuerall Chapters and intitulings of the particular Statutes made in euery of the ſame: whereby the Reader may finde vnder what Title, and in what leafe of this booke, any of thoſe Statutes be placed: and whereby alſo (through the helpe of the Hands prefixed to denote ſuch Statutes as do concerne the office of the Iuſtices of peace) he may eaſily correct all ſuch eſcapes of the Hands or Starres, as haue happened in this booke at large, either againſt the beginning or ende of any of thoſe Statutes.

¶ The Statutes made in the time of King Henrie the third beginning of his Raigne. Anno 1216. Octob. 19.

¶ Magna Charta 9.H.3.

Cap.1.	Fol.192.b	Cap.20.	52.c
Cap.2.	372.b	Cap.21.	359.a
Cap.3.	513.b	Cap.22.	118.c
Cap.4.	521.b	Cap.23.	529.c
Cap.5.	521.b	Cap.24.	381.a
Cap.6.	513.b	Cap.25.	523.a
Cap.7.	548.c	Cap.26.	176.a
Cap.8.	111.c	Cap.27.	513.b
Cap.9.	192.b	Cap.28.	491.b
Cap.10.	443.c	Cap.29.	5.c
Cap.11.	64.b	Cap.30.	278.a
Cap.12.	23.b	Cap.31.	443.c
Cap.13.	110.c	Cap.32.	443.c
Cap.14.	13.a	Cap.33.	480.b
Cap.15.	32.a	Cap.34.	16.a
Cap.16.	32.a	Cap.35.	79.b
Cap.17.	344.b	Cap.36.	303.a
Cap.18.	111.c	Cap.37.	154.b.192.b
Cap.19.	52.c		

¶ Charta de Foreſta 9.H.3.

Cap.1.2.3.4.5.6.7.8.9.	Fol.184.c.d
Cap.10.11.12.13.14.15.16.	Fol.186.a.b
Hiberma Coharedibus 14.H.3.	319.c

¶ Merton 20.H.3.

Cap.1.	119.c	Cap.7.	513.c
Cap.2.	530.d	Cap.8.	266.a
Cap.3.	372.b	Cap.9.	35.c
Cap.4.	18.b	Cap.10.	29.b
Cap.5.	489.c	Cap.11.	186.b
Cap.6.	513.b		
De Anno Biſſextili. 21.H.3.			108.d
Sententia lata ſuper charcas. 38.H.3.			
Aſſiſa panis & ceruiſiæ 51.H.3.			523.c
Dies communes in banco 51.H.3.			108.c
Dies communes in dote 51.H.3.			108.d
Diſtrictiones ſcaccarij 51.H.3.			118.c
Statutum de ſcaccario 51.H.3.			149.d
Indicium Colliſtrigij 51.H.3.			
De compoſitione menſurarum 51.H.3.			524.b
De ponderibus & menſuris 51.H.3.			524.d
De tallagio non concedendo 51.H.3.			359.b

¶ Marlebridge 52.H.3.

Cap.1.2.3.4.	Fol. 117.c.d	Cap.17.	513.b
		Cap.18.	13.a
Cap.5.	65.c	Cap.19.	155.a
Cap.6.	513.d	Cap.20.	166.d
Cap.7.	513.d	Cap.21.	364.b. and 374.c
Cap.8.	372.b		
Cap.9.	440.d	Cap.22.	200.d
Cap.10.	79.b	Cap.23.	4.d.521.b
Cap.11.	36.a	Cap.24.	245.a
Cap.12.	108.d	Cap.25.	305.b
Cap.13.	155.a	Cap.26.	486.a
Cap.14.	242.a	Cap.27.	273.a
Cap.15.	117.d	Cap.28.	286.b
Cap.16.	302.d	Cap.29.	5.c.145.d

¶ The Statutes made in the time of king Edward the firſt, the beginning of his raigne. An. 1272. Nouemb. 16.

¶ Weſtminſter the firſt 3.E.I.

Cap.1.	287.a	Cap.26.	166.b
Cap.2.	60.a	Cap.27.	166.b
Cap.3.	148.b	Cap.28.	274.b
Cap.4.	552.c	Cap.29.	115.b
Cap.5.	144.a	Cap.30.	452.b
Cap.6.	13.b	Cap.31.	359.a
Cap.7.	359.a	Cap.32.	79.b
Cap.8.	36.a	Cap.33.	307.c
Cap.9.	386.a	Cap.34.	22.d
Cap.10.	76.b	Cap.35.	379.a
Cap.11.	313.c	Cap.36.	24.a
Cap.12.	169.d	Cap.37.	26.a
Cap.13.	364.c	Cap.38.	
Cap.14.	16.a	Cap.39.	486.b
Cap.15.	273.b	Cap.40.	36.a
Cap.16.	117.d	Cap.41.	155.a
Cap.17.	118.a	Cap.42.	155.a
Cap.18.	245.a	Cap.43.	155.b
Cap.19.	111.d	Cap.44.	155.d
Cap.20.	186.b	Cap.45.	246.c
Cap.21.	514.a	Cap.46.	7.b
Cap.22.	514.a	Cap.47.	552.c
Cap.23.	111.a	Cap.48.	24.a.119.c
Cap.24.	24.a		344.d.350.c
Cap.25.	56.c		
Extents of Manors 4.E.I.			440.b
The office of Coroners 4.E.I.			76.d

¶ The Statute of Bigamie. 4.E.I.

Cap.1.	7.c	Cap.4.	
Cap.2.	7.c	Cap.5.	60.a
Cap.3.	7.c	Cap.6.	486.d

¶ Glouceſter. 6.E.I.

Cap.1.	109.d	Cap.9.	16.a
Cap.2.	7.b	Cap.10.	155.b
Cap.3.	520.c	Cap.11.	375.a
Cap.4.	56.b	Cap.12.	486.b
Cap.5.	521.b	Cap.13.	155.d
Cap.6.	302.d	Cap.14.	109.d
Cap.7.	145.d	Cap.15.	534.c
Cap.8.	465.c		
Expoſition vpō the Statute of Glouceſter 6.E.I.			109.d
Againſt bearing of Armour 7.E.I.			19.a
A ſtatute for religious men. 7.E.I.			303.b
A correction of the 12.cap. of Glou. 9.E.I.			487.a
The ſtatute of Rutland 10.E.I.			150.b
The ſtatute of Acton Burnell 11.E.I.			386.a
The ſtatute of Wales 12.E.I.			

¶ Weſtminſter the ſecond 13.E.I.

Cap.1.	441.b	Cap.3.	104.a
Cap.2.	375.a	Cap.4.	120.b

Cap.5. 31.b
Cap.6. 486.c
Cap.7. 6.c
Cap.8. 6.b
Cap.9. 286.a
Cap.10. 30.a.245.a
Cap.11. 5.b
Cap.12. 155.b
Cap.13. 16.b
Cap.14. 521.c
Cap.15. 350.c
Cap.16. 514.a
Cap.17. 155.b
Cap.18. 158.b
Cap.19. 315.b
Cap.20. 78.a
Cap.21. 56.b
Cap.22. 56.b
Cap.23. 162.a
Cap.24. 313.b
Cap.25. 24.b.364.b
Cap.26. 372.b
Cap.27. 155.b
Cap.28. 155.c
Cap.29. 311.a
Cap.30. 156.b
Cap.31. 303.a
Cap.32. 89.b
Cap.33. 364.c
Cap.34. 514.c
Cap.35. 351.c
Cap.36. 118.a
Cap.37. 240.a
Cap.38. 266.a
Cap.39. 379.b
Cap.40. 7.c
Cap.41. 67.b
Cap.42. 167.b
Cap.43. 59.b
Cap.44. 159.a.167.b
Cap.45. 18.c
Cap.46. 24.b
Cap.47. 178.b
Cap.48. 481.b
Cap.49. 56.c

A statute for Marchants 13.E.1. 369.a
A statute for Winchester 13.E.1. 386.b
A statute of Circumspecte agatis 13.E.1. 352.a
A statute of Exon 14.E.1. 77.b
A statute intituled, Ne quis occasionetur 17.E.1.
A statute of the ordinaunce of Ireland 17.Edwardi primi. 238.b
A statute of Quia emptores terrarum 18.E.1. 443.b
A statute of Quo warranto nouum 18.E.1. 193.b
A statute for leuying of fines 18.E.1. 173.b
A statute of Vouchers 20.E.1. 486.b
A statute for great and small Money 20.E.1. 296.c
A statute of defending rights 20.E.1. 375.b
A statute of Waste 20.E.1. 521.c
A statute of inquests of lands &c. 20.E.1.
A statute of persons put in assises 21.Edwardi primi. 240.b
A statute of trespassers in Parkes 21.E.1. 186.c
A statute vpon a writte of Consultation 24.Edwardi primi. 352.a
A Statute of confirmation of Charters 25.Edwardi primi. 65.b
A statute of purchasing libertie 27.E.1. 303.c
A statute of Fines leuied 27.E.1. 173.b.311.a. 426.b

¶ Articuli super Chartas. 28.E.1.

Cap.1. 65.b
Cap.2. 359.b
Cap.3. 276.b
Cap.4. 64.b
Cap.5. 57.a
Cap.6. 404.c
Cap.7. 118.b
Cap.8. 426.c
Cap.9. 240.b
Cap.10. 66.c
Cap.11. 57.a
Cap.12. 111.b
Cap.13.
Cap.14. 224.b
Cap.15. 348.b
Cap.16. 380.c
Cap.17. 350.b
Cap.18. 522.a
Cap.19. 268.c
Cap.20. 205.c

A Statute of Wardes and reliefes 28.Edwardi primi. 515.a
A statute of appeales 28.E.1. 16.c
A statute of Escheators 29.E.1.
A new Statute of Quo warranto 30.Edwardi primi. 193.b
A statute for forstallers 191.b
A statute of Bakers and Brewers 31.Edwardi primi. 38.a.524.a.534.c
A statute of Protection 33.E.1. 353.a
A statute for definition of conspirators 33.Edwardi primi. 57.a.96.c
A Statute of ordes for inquestes 33.E.1.
A Statute of conspirators 21.E.1. 56.b
A Statute for ordinance of the forrest 33.Edwardi primi. 186.b
A statute for measuring land 33.E.1. 524.c
A statute of Joyntenants 34.E.1. 25.b
A Statute of Religious persons 35.Edwardi primi. 287.a
A Statute for inquirie vpon the Statute of Winton 13.Ed.1. 387.a
A Statute for the Jewes 239.a.469.a
A Statute for amortisement of landes 34.Edwardi primi. 303.c
A Statute for certaine Liberties

¶ The Statutes made in the time of king Edward the second, the beginning of his reigne. An. 1307. Iuly 7.

A Statute made for Knights 1.E.2. 249.a
A statute for breaking prisons 1.E.2. 169.b

¶ Articuli Cleri 9.E.2.

Cap.1.2.3. 351.b
Cap.4.
Cap.5. 351.b
Cap.6. 239.b
Cap.7. 157.b
Cap.8. 375.c
Cap.9. 118.b
Cap.10. 2.b.16.b
Cap.11. 287.a
Cap.12. 157.b
Cap.13. 1.a
Cap.14. 144.a
Cap.15. 60.a
Cap.16. 60.a
A statute for Sheriffes 9.E.2. 426.c
A statute of Ouelet in London 10.Edwardi secundi. 271.b
A statute of letters Patents vpon the taking of the goods of the Clergie

¶ The Statute of Yorke 12.E.2.

Cap.1. 24.b
Cap.2. 538.a
Cap.3. 311.b
Cap.4.
Cap.5. 380.b
Cap.6.
A statute of Essoines 12.E.2. 155.c
A statute for Fines 15.E.2. 173.c

¶ Prærogativa Regis 17.E.2.

Cap.1.2. 514.b
Cap.3. 344.b
Cap.4. 548.c
Cap.5. 319.b
Cap.6. 8.c.514.b
Cap.7. 8.b
Cap.8. 31.b
Cap.9. 183.b
Cap.10. 183.b
Cap.11. 552.c
Cap.12. 151.b
Cap.13. 237.b
Cap.14. 188.c
Cap.15. 324.b
Cap.16. 188.c
A Statute for doing homage 17.E.2. 217.b
A Statute for Templers 17.E.2. 443.c
A Statute for viewe of frankplege 18.E.2. 266.a
A Statute for prices 18.E.2 359.a
A Statute for the Oth of the King, the Bishop, the Kings Councell, Escheators, Sheriffes, Maiors, and Baylifes 316.b
A Statute for abiuration of Robbers 2.a
A Statute intituled, Ne rectores prosternãt &c. 59.a
A Statute for the assise of the Forest
A Statute of Armour 19.a
A Statute of West.4. 14.E.2. for Sheriffs and Greene ware 26.c
A Statute for viewe of land, and Essoine of the Kings seruice 155.b
A Statute of Articles vpon money
A Statute for Justices of Assises 245.b
A Statute for Elles and Perches 501.b
A Statute for Estreates of the Exchequer 15.Edward.2. 156.c
A Statute for banishment of Sir Hugh Spencer
A Statute for the tattels of Felons
A Statute for Prohibition vpon the articles of the Clergie 354.a
A treatise for tenant by the curtesie of England 104.a
A Statute for articles and oathes in the circuite 245.c

¶ Heere followeth the Statutes made in the time of King Edward the 3. The beginning of his reigne. An. 1326. Ianu. 25.

¶ The first yeere.

1 An act that none be grieued for the pursuite of King Edward the second 162.a
2 A confirmation of the exile of sir Hugh Spencer, and his sonne 373.b
3 An annullation of fines leuied to the saide Spencers 141.a

4 Triall of auerrement in writtes of false iugement &c. 141.b.166.b
5 Auerrement against returnes of Bailifes of franchises 380.c
6 Attaint aswell for the principall, as the damages in trespas 26.c
7 Against Gailors that compell prisoners to make appeales 345.a
8 Against offendors in Forests 188.a

¶ Another statute made the same first yeere.

1 A Confirmation of the great Charter, and the charter of the forest 65.b.187.b
2 For seising of the temporalties of the Bishops and for houldote &c. 36.c.538.a
3 A confirmation of king Ed.2. his pardon, and a pardon of Iewes debtes 334.b
4 For ordering of the kings debts 112.a
5 For arming of men 19.a
6 For the tare of the aide graunted to the king 441.b
7 For wages to be giuen to souldiers &c. 520.b
8 No money to bee taken for faire pleading 36.a
9 A confirmation of liberties of all cities and boroughs 193.c
10 That the king doe not desire of Bishops by threates, to haue promotions for his Chapleines 287.a
11 No suite to be made against enditors in spirituall Courtes 352.c
12 Fine to be made for alienation of lands holden of the king in chiefe 443.b
13 For purchasing of lands holden of the king as of honors 443.b
14 For maintenance of quarels 274.b
15 None to be bounde by writing to come to the king with men of armes 141.c
16 For keeping of the peace 247.a
17 Indictments to be taken by inuenture 235.c

¶ The 2. yeere of E. the 3.

1 A Confirmation of the great Charter and the Charter of the forest 65.b
2 For graunting Charters of pardon 246.b 334.b
3 For comming before the kings Iustices, or other where, with force and armes 19.b
4 A Confirmation of the statute of Lincolne for Shirifes 426.b
5 For deliuerie of writtes to Shirifes in their counties 380.c
6 A confirmation of the statute of Winchester. &c. 332.b
7 For punishment of Felons and Murderers 315.c
8 That right be not delayed 244.b
9 That all Staples shall cease 435.a
10 A Pardon for all fines for writtes 334.b
11 The common Bench not to be remoued without warning by auoyement 6.b
12 Hundreds and Wapentakes let to farme to be reioyned to counties 427.a
13 For proces in trespas done in the time of king Edward 2. 348.b
14 For the measuring and assise of cloth 120.c
15 For faires to bee holden in their time accustomed 167.b
16 For Nisi prius to bee graunted aswell at the tenants suit, as at the demandant 311.b
17 A writ of deceipt giuen in a Scire facias in a ples of land. 115.b

¶ The 4. yeere of E. the 3.

1 A Confirmation of all Statutes not repealed 65.b
2 For taking of assi. turies &c. of gaols 247.a
3 For purueyance of the King and Quenes houses 360.a
4 That purueiors payn hand, and haue a warrant vnder the great or small seale 359.b
5 The kings Pardon 334.b
6 A Confirmation of the Statute of Carlile 287.b
7 An action of trespas giuen to executors for goods taken away in the testators life 162.a
8 For passage at Douer 320.a
9 That Shirifes and Bailifes shall haue sufficient in the counties 427.a
10 Against Shirifes and gailors, that will not receiue theeues and such other into their gailes 427.a
11 Iustices of assises shall inquire of maintenors &c. 311.c
12 An act for the sale of wines 534.c
13 A confirmation of the Statute of Northampton, for graunting of Charters of pardon 334.b
14 For a Parliament to bee holden once euery yeere 316.c
15 For wapentakes and hundreds to bee letten at the olde farme 427.a

¶ The fift yeere of Edward the third.

1 A Confirmation of the great Charter, and the Charter of the forest 65.b
2 Against the kings purueiors &c. 360.a.276.b
3 A Confirmation of the Statute of Carlile &c. 287.b
4 Shirifes and other officers shall haue sufficient in the countie &c. 427.b
5 For closing stalles and boothes in Faires after the dayes expired 167.b
6 Essoines and Protections put out in attaints 26.c
7 Attaints to lie in trespasse, if the damages passe xl. s. 26.c
8 For letting theeues and felons to baile by the Marchals of the kings bench 345.b
9 That none bee attached, forejudged, nor put out of his lands, contrary to the great Charter 5.c
10 Iurors that take money, shall no more passe vpon Iuries 240.b
11 That Iustices assigned to determine felonies, haue power to write to forraine counties 348.b
12 For allowances of Charters of pardon in Outlagaries at the suit of the partie 163.b
13 For auoyding of Outlagaries by imprisonment 163.c
14 For night walkers 387.b

¶ The 9. yeere of E. the 3.

1 THat Marchants strangers may freely sell all maner of merchandises to whome they will, with other things 278.b
2 Nonpleuin of land put out 312.c
3 That executors shall not fourche 162.b
4 For triall of deedes dated within franchises 465.c
5 That Iustices of assises &c. shall sende their Recordes to the Eschequer 370.a

¶ An other statute made the same yeere.

1 AN act that no sterling money nor plate be caried out of this Realme 298.b
2 That no false money be brought into the Realm 298.b
3 That no sterling halfe pence, or farthings be molten by Goldsmithes 298.b
4 Blacke money excluded 298.b
5 Punishment for the offendors of this Statute 298.b
6 An oth of shipmasters that they shall not offend this statute 299.a
7 For the tables of exchange 148.b
8 For the passage of Pilgrims 320.a
9 For search that no money or plate be caried out of the Realme 299.a
10 The wages of Searchers 299.a
11 That hostlers in euery port be sworne to make search 299.a

¶ The 10. yeere of E. the 3.

1 A Confirmation of all stat. not repealed 65.b
2 No pardon to be graunted against the statute of Northampton 334.c

3 They that haue Charters, shall finde surtie of their good abearing 334.c

¶ An other Statute made the same yeere of Puruiors.

1 Pleuetance to bee made in the presence of the constables &c. 360.a
2 For Inquestes to bee taken before the Steward and Marshall of the kings house 277.a
3 Error before the Steward and Marshall to be reuersed in the kings bench
4 For purueiance for the kings hostes 360.b
5 For punishment of the keepers of the kings hostes 360.b

¶ The 11. yeere of E. the 3.

1 For the carriage of woolles out of the realme 542.b
2 For wearing outlandish cloth 13.c.120.c
3 For bringing in of strange clothes into the Realme 120.c
4 For wearing of furres 13.c
5 For Clothworkers of strange lands to come and dwell in England 120.c

¶ The 14. yeere of E. the 3.

1 A Confirmation of the great charter &c. 65.b 193.c
2 3 The Kings pardon 334.c
4 Presentment of Englesherie put out 145.c
5 A remedie for delaies of iudgements in the kings great courtes 239.c
6 For amendment of recordes 12.b
7 How long Shirikes shall carry in their offices 427.b
8 Diuers Escheators to be in the Realme and sufficiencie of coroners 251.b
9 That Hundreds and wapentakes bee no more let to farme 427.c
10 Gaoles of the counties to bee annexed to the Shirikes 345.b
11 That the clerke of the Statute Marchant be resident vpon his office 369.a
12 For true weights and measures 525.a
13 For waste done by escheators in the lands which the king holdeth in ward 515.a
14 For search in suite by petition 7.b
15 For graunting of Charters to murderers and theeues
16 For graunting of Nisi prius before any maner Iustices 311.c
17 A Iuris vtrum for Parsons, Vicars, Prouosts, &c. 336.c
18 For vouching to warrantie a dead parson 487.a
19 An act against Puruiors 360.c
20 The kings pardon 334.c
21 A Subsidie 441.c

¶ An other Statute the same 14. yeere.

1 An act touching the Subsidie 441.c
2 That all Marchant strangers may haue safeconduite 278.b

¶ A third Statute made the same 14. yeere for the Clergie.

1 That spirituall persons goods be not taken by the kings takers 360.c
2 For presentment to churches made by the king in anothers right 31.b
3 For seising the Bishops temporalties into the kings hands 36.c
4 For waste done by Escheators in Bishops temporalties 480.b
5 For letting the vacations of Bishoprickes and other spirituall dignities 481.a

¶ A fourth Statute made the same 14. yeere.

1 That England shoulde not bee subiected to France 145.b

¶ The 15. yeere of E. the 3.

1 Acts touching the Subsidie graunted to the King in euery chapter 278.c

¶ The 18. yeere of E. the 3.

1 For declaration of Exigends 163.c

¶ An other Statute made the same 18. yeere.

1 For ceasing of Commissions of new inquiries 64.c
2 Iustices of peace made 247.a
3 For setting and buying of wools 542.b
4 For weights and measures 64.c
5 For exigends in trespas 163.c
6 For the new money and the Mint 148.c.299.a
7 A confirmation of the statute of puruiors and Steward, and Marshall 360.c

¶ A third Statute for the Clergie the same 18. yeere.

1 That no Prelate be impeached of crime before the Iustices 36.b
2 For triall of Bigamy 60.a.b
3 For purchasing lands into mortmaine 303.b
4 The statute of Puruyors confirmed 360.c
5 For Prohibitions 352.c
6 That temporall Iustices shall not inquire of proces made by spirituall Iudges 315.b
7 For Scire facias for tithes 446.b

¶ A fourth Statute made the same 18. yeere.

1 An act concerning the othe of Iust. 244.c
2 An acte for the othe of the Clerkes of the Chauncery 63.b

¶ The 20. yeere of E. the 3.

1 An act that right be done by the Iustices 244.b
2 That right be done by the Barons of the Chequer 244.b
3 An othe to be made by the Iustices in eire of assises, and gaole delinery 245.a
4 5 For maintenance of quarrels 274.b.c
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¶ The 23. yeere of E. the 3.

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2 That Labourers retained depart not within their terme 249.b
3 4 5 Labourers wages 249.b
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7 For Beggers 249.b
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¶ The 25. yeere of E. the 3.

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4 For Cordwainers 249.b
5 For Goldsmiths, Sadlers and such like 249.b
6 The punishment of the offendors of this Statute 250.a
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¶ An other Statute made the 25. yeere.

1 An act touching such as be borne beyond the Sea 1.b

¶ A 3. Statute for the Clergy, made the same 25. yeere.

1.2.3. A Confirmation of all liberties graunted to the Clergie, and for presentments to benefices by the King, in an others right 32.a.193.c
4 For Clerkes conuict of Treasons and Felonies 60.b

5 For

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6 For seising of temporalties, and taking fines of Bishops for contempts 37.b
7 That the Incumbent may pleade against the king in a Quare impedit 32.a
8 For conisance pertaining to the Church 239.b
9 Indictement of the extortions of Ordinaries 315.b

¶ A fourth Statute of Cloches made the same 25. yeere.

1 FOr measuring of Clothes 121.a
2 For victailes and other Marchandises to be sold by Marchant strangers 278.c
3 For forestalling of wines 191.c
4 For pulling downe of weares and milles set vp in disturbance of the passage of vessels 529.b

¶ A fift Statute of Purueyors made the same 25. yeere.

1 FOr purueyors of the kings house 359.b.360.b
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3 That no Indictors be put vpon the inquest of the indictees 240.b
4 That no man be taken by suggestion, but by inuictment or presentment 5.c
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6 Against takers of wood or timber for the King. 7 For the gathering of the Foresters 188.b
8 For finding of men of armes 520.b
9 Auncell weight put out 525.b
10 For weight and measuring 525.b
11 For reasonable aide 379.a
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13 For nan impairing of money 299.b
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15 For takers of sheepe 361.a
16 That Nontenure of parcell shall not abate the whole writ 312.c
17 Proces of vtlarie in actions of debt, Detinue, and Replegiare 348.b
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19 For protections 353.b
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¶ A sixth Statute made the 25. yeere.

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¶ A seuenth.

1 FOr leuying of the xv.

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2 For charters of pardon for felonies 334.c
3 For victailers and dearth of victaile 482.a
4 For aulnage, and assise of clothes 121.a
5 For forstalling of Gascoigne wines 534.c
6 For Marchants of Gascoigne, safely to bring their wines 534.b
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3 That all Marchants may buy wools, leather, felles, and leade in England, so that they be carried to the Staple 279.a
4 None going to the Staple be disturbed by the kings takers 435.c
5 The kings Iustices to haue no conisance of that which pertaineth to the staple 435.b
6 No marshal nor other minister to meddle within the Staple 435.b
7 For licence of passage of woolles, leather, felles nor lead 435.b
8 The iurisdiction and cognisance of the Staple 436.a
9 For recognisance of statutes of the staple 436.c
10 For weights of the staple 525.c
11 For forestalling of Marchandises 279.b
12 That no Woolles, Felles, Leather nor Lead, be brought into Scotland 542.b
13 For goods robbed vpon the Sea, comming into this realme 279.b
14 For bringing of Bullion in the Kings exchanges 205.b
15 Indentures to bee made betweene Carryers of Marchandizes to the Staple by fresh riuers, and the Bailifes of the Townes where they be shipped 436.c
16 For places in the staples where woolles and other Marchandizes shalbe set 436.c
17 That no Marchant stranger bee impeached for others debt 279.c
18 For Marchant strangers to resort into Ireland and Wales 436.b
19 That none lose his goods by forfaiture of his seruants 436.b
20 Marchant strangers taken into the kings protection 437.a
21 The ordinances of the Maior and Constables in the staple 437.a & b
22 Correctors of strangers and Denizens to be in the staple 437.b
23 A certaine number of Porters and other officers to be in the staple 437.b
24 Association of strangers to the Maior of the staple, where an alien is partie 437.c
25 No thing to bee done in distresse of the staple 437.c
26 Trewage to bee giuen to the letters of the owners of merchandizes come into the realme, testifying the true value of them 279.b
27 The penaltie of them that be conuict for shipping of woolles, &c. 542.b
28 A confirmation of the Priuiledges and customes of the staple 437.b

¶ The 28. yeere of E. the 3.

1 A Confirmation of all statutes not repealed 65.b
2 That the Lords Marchers in Wales bee intending to the crowne 492.a
3 None out of the lande, to bee taken or imprisoned without due processe of the lawe 5.c
4 How Escheators and other Officers shall answere the king of the profits of lands commen to him by the death of his tenants 268.c
5 That no Iron be sent out of the realme 239.b
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7 How long Shirifes shall abide in their offices 427.c
8 Attaint giuen vpon a bill of Trespas not hauing regard to the dammages 26.b
9 Against shirifes vsing to take inquests to indict people 427.c
10 Redresse of Errors and Misprisions in the Citie of London 271.b
11 For safegard of Marchants aliens, comming within this realme. 387.c
12 Against purueiors, and that of euery taking vnder 12.s. they make ready payment 361.a
13 The warrantie of packing of woolles put out 438.c
14 Shewing of woolles euery day at the staple, except Sunday 438.c
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¶ The 31. yeere of E. the 3.

1 THe great Charter, and the Charter of the Forest confirmed 65.b
2 Against abating the prices of wools 543.a
3 Discharge of estretes at the eschequer 189.a
4 For fines for probates of testaments 347.b
5 The measure of a Tunne of wine, and true gauging of the same 525.c
6 For fines and amerciaments of labourers 250.c

7 The statute of Labozers to holde place in London and the suburbs 250.c
8 Foz carrying of woolles ouer the sea 543.a
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11 The Ordinarie to commit administration where a man dieth intestate, and the administrators to haue actions as executors should 6.b
12 Foz Error in the Eschequer 146.a
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1&2 FOR herring, and the manner of selling thereof 178.a.179.a
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¶ A third Statute the same 31. yeere.

1 FOr fish comming within the hauen of Blackney, and of the Bankes holden 179.a
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¶ The 34. yeere of E. the 3.

☞1 FOr Justices of Peace 247.b
☞2&3 Foz Purueyors 361.a
4 Foz making of Panels 240.b
☞5&6 Just. of P. to inquire of Measures 525.c
7 Attaint aswell in plee reals as plee personals 26.b
8 Against Jurozs taking money foz saying their verdict 240.c
9. 10 & 11 Foz Labozers 250.b.251.a
12 Foz Eschetozs disseising men by colour of their offices 189.a
13 Howe Eschetozs shall take their Enquestes 151.b
14 Foz trauers of officers 151.b
15 Foz alienations made by tenants of king Henrie 3. 444.a
16 Noneclaime of fines to bee barre hereafter 173.b
17 Marchants aliens oz denizens may come into Ireland without fine oz raunsome 238.b
18 An Act foz them that haue possessions in Ireland 238.b
19 No custome foz cannasles 545.a
20 Foz passage of Coyne 74.b
21 Foz passage of woolles 438.b
☞22 Foz bankes found 213.b

¶ The 35. yeere of E. the 3.

1 FOr herring comming to Yarmouth, and the Hostilers there 179.a

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1 A Confirmation of all Statutes not repealed 65.b
☞2.3.4.5.6. Against Purueyors 361.c.b
7 Of what things the Maioz and Constables of the Staple shall haue conisance 438.b
8 Foz the wages of Priestes 57.a
9 Punishment foz the offenozs of any of the said statutes 57.b
10 A Parliament to bee holden once euery yeere 316.b
11 A Pardon of the Subsidie 543.b
12 Foz the Sessions of the peace 247.c
13 Foz waste done by Eschetozs 151.c
14 The fines and amerciaments of labozers to be leuied to the commons. 441.c
15 Pleading to bee in the English tongue 110.c 344.b
16 The kings generall pardon 334.c

¶ The 37. yeere of E. the 3.

1 ALl statutes before made confirmed 65.b
2 Foz writs of Idempritate nominis 234.a
3 The price of pultry
4 An order foz clerkes of the Eschequer 150.c
5 Against Grocers engrossing Marchandizes 279.b
6 Handicrafte men to holde them to one occupation 23.a
7 Foz siluer vessels 205.b
8 Foz apparell cap. 9. 10. 11. 12. 13. 14. 15. 121.b 481.a
16 An act foz wines 535.a
17 No writ to bee abated by exception of villenage vpon auerment that he was free the day of writ purchased 481.c
18 Suggestions to bee pursued before the Counsell 5.b
☞19 Foz sauing of Bankes 213.b

¶ The 38. yeere of E. the 3.

1 ALl stat. not repealed confirmed 65.a
2 Foz all Marchants to buy any Marchandizes, to carry them whither they will, any of money 279.b.299.b
3 Fines to bee taken in the presence of the pleages 173.a
4 That penall bonds in the thirn person be void 313.b
5 Waging of Lawe in London against papers 491.b
6 The penaltie of death put out foz carrying of wools ouer the sea 543.b
7 The staple to be in England 438.a
8 The whole ship not to be lost foz a little thing therein not customed 416.a
9 Foz them that make grieuous complaints to the king, and cannot proone them true 5.b
10. 11 Foz seeking wine in Gascoine 535.a
12 Foz inrois and imbiacers of furies 110.c
An other Statute made against pzouisors, that same 38. yeere 356.a.b

¶ The 42. yeere of E. the 3.

1 THe great charter and the charter of the forest confirmed 65.a
2 A confirmation of a pardon 334.c
3 That none be put to answeres without presentment oz other things of recozd 5.a
4 That commissions be made to some of the Justices foz all enquiries 64.c
5 Euery Eschetoz must haue xx. li. land 151.a
6 A confirmation of the stat. of labourers 251.a
7 They of London to sell vitaile at retaile and none other 271.b
8 That no English Marchant goe to seeke wines in Gascoine 535.b
9 Foz leuying of the Greene ware 156.c
10 Children borne beyond the Sea within the Kings dominions, shall inherite lands in England 1.b
11 Foz arraying of panels 316.b

¶ The 43. yeere of E. the 3.

1 THe staple had from Calice and brought into England 543.c
2 A repeale of the act that no English man should seeke wines in Gascoine 535.b
3 Foz arresting of wines by the Kings Butler 46.a
4 The Kings pardon 334.c

¶ The 45. yeere of E. the 3.

1 THe great charter and the charter of the forest confirmed 65.a
2 Foz pulling downe of Weares, Milles, and Kiddels 529.a
3 A prohibition to spirituall Judges, that holde plee of tithes of wood of xx. yeeres growth and aboue 352.c
4 No imposition to be laide vpon woolles and leather other then the custome 543.c

¶ The 47. yeere of E. the 3.

1 FOr measuring of clothes 121.b
2 How scottish money shalbe current 299.b

¶ The

¶ The 50. yeere of Edward the third.

1 The liberties of the Church confirmed 65.b
2 The great Charter, and the charter of the forest confirmed 65.b
3 The Kings pardon 334.c
4 That after a consultation once graunted, no prohibition be awarded 352.b
5 That no Minister of holy Church be arrested at service time 22.b
6 For gifts of goods by collusion 159.b
7 That woollen clothes be not brought out of the realme till they be fulled 121.b
8 No Subsidie nor Ainage to be leuied of Irish frise 121.b

¶ The Statutes made in the time of king Richard the 2. the beginning of his raigne, 1377. Iune. 21.

¶ The first yeere of his raigne.

1 A Confirmation of the liberties of the church, and of all statutes not repealed 65.b.193.c
2 For keeping of the Peace 332.b
3 All statutes of purueiors confirmed 362.a
4 For maintenance of quarrels 274.c
5 After tailes of debts allowed in the Exchequer the debts neuer after to run in demaund 150.c
6 Against Villeins that withdraw their seruices 481.b
7 For giuing of liueries 268.b
8 For protections cum causula volumus 353.b
9 Assise agaynst the pernor of the profits 167.c
10 A confirmation of a pardon graunted in the 50. yeere of king Ed. the 3. 334.c
11 None that hath bene Shirife, shall be Shirife within three yeeres after 427.b
12 For prisoners of the Fleete suffered to goe at large 111.b
13 That obligations made by Spirituall men to doe contrary to the lawes of the Church, bee voyd 141.c
14 An act concerning tithes 447.a
15 That no Spirituall Ministers be arrested during diuine seruice 22.b

¶ The 2. yeere of Richard the 2.

1 That merchant strangers may safely bring any merchandizes into this realme 280.b
2 For forestalling of wines 191.c
3 An act for Merchants of Jean, &c. and others towards the West parts 280.c
4 For Mariners fleeing out of the Kings seruice vpon the sea without licence 276.b
5 For counterfeiters of newes 307.c
6 For Welshmen taking away women and maidens out of England 381.a
7 An act that Pope Urban should be taken for inuibitate Pope 356.b
8 The statute of Labourers confirmed 251.a

¶ Another Statute made the same second yeere.

1 A Confirmation of the liberties of the church, and of all statutes 65.b
2 The articles of assemblies, &c. conteined in the last statute made at Glouceſter put out 381.a
3 Processe against them, which after gifts made of their goods by collusion, flie to sanctuarie 111.c

¶ The 3. yeere of Richard the second.

1 All Liberties and good Statutes confirmed 65.b.193.c
2 For measure of woollen clothes 121.c
3 For receiuing Procuracie, letter of Attorney nor Farme of any benefice but of Englishmen 356.c

¶ The 4. yeere of Richard the 2.

1 For gauging of wines 204.c
2 The Kings pardon 334.b

¶ The 5. yeere of Richard the 2.

1 All Liberties and statutes confirmed 193.c
2 For carriage of money out of the Realme 193.c.299.c.320.b
3 For maintenance of the English nauy 416.a
4 The price of Wines to bee solde within the Realme 535.b
5 The Kings pardon 334.b
6 For manumissions, &c. made by manace at the insurrection 141.c
7 For entering into landes where it is not lawfull 183.b
8 For Charters esloigned at the insurrection
9 For impeachments of debts and accounts in the Eschequer 150.c
10 The couenants of them that shall serue the King to be put in writing 49.a.110.c
11 That accounts in the Eschequer bee shortly heard 150.c
12 Two Clerkes to bee assigned to make parcell of the accounts in the Eschequer 150.b
13 Accounts of Nihil be put out 150.b
14 The Clerke of the Pipe, & the two Remembrancers to bee sworne for the entrie of Writs of the great and priuie seale euery Terme 150.b
15 When the iudgement of Liuerie commeth into the Eschequer by Mittimus, the Remembrancer shall discharge the parties of any account for the same land 151.a
16 The fee of the Clerkes of the Eschequer for making a Commission or Nisi prius 151.a

¶ Another Statute of the same fift yeere.

1 For well intreating of merchant strangers in this realme 280.c
2 For passage of woolls, leather and fels 543.c
3 A Subsidie graunted to the King 441.c
4 For comming to the Parliament 316.b
5 For preachers of heresies

¶ The 6. yeere of Richard the 2.

1 The liberties of the Church with all statutes not repealed, confirmed 65.b.193.c
2 For actions to bee pursued in their proper counties 552.c
3 For writs of noisances 313.b
4 For deeds inrolled that were destroyed in the last Insurrection 237.b
5 For Sessions to bee holden in the principall Townes 245.b
6 An act for rauishing of women 364.b
7 For sweete wines to be sold at retaile 535.b
8 A mollifying of the Acte touching the Staple 416.a
9 Victualers to beare no office in Townes where they dwell
10 Victualers to bee vnder the kings protection 482.b
11 That hosts vse no more forestalling
12 Maiors to be sworne to keepe the ordinances of Fishmongers and victualers
13 The Kings pardon 334.b

1 ¶ An other Statute the same 6. yeere enlarging the same Pardon. 193.c.334.b
2 For them that feele themselues grieued by the last insurrection

¶ The 7. yeere of Richard the 2.

1 The liberties of the Church confirmed 65.b 193.c
2 All Statutes confirmed 65.b
3 For traueling of Iurors 188.b
4 For imprisonment by ministers of the Forrest 188.b
5 For vagabonds 469.b
6 For Proclamation to bee made of the Statute of Winchester 350.b

7 A Nisi prius to be graunted at the suite of any of the Jurors 312.a
8 For Purueiors 362.a
9 For deceit in clothes 121.c
10 Assise for a rent going out of lands lying in two Counties 25.b
11 The statute of vitaylers made the 5. and 6. yeeres of King Richard repealed 482.b
12 Against Promisors 356.b
13 For ryding in harnets 19.b
14 For Attornets of defendants, in writs of Præmunire facias 30.a
15 For champertie and maintenance 274.c
16 For sending armour or vitaile into Scotland 402.a
17 The mainpernors to satisfie the plaintife for his delay, where the defendant keepeth not his day, by the Supersedeas upon mainprise 273.b

¶ The 8. yeere of Richard the 2.

1 THe liberties of the Church and all Statutes confirmed 65.b.193.c
2 None to be Justices of assises, nor of gaole deliuerie in his owne country 246.a
3 Justices nor Barons of the Exchequer shall take fee nor reward 246.b.399.b
4 For false entring of plees, razing of rolles, and changing of verdicts 369.b

¶ The 9. yeere of Richard the 2.

1 A Confirmation of all Statutes not repealed 65.b
2 For Villeins flying to Cities and Boroughes 481.b
3 For writs of Attaint and of Error for them in the reuersion 26.b.27.a
4 For triall whether a Prior be perpetuall, or datiue and remoueable 465.c
5 For fees of Priests taken in the Marshalsie of the kings house 277.a

¶ The 10. yeere of Richard the 2.

1 FOr the good gouernaunce of the Realme 64.c

¶ The 11. yeere of Richard the 2.

1.2.3.4. FOr the good gouernance of the Realme 64.c
5. and 6. The forfeiture of diuers persons attainted, giuen to the King 26.a.189.a
7 That all Merchants may sell their Merchandizes in England, where, and to whome they will 280.c
8 Certaine annuities graunted by the King, made voyde 324.c
9 No impositions to be put vpon wools, leather, nor fels, other then the custome 441.c
10 No Letters to bee sent in hammage of the Realme 404.b
11 For keeping of Sessions in the chiefe townes

¶ The 12. yeere of King Richard the second.

1 A Confirmation of the liberties of the Church, and of all Statutes 65.b.193.c
2 For making of Officers 313.c
3 A Confirmation of all Statutes for labourers and vitaylers, and stockes to be in euery Towne, and for demeaning of labourers 482.c
4. and 5. For wages for Labourers, and how they shall demeane themselues 251.c
6 For vnlawfull games 19.b.20.a.342.b
7. and 8. For beggers 469.b
9 For trauellers out of the Realme, hauing no testimonials 251.b
10 Justices of Peace to punish vagabonds, and for holding their Sessions 247.c
11 For tellers of newe tidings 307.b
12 For leuying Knights expences comming to the Parliament 316.b
13 For auoiding of dung and carreine in infection of the aire 236.b
14 For the measure of clothes 121.b
15 That none passe out of the Realme to obtaine any benefite of holy Church 356.b
16 For remouing of the Staple from Middleburgh to Calice 439.a

¶ The 13. yeere of King Richard the second.

1 THat the Kings presentee be not receiued to a Church full of incumbent, till he hath recouered it by law 235.b
2 The iurisdiction of the Court of the Constable and Marshals 67.a
3 The iurisdiction of the Court of the Steward and Marshall, not to exceede xii. mile from the Kings lodging 277.a
4 For the Clerke of the Market of the Kings house 64.a
5 The iurisdiction of the Admirall 6.b
6 For Sergeants at armes 404.b
7 Justices of peace to be made a new 247.b
8 For price of Vitailes, and for Labourers 65.b.482.c
9 For weights 525.c.543.b
10 For measure of clothes 121.b
11 For making of clothes 121.b
12 For Tanners and Cordwainers
13 For Hunters 224.b
14 For double bonds in the Exchequer, and Recognisances of debts 151.a
15 For ioyning gaoles to the counties 345.b
16 For Protections 363.c
17 For receipt vpon saint pleasing 375.c
18 For attaint in Lincolne 27.a
19 For safegard of fish 209.c
20 For pilgrimes 320.b

¶ Another Statute made the same 13. yeere.

1 FOr charters of pardon 2. and 3. Against Promisors 334.b 357.b

¶ The 14. yeere of King Richard the 2.

1 THe Staple remooued from Calice 439.a
2 For exchange at the court of Rome 148.c
3 The Maior of the staple and other first suyng to the King 439.a
4 For regrating of Wools 543.b
5 For carying of Wooll and Leane out of the Realme 542.b
6 For fraughting of English ships 416.a
7 For shipping of Tinne 446.b
8 Gauging of Rhenish wines 535.c
9 Merchant strangers to be well intreated 280.c
10 No Customer or Comptroller to haue ship of his owne, nor to fraught ship 104.c.313.c
11 For assigning Justices of Peace 247.b
12 For how much Scottish money shall serue 299.c

¶ The 15. yeere of King Richard the second.

1 ALl good Statutes confirmed 65.b
2 For forcible entries 182.c
3 For the Admirals iurisdiction 7.a
4 For measuring coine in London 525.b
5 For making of Churchyards 304.a
6 For appropriation of Churches 17.a
7 For carying of vitailes or merchandizes into Scotland 402.b
8 For passage of Tinne 446.a
9 For recognisances of the Staple 439.a
10 For Clothes made in Surrey, Sussex, and Southhampton 121.b
11 For Stirlers 205.b
12 For answering before the Councill of Lords and Ladies 20.a

¶ The 16. yeere of Richard the 2.

1 FOr merchants aliens retailing merchandizes in the Realme 280.b
2 For appearing before the councill of Lords and Ladies to answere 20.a
3 The Clerke of the market to haue readie his weights according to the standerd 525.b
4 For Liueries of companies 268.b

5 For

5 For prohibitions to the court of Rome 358.a
6 For Charters of pardon 334.b

¶ The 17. yeere of Richard the 2.

1 FOr melting money to make plate 299.c
2 For clothes called kerfies 122.a
3 For Mortsteeds 549.b
4 For clensing and purifying of Male 74.c
5 For certaine Officers to haue no estate in their Offices for like nor yeeres 313.c
6 For damages for them that be vexed before the Counsell by untrue suggestions 6.a
7 For carrying coyne out of the Realme 74.c
8 For Riots and vnlawfull assemblies 381.a
9 That Justices of Peace be conservators of the statute made for weares, &c. 209.b
10 Two men of Lawe to be assigned in the Commission to deliuer gaples 247.a

¶ The 20. yeere of Richard the 2.

1 FOr riding armed in the Realme, and voyding of launcegayes 19.c
2 For wearing of Liueries 269.a
3 Lordes nor other shall sit with the Justices of Assise 246.a
4 That no ship fraughted towardes England, be compelled to come to any other Port 280.b
5 For taking of hostis 217.b
6 Licence graunted to Pelknap and others, to returne into England 246.b

¶ The 21. yeere of Richard the 2.

1 ALl Liberties confirmed 193.c
2 An act touching the Commission made to the Earle of Arundell, and others 64.c
3 Against such as compassen the kings destructio
4 Touching the King and the conseruation of the Realm, Chapters 3.5.6.7.8.9.10.11.12.13.14. 57.b.189.a.316.b
15 The Kings pardon 334.b
16 For determination of certaine matters, &c.
17 For licences to shippe Marchandizes of the Staple 439.a
18 For bringing lastage of good stones to Callice 47.c
19 For levying weares, &c. in disturbance of the passage of vessels 529.b
20 Against them that procure to reuerse any thing made in the Parliament 495.b

¶ The Statutes made in the time of king Henry the 4. The beginning of his Raigne. Anno 1399. Sept. 29.

¶ The first yeere of his Raigne.

1 ALl liberties of the Church, & statutes heretofore made, confirmed 66.a.193.c.332.c
2 For the safegard of them which came in with Henrie the 4. 334.b
3 A repeale of the Parliament made in the 21. yere of King Richard the second 57.b.193.c.316.b. 334.b.529.b.
4 The Statute made in the 11. yeere of King Richard confirmed 66.a
5 For restitution of those which were attainted the said 21. yeere of Richard the 2. 379.a
6 For letters patents to be made by the king 324.c
7 For giuing of Liueries 269.b
8 For them that be put out of their lands by suggestion made to the King 25.c
9 For the sales of forfaiture made by great Officers of King Richard the second 324.c
10 For paines of Treason made the 21. yeere of King Richard the second 455.b
11 For Shirifes to be charged after the olde farmes of the counties 427.b
12 For weares, &c. leuied in disturbance of passage 530.a
13 For what season searchers, and such other Officers shall abide in their Offices 313.b
14 For determination of appeales 16.c
15 For Errors in London 271.b
16 For Londoners to be free of packing of clothes 122.a
17 That Aliens vitaillers bee in the Kings protection 482.c
18 For Murthers and other offences done by the people of Chester 57.c
19 For making of Clothes 122.a
20 The Kings pardon 334.b

¶ The 2. yeere of Henry the 4.

1 A Confirmation of all Statutes and liberties 65.b.193.c
2 For gifts and graunts to be made by the King 324.b
3 For Prouisions made to the Court of Rome 358.b
4 For Religious men of the order of Cisteaux, &c. 358.b
5 For carriage of money, &c. out of the Realme 299.b
6 For receipt in Flemish and Scottish money 299.b
7 For nonsuits in Assise after verdicts 312.c
8 The fee of the Chirographer 59.a
9 For Commissions awarded in the time of King Richard 64.c
10 For the Clearke of the Crowne of the Kings Bench 64.a
11 The iurisdiction of the Admirall 7.a
12 For Welshmen purchasing landes, and being in Offices 492.b
13 The pardon made the 21. yeere of King Richard confirmed 334.b
14 For Purueyors 362.a
15 For Heresies 213.b
16 For Welshmen comming by night, &c. 492.c
17 For Welshmen burning houses, &c. within England 492.c
18 For stuffing of the Castles in Wales 492.c
19 For Englishmen connict by Welshmen in Wales 492.c
20 For Welshmen purchasing land within Borough Townes in Wales 492.b
21 For giuing Liueries 269.b
22 For suites contrary to the statute made the 21. yeere of King Richard 189.a
23 The fees of the Marshall of the Marshalsie of the Kings house 277.b
24 For proceste made against them that were in the Kings wages with the Duke of Yorke 5.b

¶ The 4. yeere of Henry the 4.

1 ALl liberties and Statutes confirmed 65.b
2 For Indictments of insidiatores viarum, & depopulatores agrorum 60.c
3 For Clearkes conuict 60.c
4 For reuenues of the Crowne without deliberation 324.b
5 Shirifes to be resident within their Bailiwikes 427.b
6 For sealing Clothes 122.a
7 Actions against the takers of the profits 487.b
8 For disseisins with robberie 25.b
9 For Commissions of inquest 64.b
10 For halfepence and farthings 299.b
11 For pulling downe of weares, &c. 530.a
12 For appropriation of Benefices 18.a
13 For doing seruice in warre 521.a
14 For retayning of Labourers, and other craftsmen 251.b
15 That Marchants Aliens bestowe their money which they receiue, within the Realme 280.b
16 For carrying of money or plate out of the realme 299.b
17 For the foure orders of Friars 201.a
18 & 19 For Attorneis of the Lawe 30.b
20 Customers and Comptrollers to bee resident vpon their Offices 104.c.313.b.416.a
21 Searchers to occupy in proper person
22 For Incumbents put out by the Kings Presenters 235.b
23 For examination of iudgements, &c. 236.b
24 For aulnage of clothes 122.a
25 For Hostelers and vitailers 482.b

26 That

26 That Englishmen bee not conuict by Welshmen 492.b
27 For Commorthes in Wales 492.b
28 For congregations of Welshmen 492.b
29 For bearing armour in Wales 492.b
30 For sending armor or vitailes into Wales 493.a
31 Welshmen to haue no Fortresses nor Castels in Wales 493.a
32 Welshmen not to bee in certaine Offices in Wales 493.a
33 Castels and walled Townes in Wales to be inforced with Englishmen 493.a
34 For Englishmen married to any of the alliance of Owen Glendor 493.a
35 For Tanners and shoomakers

¶ The 5. yeere of Henry the 4.

1 THe forf. of Sir Henry and Sir Thomas Percie 26.a.189.a
2 For charters to be granted to appeowrs 229.b
3 For watch vpon the Sea coasts 522.b
4 Multiplication made felonie 170.a
5 For cutting tongues, and putting out of eyes 170.a
6 For batteries done to such liens seruaunts as come to the Parliament 23.b
7 For intreating of marchant strangers 280.b
8 For examination of Atturneis in actions of debt vpon arrerages of accompt 492.a
9 For keeping of Golde and Siluer within the Realme 281.a
10 Justices of Peace to imprison men in the common gaole 345.b
11 For paying of Tythes by farmours where the lands be seised into the kings hands 447.a
12 For not shewing againe the Statute marchant after it is once shewed 369.b
13 For gilting of diuers wares 205.a
14 For imbesilling of Fines 174.a
15 The Kings pardon 335.a

¶ The 6. yeere of Henry the 4.

1 FOr prouisions of Bishoprickes 358.c
2 For letters Patents to be made to the Duc. and the Kings sonne 324.b
3 against Shiriffes and other Officers that defraud the king 5.b
4 For selling Marchandizes by Marchants Aliens 281.a

¶ The 7. yeere of Henry the 4.

1 ALl liberties and Statutes not repealed confirmed 65.b.193.b.332.c
2 For the inheritance of the Crowne of England 90.b
3 For the charges of the clearks of the Estreates 156.b
4 For suffering prisoners condemned to goe at large 353.c
5 For the forfaiture of the Earle of Northumberland, and the Lord Bardolfe 26.b
6 For purchasing Bulles to bee discharged of disme 358.c
7 For arrow heads 22.c
8 For parsons to benefices full of incumbents by mouition 358.c
9 For sales of clothes in London 281.b
10 For the measure of clothes 122.a
11 For certifying of Commissions 65.a
12 For the forf. of John Earle of Salisbury and Sir Thomas Blont 26.a.189.a
13 For atturneis of impotent persons 30.b
14 For giuing of Liueries 269.c
15 For election of Knights and Burgesses of the Parliament 317.a
16 For annuities graunted to the Kings seruants out of counties 324.b
17 For making apprentices 17.b
18 The Kings Pardon 335.a

¶ The 9. yeere of Henry the 4.

1 A Confirmation of all Statutes and liberties not repealed 65.b.193.b
2 For Rendall cloth 122.b
3 For felonies in Southwales 493.a
4 For disclaimer of felons in Wales 493.b
5 For naming Lordes and Bayliffes of auncient demesne in Assises 67.b
6 For the measure of Ray clothes 122.b
7 For forreines to be contributorie to the taxe of the disme and quinzisme 441.b
8 For free elections 317.a.358.b

¶ The 11. yeere of King Henry the 4.

1 IUstices of Assises to enquire of Shiriffes returnes of Writs of the Parliament 317.a
2 That no common Forstaller be comptroller, &c. 104.c
3 For recordes of Assises, &c. 246.a
4 For labourers vsing vnlawfull games 342.b
5 For voyding of Galley halfepence 300.a
6 For aulnage of Clothes 122.c
7 For conueying grayned Clothes out of the Realme in small pieces 104.b
8 For exchanges 148.c
9 For taking Enquests not returned by the Shiriffe 236.a

¶ The 13. yeere of King Henry the 4.

1 A Confirmation of all liberties and Statutes not repealed 65.b.193.a
2 For Justices of Assise 246.a
3 For giuing of Liueries 269.c
4 For measure of Clothes 122.c
5 For Customers, &c. to bee resident vpon their Office 313.a
6 For voyding of Galley halfepence 330.a
7 For determining of riots and routes 381.c

¶ Here beginneth the Statutes made in the time of H. the 5. The beginning of his Raigne. Anno 1412. March 21.

1 FOr election of Knights and Burgesses of the Parliament 317.b
2 For leuying of weares and kiddles 530.a
3 For forging of false deedes 189.a
4 For extortions of Shiriffes 427.a
5 For additions to be giuen in case where processe of Outlawrie lyeth 6.b
6 For Englishmen misdemeanes in wales 493.b
7 For Frenchmen beneficed in England 192.b
8 For the enforcing of Ireland 238.a
9 A reuocation of certaine graunts of landes and Offices in Callice 47.c
10 For weights and Measures of coyne 526.a

¶ The 2. yeere of King Henry the 5.

1 COmmissions to inquire of Hospitals 223.b
2 For Writtes of Certiorare and Corpus cum causis graunted for persons in execution 78.a
3 For graunting of a copy of a Libell, to the intent to obtaine a Prohibition 266.a
4 For Labourers 248.a.252.a
5 For Tyndale and Erhamshire 446.a
6 For Truce and safeconduct 41.b
7 For reformation of Heresies and Iolardie
8 For reformation of Riots and Routes 382.a
9 Proces against Rioters that flie into woods 382.c

¶ An other Parliament of the same seconde yeere.

1 FOr Justices of Peace 248.a
2 For wages of Burelles 57.a
3 For sufficiencie of Iurors 240.c
4 For Goldsmithes 206.a
5 For the rebellion of Welshmen 493.c
6 For shipping of Staple ware 544.b

¶ The 3. yeere of King Henry the 5.

1 FOr banishment of Galley halfepence, Farthings and Dotkins 300.b

¶ Another

¶ Another Parliament the same third yeere.

1 ALl liberties and franchises confirmed 193.b
2 For Abbots and Priors hering suters to Court Barons in Yorke 30.b
3 For vayding of Bittons out of the land 46.b
4 Against Provisors 359.a
5 An act for the Citie of Lincolne 27.a
6 and 7 For clipping, washing, and filing of money 300.b
8 For Probate of Testaments 347.b

¶ The fourth yeere of Henry the fift.

1 A Confirmation of all Statutes 65.b
2 For Sheriffes to have allowance of certaine Estreates 428.a
3 For Parten makers 324.b
4 For the wages of servants of husbandry 252.a
5 For hostes to be assigned to Merchants strangers 281.b
6 For Benefices in Ireland 239.b
7 For breaking of truce and safeconducts 42.a
8 The Kings Pardon 335.a

¶ An ordinance made the 5. yeere of King H. the 5.

1 FOr Abbots and Priors to make Atturneys in certaine Court barons and Wapentakes in Yorkshire 30.b

¶ The seuench yeere of Henry the fift.

1 FOr appealing and indicting men of Lancasterhire, and proces in forgerie 67.a.348.b

¶ The eight yeere of Henry the fift.

1 THat in the Kings absence the Teste of the writs be in the name of the Lieutenant 317.b
2 For Bullion to be brought to the Mint by merchants of the West partes 544.b
3 For Gilding and Silvering 206.a

¶ The ninth yeere of Henry the fift.

1 FOr Appeales and Inuictments in Lancaster shire 260.a
2 For Exigents against any of Lancaster shire 353.c
3 For protections in Assises 12.c
4 For amending of Records 428.a
5 For making of Sheriffes & Escheators 300.b
6 For the Mint and Coynage at Calice 300.b
7 For men of Riddesdale, offending in Northumberland, and other places 446.a
8 For Scholliers of Oxford hunting by night &c. 316.b
9 For Abbots &c. to be discharged of collection of Dismes out of the Countie where they dwell 64.b
10 For Sea coales 307.a
11 For Washers and Clippers of money 300.c
12 For Rochester Bridge 388.b

¶ Another Parliament the same yeere.

1 ALl Statutes touching Golde and Silver confirmed 300.c
2 For the exchange in London 300.c
3 For paiment of exchange 300.b
4 For bringing of the money received for exchange, to the Tower of London 300.b
5 For the Mint at Calice 300.b
6 For good alay in the money 300.b
7 For Nobles, halfe Nobles and farthings of golde 526.a
8 For Counterfaitters & makers of false weights 148.c.526.b

9 For exchange in the court of Rome 148.c
10 For the accompt of the Collectors of dismes and quinzismes 64.b

¶ The Statutes made in the time of king H. the sixth. The beginning of his reigne. An. 1422. Aug. 23.

¶ The first yeere.

1 FOr the Mint at Yorke and Bristow 300.b
2 The Sheriffes to make Proclamation of the Statutes concerning Purueyors &c. 362.b
3 For Riots made by Irishmen 239.b
4 That the Master of the Mint should holde the Exchanges 148.c
5 For the gaines in the wares to be deducted for the wages of such as haue indented with the King 49.b.204.b

¶ The second yeere of Henry the sixt.

1 ALl Liberties confirmed 193.b
2 For the Hospitall of Saint Leonards in Yorke 223.b.313.b
3 For John Duke of Bedford, to bee received by his Attorney, to defende his right in any action 30.b
4 The repayre of woolles &c. to bee at Calice 439.b.544.b
5 For shipping in Fodcay Bill 544.b
6 For carrying golde and silver out of the realme 301.a
7 For Coordwayners vsing the mystery of Tanners
8 For voiding Irishmen out of the land 239.b
9 For voiding of the money of blanks 301.a
10 For making of Ministers and Clerkes courtes
11 For the measure of Wines 526.b
12 For the allay of white money according to the indenture 301.b
13 For the increase of white money 206.a
14 For Goldsmithes selling worke of silver 206.b
15 For nets and engins in Thames 210.a

The third yeere of king Henrie the sixth.

1 FOr chapiters and congregations of Maisons 277.b
2 For carrying sheepe into Flaunders 414.c
3 For concealing of the Kings Customes and Subsidies 105.a
4 For Butter and Cheese 46.b
5 For the river of Lee 210.a

¶ The 4. yeere of Henry the 6.

1 FOr indefailing of writs 380.c
2 For protections in assises 26.b.353.c
3 For amendment of Records 12.c
4 For certaine knights newly made 552.c
5 For restraint of passage 74.c

¶ The sixth yeere of Henrie the sixth.

1 FOr proces of indictments 349.a
2 For panels of Assises 25.b
3 For wages of husbandrie, and punishment of labourers 252.c
4 For election of Knights and Burgesses of the Parliament 317.b
5 For commission of Sewers 410.a
6 For shipping in Welcombe 544.c

¶ The 8. yeere of H. the 6.

1 FOr arresting Clerkes comming to the conuocation 317.b
2 An act for the Staple of Denmarke 111.a
3 For Sewers 410.a
4 For gyuing of Liueries 270.a

5 For

5 For Weights 526.b
6 For casting bils into mens houses 455.b
7 For elections of Knights of the Parliament 317.c
8 For Labourers 252.c
9 For forcible entries 184.a
10 For Proces in indictments & appeales 349.c
11 For taking of Apprentices
12 and 15 For amendment of records 12.b.13.a
13 For protections for such as shall goe ouer Sea with the King 25.b.353.c.521.a
14 For felons and murderers, that boyd themselues into woods, &c. 382.c
16 For inquisitions taken by Escheators 152.a
17 For shipping to the Staple 544.c
18 For the price of Staple ware, and for the Mint at Calice 439.b
19 For priuie conueyance of merchandizes out of the Realme 544.b
20 For inhabitants of Calice vsing to buy Staple wares 47.b
21 For men of Newcastle and Berwicke, shipping to Calice 544.b
22 For clacking and forcing of wools 544.b
23 For cutting woollen threeds, & sending them beyond Sea for theirmunes 552.c
24 For payments in golde made to Merchants aliens 281.c
25 For continuance of the Maior of the Staple in his office for a season 439.b
26 For Assises sued in the Benches, for lands lying within a franchise 67.c
27 For passage of trowes through the riuer of Seuerne 321.b
28 For the way betwixt Abingdon and Dorchester
29 For enquests betwixt aliens and denizens.

¶ The 9. yeere of H. the 6.

1 FOr deferring of Assises and Nisi prius
2 For wares to be solde to aliens for ready paiment 281.c
3 For the treason of Owen Glendor 364.b
4 For writs of Idemptitate nominis 234.a
5 For passage of trowes in the riuer of Seuerne 321.b
6 For the measure of Dorcester 526.b
7 For Indictments in Sherifes turnes 428.a
8 For weying of Cheese 527.a
9 For Weares, Milles and Riddels 210.a
10 For Atturneys of Stainclife and Frendles
11 For Proclamation to be made vpon alleaging of bastardie 36.a

¶ The 10. yeere of H. the 6.

1 FOr Recognisance of debts before the Maior of the Staple 439.b
2 For elections of Knights for the Parliament 317.c
3 For restitution of goods taken by them of Denmarke 111.a
4 For entring of Rolles by Philizers and Exigenters 13.b
5 For reparation of the banks and Beakins at Calice 47.c
6 Proces vpon Indictments and appeales in foreine Counties 349.b
7 For shipping of Staple ware to other places then to Calice 545.a

¶ The 11. yeere of H. the 6.

1 FOr empanelling men dwelling about the Strewes 240.b
2 For naming the Sherifes in writs of Assise by collusion 26.a
3 For writs vpon disseisin against the pernors of the profits 487.b
4 For damages for the plaintifes in writs of Attaint 27.b
5 For actions of waste against the pernors of the profits 522.a
6 For Commissions of peace 116.a
7 For indictments in Sherifes turnes 428.a
8 For Weights and measures 527.b
9 For aulnage of Clothes 122.c
10 For pursuit of Scire facias sued by recognisors of the Statute of the Staple, arrested vpon the same 369.c
11 For affraies made vpon Lords comming to the Parliament 23.b
12 For Marchaundlers 522.b
13 A confirmation of an acte for selling wares at Calice for ready money 439.b
14 For shipping in Creekes 170.a
15 For imbeasling the Kings Customes by Customers 105.a
16 For Customers making blanck scrowles to Merchants &c. 105.a

¶ The 14. yeere of H. the 6.

1 THat Justices of nisi prius, may giue iudgment aswell where felons be acquited, as where they be conuicted or attainted 312.a
2 Against licences for shipping of wools 545.c
3 The Sessions for the Countie of Cumberland, to be at Carlile 246.a
4 For Session in Windsor 248.a
5 For shipping to the Staple 545.c
6 For Aliens victuallers to sell fish at reasonable 482.b
7 For prizes vpon the Sea 521.c
8 For breaking of safeconducts 41.b

¶ The 15. yeere of H. the 6.

1 A Act for suites before the Stewardes and Marshals of the kings house 277.b
2 For carrying of coine ouer the Sea 74.c
3 For the clause of vidimus to bee put in safeconducts 399.b
4 For suerties to be found by them that sue writs of sub pena 6.a
5 For writs of Attaint 27.c
6 For ordinances made by guildes and fraternities 77.c
7 Touching the Wapentake of Stainclife and Freindlesse in Yorke 30.b
8 For carriage of Staple ware not customed 416.b

¶ The 18. yeere of H. the 6.

1 FOr warranties of letters Patents sent to the Chancellour to be entred of record 324.b
2 For Jurors in attaints 27.c
3 For licences to carry Staple ware to other places then to Calice. 46.b
4 For marchandizes forraine bought and forraine solde 281.c
5 For Collectors of fifines 64.b
6 Lands to be let to farme to him that vseth the office, and to none other 152.a
7 For returning of officers by Escheators 152.a
8 For Spanish shippes taken vpon the Seas by denizens 399.c
9 For entries of the Philizers & Exigenters 13.c
10 For Commissioners of Sewers 410.a
11 A Justice of Peace to haue xx. li. land 248.b
12 For indictments supposed in a place where there is no such in that Countie
13 For Outlagaries in the Countie of Lancaster 260.a
14 For making of arraies and panels 316.b
15 For carriage of wools to other places beyond the sea then to Calice 545.b
16 For deceit in clothmaking 122.c
17 For gauging of vessels of Wine and oyle 527.c
18 Against Captaines abating Souldiers wages 49.b
19 For Souldiers departing without licence 49.c

¶ The 20. yeere of H. the 6.

1 FOr inrolment of safeconducts 399.b
2 For forfaiture of goods by reason of Outlagaries in Lancaster 260.a
3 For robberies done by welshmen in the Countries toyning to Wales 455.b

4 For customes and subsidies to be payde by Denizens 105.a
5 That no Customers, Searchers, &c. haue ship of their owne 105.b
6 For shipping of Coyne ouer the Sea 74.c
7 For not customing goods brought first from beyond Sea into Wales, and from thence into England 105.b
8 For resistance of Purueyors 362.c
9 For women of high estate to be iudged by their Peeres 465.b
10 For true making of Worsteds 549.b
11 The payne of Treason put out in case of breaking of safeconductes 41.b
12 For reformation of partition of wools by the Maior of the Staple 439.b

¶ The 23. yeere of H. the 6.

1 ¶ 2 AGainst Purueyors 362.b
3 For shipping Thrummes and woollen threedes out of the Realme 552.c
4 For true making of Worsteds 549.b
5 For taking of Outlawes of Wales resorting into Herefordshire 493.b
6 The Statute for conueying Coyne ouer the sea confirmed 47.c
7 For gathering head pence by the Shirife of Northumberland 312.c
8 For the occupying of Shirifes 428.b
9 For commission of Sewers 410.a
10 For extortion of Shirifes 428.b
11 For leuying Knightes wages for the Parliament 318.a
12 For the triall of new forreine plees pleaded after an issue once ioyned 465.b
13 For wages for Seruants of husbandrie 253.b. 482.b
14 Against Purueyors 363.a
15 For election of Knightes for the Parliament 318.c
16 For payment of gauge pence to the Gaugers 204.c
17 For Enquests to be taken by Eschetors and their fees 152.b
18 For buying of Wines of the high Countrey 535.c

¶ The 25. yeere of H. the 6.

1 ¶ An act against Welshmen 493.b

¶ The 27. yeere of H. the 6.

1 FOr restraint of clothes in Brabant &c. 281.c
2 The liberties of the staple confirmed 439.b
3 For vitaile and Coyne carried out of the realme by Merchants aliens 281.c
4 An act against Welshmen confirmed 455.b
5 For holding Faires vpon festiuall dayes and Sundayes 168.a
6 The K. pardon made to the Clergie 335.a

¶ The 28. yeere of H. the 6.

1 FOr the restraint of woollen Clothes in Brabant 281.c
2 For letters patents of prices made to hostelers and brewers 363.b
3 The kings pardon to Shirifes for occupying aboue a yeere 428.b
4 For Welshmen and Lancastershiremen taking goods and cattels vnder colour of distresses 170.a
5 For extortions done by Searchers &c. of Fowey &c. to strangers 166.b

¶ The 29. yeere of H. the 6.

1 FOr attainder of Jacke Cade 364.b
2 For prices against breakers of truce 42.a
3 For Letters Patentes made to Citizens of Yorke 552.b

¶ The 31. yeere of H. the 6.

1 TOuching the said attainder of Jacke Cade 364.b
2 Against Riotors disobeying priuie seales

3 For attachments made by the Wardein of the Marches 276.a
4 For breaking of Truce and Piracie 8.c
5 For Letters Patents made to Gangers &c. 314.a
6 For outlagaries in Lancastershire 260.a
7 An act of the generall resumption 370.b
8 For shipping of woolles 441.b
9 For taking away Ladies and Gentlewomen inheritors 549.a
10 For Calice 47.b

¶ The 33. yeere of H. the 6.

1 FOr seruants spoyling their Masters goods after his death 162.c
2 A repeale of an act made at Reading for Outlawries of Lancaster 260.c
3 For extortions of the Officers of the Eschequer 151.a
4 For Brewers in Kent 275.b
5 For silke women 433.c
6 For vexation of the Abbot of Fountaine in diuers wapentakes 30.c
7 For Attorneyes in Norffolke and Suffolke 30.c

¶ The 39. yeere of H. the 6.

1 A Reuocation of a Parliament holden at Couentrie 372.b
2 That women of xiiii. yeeres age may haue liuerie of their lands 515.a

¶ The Statutes made in the time of king E. the 4. The beginning of his Raigne. Ann. 1460. Mar. 4.

1 FOr letters Patents made by king H. 4. 5. and 6. 66.a
2 For indictments and presentments in Shirifes Turnes and Leetes. 429.b

¶ The 3. yeere of E. the 4.

1 FOr shipping of woolles 545.b
2 For Coyne not to be brought into this land 74.b
3 For silke women 433.b
5 For Apparell 13.c
6 No Marchant shall bring into England certaine wares there specified 282.a

¶ The 4. yeere of E. the 4.

1 FOr Clothmaking 124.a
2 For shipping of marchandises of the Staple 546.b
3 For shipping wools at Newcastle 546.b
4 For buying of woolles 546.c
5 For marchandizes of the Duchie of Burgoyne 281.c
6 For sureties found to Customers and Comptrollers 281.b
7 For Cordwainers and coblers 8 For Joyners 217.c
9 For Patternmakers 334.b
10 For passage from Douer to Calice 321.c

¶ The 7. yeere of E. the 4.

1 FOr making of Worsteds 550.c
2 For Clothes made in the Hundreds of Lifton, Tauestocke, and Rowburgh in Deuonshire 124.a
3 For woollen yarne clothes vnfelted, not to be carried out of the Realme 124.a
4 For graunts made by the king 325.a
5 For reuoking the Seignories of attainted landes 444.a

¶ The 8. yeere of E. the 4.

1 AN act for set Clothes 124.c
2 For liueries of Companies 271.a
3 For Iuries in Middlesex 240.b
4 For Shirifes 429.b

¶ The

¶ The 12. yeere of E. the 4.

1 FOr returning of Shirifes 429.c
2 An act for Bow staues 39.a
3 An act for the Subsidies 106.b
4 For liueries to be giuen by the Prince 271.a
5 For shipping of wools 546.b
6 For Sewers 410.b
7 For weares and Fishgarths 530.c
8 For annulling Letters patents made to Searchers and Surueyors of victuallers 483.a
9 For Escheators 152.c

¶ The 14. yeere of E. the 4.

1 FOr the Kings Tenauntes going in his warres 515.a
2 Protections for such as got in the Kings warres 353.c.521.a
3 For shipping of Woolles and felles 547.a
4 A confirmation of a Statute made for breaking of Truce 42.b

¶ The 17. yeere of E. the 4.

1 AN act for Money 283.b.301.b
2 For Courts of Pypowders 168.b
3 For vnlawfull games 342.b
4 For making of Tyle 445.b
5 For stealing of Clothes 124.c
6 For Shirifes returnes 429.c
7 A Repeale of the Parliament holden the ninth yeere of the Kings raigne 373.b

¶ The 22. yeere of E. the 4.

1 AN act of apparell 13.c
2 For packing of barrelled fish 180.a
3 For silke workers 433.b
4 For the price of Bowes 39.a
5 For fulling of Hattes and Cappes 267.b
6 For Shannes 440.b
7 For inclosing woods in the forests 538.b
8 For the Towne of Berwicke 36.c

¶ The Statutes made in the time of king R. the 3. The beginning of his Raigne. An. 1483. Iunij 22.

¶ The first yeere.

1 FOr estates to bee made by the feoffees in vse 487.c
2 Discharge of the benevolence 441.b
3 For letting of suspectes of Felonie to baile 148.b.189.b.273.b
4 For Iurors 241.a
5 For annulling of feoffements made to King Richard to any vse 487.c
6 For suites in Courts of Pipowders 168.b
7 For Fines 374.b
8 For Clothmaking 125.b
9 Against Italians that sell their wares in grosse 9.a.283.b
10 For silke workes 433.b
11 For Bowstaues 39.b
12 For setting handicraftesmen in this Realme a worke 433.b
13 For the measure of wine and oyle 527.b
14 Priuiledge for Collectors of Dime 5.c
15 An act against the Lady Eliz. Gray 379.b

¶ The Statutes made in the time of king H. the 7. The beginning of his Raigne. An. 1485. Aug. 12.

¶ The first yeere.

1 FOr Dimedon 487.c
2 Against Strangers made Denizens to pay customes 106.b
3 No protection allowed in any Court at Calice 353.b
4 Correction of Pistles for incontinency 234.c
5 Against Tanners and Coriowainers 6 A Pardon for them that were with the King in the fielde 335.a
7 Against Hunters 170.b
8 For reparation of the Name 416.b
9 Like worke 433.b
10 A reuocation of King R. his acte against Italians 283.b

¶ The 3. yeere of H. the 7.

1 GIuing of Liueries 159.b.305.b 236.a.248.b.344.b
2 Taking Maidens, widowes, or wiues against their willes, made Treason
3 For letting to baile of persons arrested for light suspection 273.c
4 Deedes of gifte of goods to the vse of the maker of such gifte be void 487.c
5 Dice exchange 489.c
6 Exchange and rechange 148.c.489.b
7 Concerning Customers 106.c
8 Employment 283.c
9 Against the ordinance of London, for going to faires 168.b
10 Damage giuen in a writ of Error 110.a
11 Clothes to be carried ouer the Sea, be barbed, rowed, and shorne, except &c. 125.a
12 Retainour 314.b
13 For Bowes 39.b
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¶ The 4. yeere of H. the 7.

1 FOr commissions of Sewers 410.b
2 Fynours 206.c
3 Against Butchers 38.b
4 Protections for passers into Britaine 353.b 515.b
5 Annulling letters Patents made to any Spirituall person for paying or gathering Dismes 163.a
6 Annulling letters Patents of any office in the forest of Englewood 314.b
7 That letters Patents made to certaine officers about the King be void 314.b
8 For sale of Cloth by Drapers and Taylers 126.a
9 Price of Hattes and Bonets 207.a
10 Of wine and Tolowst woad 416.c
11 An act vpon buying of woolles 545.a
12 Actus super proclamac. 351.b
De Proclamatione facienda 351.b
13 Against theeues 60.c
14 Annulling of the Seale of the Exchequer of March 404.b
15 For the Maior of London 210.b
16 The Isle of Wight 234.c
17 Wardes 515.a
18 Forging and counterfetting of Gold and Siluer made Treason 456.a
19 For keeping vp of houses of husbandry 325.a
20 Actions popular 3.b
21 Frie of Fish in Dxford Hauen 180.b
22 Cenite Gold 46.b
23 Carrying of Golde and Siluer ouer the Sea 206.b.301.c
24 Nota de finibus 175.a

¶ The 7. yeere of H. the 7.

1 FOr Souldiers in the warre 49.c
2 For Souldiers to bee in the Kings Protection 30.b.145.b.353.b.515.b
3 For Weights and measures 528.a
4 For trials in London 56.b
5 For letters Patents of discharge of dismes and quinzismes 163.b
6 For Scots to hold the land 402.b
7 For Malmesies of Candie 535.b

¶ The 11. yeere of H. the 7.

1 THat men going to battell with the Prince &c. shall not be attainted 189.b
2 For punishment of Vagabondes and Beggers 342.b.469.b

3 Acts against vnlawfull Retainers, Riots &c. to be put in execution 218.a
4 One Weight and measure to be vsed through the Realme 529.a
5 The names of the Townes limited for the keeping of Weight and measures 529.a
6 For putting away of Weares in Southhampton 434.a
7 For packing and paying Customes of woollen Clothes 106.c
8 For punishment of Riots 385.b
9 For punishment of Usurers 490.a
10 For the inhabitants of North and South Tindale 446.b
11 For leuying of the arrerages of the benevolence last granted 441.b
12 For writs giuen and counsell assigned to poore people 344.c
13 No horses nor mares aboue vi.s. viii.d. to bee conueyed out of the Realme, without the Kings licence 218.a
14 That strangers made Denizens shall pay customes as strangers 106.c
15 Against vntrue demeaning of Shirifes and their officers in holding their counties 430.a
16 For keeping of the watch in Calice 47.b
17 Against destroying of feasants and partriges with vnlawfull engines 172.b
18 Not being with the King in time of neede &c. shall leese the fees and annuitie to them graunted 521.a
19 Against vnlawfull making of Fetherbeds, pillowes and matresses 487.b
20 Against women couert, making alienation of lands moued by the Baron 115.b
21 For inquests hereafter to bee charged within London 28.b
22 For wages of Hyndes in husbandry, and of Artificers and Labourers 253.b
23 For gauging and packing of Salmon, Eeles and Herring 180.b
24 For punishment of Periurie, and lessing the penaltie in attaint 28.b
25 For punishment of Periurie by examination of the chauncellor, treasurer, &c. 316.c.335.c
26 For holding the Shirifes Turnes within the Counties of South Surrey, and Sussex 241.a
27 For Fustians to be shorne with the broad shere 204.b

¶ The 12. yeere of H. the 7.

1 FOr Apprentices in the Countie of Norfolke 18.a
2 For continuance of certaine Acts made in the last Parliament 28.b.316.c.335.c
3 A repeale of a statute made in the last Parliament, for Labourers wages 253.b
4 For repealing of forfaitures growing by cloth making, according to the Statute of Richarde the third 126.a
5 For weights and measures 529.b
6 For a fine payed by the Merchants aduenturers at the Marts 283.b
7 For seruants murdering their masters or soueraignes, not to enioy their clergie 60.b

¶ The 19. yeere of H. the 7.

1 FOr attendance vpon the King in his warres 521.a
2 For not paying of custome for Bowstaues 39.b
3 For the continuance of Attaint 28.b
4 For vsing of long Bowes, and leaning of crosbowes 86.b
5 For coine currant within the realme 302.a
6 For Pewterers and Brasiers 337.b
7 For making ordinances by bodies incorporate 77.c
8 For taking of Scauage in Cities and boroughs 442.a
9 For delayes in actions vpon the case 349.b
10 For keeping of Gaoles and escapes of prisoners 345.c
11 For keeping of Deere hayes and Buckstalles 224.c

12 For punishment of Vagabonds 7.b.469.b
13 For punishment of Riots 383.a
14 For punishment of vnlawfull Retainours 271.a
15 For execution of Feoffementes of trust 487.c
16 For Shirifes Turnes in Sussex and Surrey 241.a
17 For repeale of an Acte for Worsted sherers 550.c
18 For Seuerne 321.b
19 For Curriers and Cordwainers
20 For writs of Error 110.a
21 For silkewomen 433.b
22 For repeale of the Act for Attournies in Calice 335.b
23 For Merchants of the Stilyard 439.b
24 For holding the Shire Courte at Chichester 79.c

¶ Statutes made in the time of king Henry the eight, whose Raigne began Anno. 1509. Aprill 22.

¶ The first yeere. 22. Ianuarij.

1 AN act for going into Denmarke and Ireland 111.a
2 An act for Cloth making 126.a
3 Concerning paiments to bee made to John Hyeron, generall receiuor to the King 380.b
4 For penalties vpon actions popular 3.b
5 A reuocation of an Acte, concerning entering of Merchandizes in the Customers bookes 106.b
6 A reuocation of a Statute for Informations before Justices of Assise, and Justices of peace 246.b
7 Concerning the office of Coroners 77.b
8 Concerning Escheatours and Commissioners 153.b
9 Concerning the bridge of Stanes 434.b
10 Concerning the trauers of lands seised into the Kings hands by inquest, &c. 153.c
11 Concerning the confirmation of the Act of Attaint 28.b
12 Concerning the vntrue inquisition procured by Empson and Dudley 153.c
13 That no coine bee carryed out of this land 302.a
14 For reformation of Apparell 13.c
15 An acte annulling all Feoffements made to Empson and Dudley 487.c

¶ The third yeere of H. the 8.

1 AN acte that no Coyne be carried out of the Realme 302.a
2 Concerning Escheators and Commissioners for true finding of offices 153.c
3 Concerning maintenance of Archerie 18.b
4 Protections and licence of alienations, for being in the Kings warres 353.b.515.b
5 For paying of Souldiers wages in the Kings warres 49.c
6 Concerning true making of Woollen Clothes 126.b
7 Woollen clothes to be full wrought &c. ere they be transported 126.a
8 An act repealed for selling of victailes by head Officers 483.a
9 An act against Mummers 305.b
10 For Curriers to search leather.
11 An approbation of Phisitions and Chirurgions 338.c
12 For reformation of Impanelles for the King 316.c
13 An Acte annulling shooting in Crossebowes 86.b
14 Dyes to bee searched and seene good and lawfull 315.b
15 For making of Hattes and Cappes 208.a

¶ The fourth yeere of H. the 8.

1 AN Acte for making Bulwarkes on the Sea

Sea 52.c
2 For punishment of Murder 60.d.466.a
3 For Iuries in London 241.b
4 For proclamations to be made before Exigents awarded 164.a
5 Penalties for wages giuen to Labourers &c. repealed 253.b
6 Customers &c. for sealing of cloth of golde, siluer, and other Silkes 106.b
7 For Pewterers, and true Weightes and beames 337.b
8 An act concerning Richard Strode 439.b

¶ The 5. yeere of H. the 8.

1 AN act for ministration of Iustice to the subiects of Turney 469.b
2 For true making of clothes called white straits in Deuonshire 126.b
3 That white woollen clothes of fiue markes and vnder may be transported vnshorne 126.b
4 For auoyding deceipts in Mosteds 550.b
5 For Iuries in London 241.b
6 Surgeons discharged of Enquestes and other things 338.c
7 For Strangers, for buying of Leather in open Market
8 The manner of sute for the Kings Pardon 335.a

¶ The 6. yeere of H. the 8.

1 AN act concerning Apparell 13.c
2 For the maintenance of Archers 18.b
3 For Artificers and Labourers 254.b
4 For Proclamation to be made before Exigents awarded into forreine shires 164.a
5 For auoyding destructions, and pulling downe of Townes
6 For remitting prisoners to the place where the crime was committed 345.c
7 The wages of Foremen 322.b
8 For making of Woollen clothes in Deuonshire 126.b
9 For auoyding deceipts in making of Woollen clothes 126.b
10 For Commissions of Sewers 410.c
11 For Bowstaues to be brought in by strangers 39.b
12 That Norfolke wools be not carried out of the land 547.a
13 For shooting and keeping of Crossebowes and Handgunnes 86.b
14 For a Subsidie of Tonnage and Poundage 442.a
15 For annulling second letters Patents, making no mention of the first 325.a
16 That no Knights nor Burgesses depart before the end of the Parliament 318.b
17 For clensing the riuer of Canterbury 210.b
18 For continuance of the Vndertheriffe of Bristow 430.a

¶ The 7. yeere of H. the 8.

1 AN act against pulling downe of houses and Townes 225.c
2 For maintenance of the Kings Name 535.b
3 For actions popular, and Statutes penall 4.a
4 For auowries for rents and seruices 371.a
5 For Artificers and Labourers 254.b
6 For Artificers and Labourers within London 254.b
7 For Apparell 13.c
8 The Kings Pardon 335.b

¶ The 14. & 15. yeeres of H. the 8.

1 AN acte for broade white Woollen Clothes 127.a
2 For strange Artificers for taking Apprentices, &c. 10.a
3 For Worsteede weauers of Yarmouth and Linne 552.b
4 For English men sworne to forreine Princes 145.c
5 For Physicions 339.b
6 For high wayes in the weild of Kent 213.c
7 For shooting in Crossebowes and Handgunnes 86.b
8 For the mariage of the fiue Clerks &c. 63.b
9 For the libertie of Cordwainers &c.
10 For hunting the Hare 224.a
11 For vessels made in Suffolke 127.a
12 For Coyners that make money at any Mint within England 302.c
13 For the Hauen of Southampton 434.a
14 For any being in the warres vpon, or vpon the Sea 515.b

¶ The 21. yeere of H. the 8.

1 AN act concerning the Kings generall Pardon 335.b
2 That abiured persons shall be marked with an A. 2.c
3 For abridgements of plaints in assise 26.a
4 For sale of lands by executors 162.a
5 For probate of Testaments 348.a
6 For taking of Mortuaries 305.b
7 Against seruaunts imbesilling their Masters goods 170.b
8 For killing of Calues 170.b
9 For the price of Hattes and Caps brought from beyond the Sea 208.b
10 Against carrying ouer of brasse &c. 40.a
11 For restitution of goods feloniously stolen 379.b
12 For making of Cables &c. 47.a
13 Against Pluralities of Benefices, and taking of Farmes, by spirituall men, and for Residence 378.b
14 For Dowlas and Lokeram 267.c
15 That all Farmers may inioy their leases against recoueries by fained titles &c. 371.b
16 For Artificers strangers 12.b
17 For annulling letters Patents made to Porters for shipping of wools 552.a
18 For Newe castle vpon Tine, and the Port thereof 307.c
19 For Auowries 31.a
20 That the President shall be associat with the Chancelor &c. 160.a.344.a
21 For Mosteds made in Yarmouth 552.b

¶ The 22. yeere of H. the 8.

1 AN acte for maintenance of Draperie, and against regrating of woolles 523.b
2 For triall of forreine pleas pleaded by felons 466.a
3 For Plumsted Parth 344.b
4 For exactions leuied on Apprentices 77.c
5 For repairing of bridges in high wayes 43.b
6 For Tanners and Butchers
7 For conueying horses out of the Realme 218.a
8 That Denizens pay Strangers customes &c. 11.b
9 Against Poysoning 456.a
10 Concerning Egyptians 143.a
11 For Powdicke in Marthland 171.a
12 How aged people shall be ordered, and Vagabonds punished 472.c
13 That certaine Strangers shall not be expounded handicraftesmen 23.a
14 How persons committing Petie Treason shal abiure 2.c
15 A generall Pardon for Spirituall subiects 335.b
16 A generall Pardon for Temporall subiects 335.b

¶ The 23. yeere of H. the 8.

1 AN acte that no person committing Petie Treason &c. shall haue his Clergie vnder a Subdeacon 61.b
2 Where and after what maner the Gaoles within England shalbe made 346.a
3 For punishment of Periurie, and vntrue verdicts 29.a
4 That no Brewers make vessels, and the Content of Barrels &c. 80.a

5 For Commission of Sewers 413.a
6 Before whome recognisances of debt shall bee made, and the forme &c. 370.c
7 For maintenance of the Naule, and bringing in of wines 535.b
8 For the amending of certaine Hauens in Deuonshire and Cornewall 210.c
9 That no person be cited out of the Diocesse but in certaine cases 59.b
10 For Feoffments of lands to the vse of a Church 304.c
11 For breaking of prison by Clerks conuict 61.b 171.a
12 For exactions taken for the pathes by Seuerne side 322.b
13 What men shal passe in trial of murders 241.c
14 Processe of Attarie to lie in couenant and annuitie 349.b
15 That the defendant shall recouer costes if the plaintife be nonsuit, &c. 110.b
16 That no Horses be conueied into Scotland without licence 171.b.219.a
17 For true winding of Wools 547.a
18 For the pulling downe of fish garthes in the riuer of Dale and Humber 210.b

¶ The 24. yeere of Henry the 8.

1 FOr true tanning of Leather
2 For dying of woollen cloth 133.c
3 For flesh sold by weight 38.b
4 For sowing of Flaxe and Hempe 183.a
5 No forfaiture for killing a thiefe 189.c
6 For sale of wine 536.a
7 Against killing of Calues 48.a
8 Where def. shall not recouer costes 110.b
9 Against killing of weinlings 48.b
10 For the destroying of Choughes &c. 89.b
11 For pauing betweene Strond crosse, and Charing crosse 332.a
12 That Appeales shall not be vsed but within this Realme 17.b
13 For excesse in Apparell 13.c.15.c

¶ The 25. yeere of Henry the 8.

1 AN act for Graslers and Butchers 38.b
2 A Proclamation for Titails 483.c
3 For standing mute and peremptorie chalenge 61.c
4 Against Forstalling of Fish 180.b
5 For Kalendring of Worsteds 550.b
6 For punishment of Buggerie 171.c
7 For killing Spawne of Salmon 180.b
8 For pauing of Holborne and other places in London 332.a
9 Concerning Pewterers 338.a
10 The othe of Commissioners of Sewers 413.b
11 To auoyd destruction of wildfoule 530.b
12 For the attainder of Elizabeth Barton, and others 26.a
13 What sheepe a man may keepe 415.b
14 For punishment of heresie 213.b
15 For Printers and Bookebinders 38.b
16 Who may haue a Chapleine benefliced with cure 378.b
17 For shooting in Crossebowes and Handguns 86.b
18 For Clothiers in Worcester 127.b
19 The submission of the clergy to the king 390.a 434.a
20 For the paiment of first fruites to the bishop of Rome, and for election of Archbishops and Bishops in England 391.b
21 For exoneration of exactions to the See of Rome, &c. 395.c
22 For the succession of the Kings Maiestie in the Imperiall Crowne 90.b

¶ The 26. yeere of Henry the 8.

1 THe King to be supreme head of the Church of England &c.
2 For the suertie of the succession of the Crowne of England
3 For the payment of first fruites of all dignities spirituall, and of one annuall pension, &c. graunted to the King, &c. 176.a
4 For punishment of Periurie in Iurours in Wales 494.b
5 For not conueying any persons goods or cattels on the water of Seuerne, after sunne set, vntill sunne rising 323.b
6 That Murders and Felonies done in Wales, shall be inquired of in the Shires next adioyning &c. 496.b
7 For amending high wayes in Sussex 213.b
8 For reedifying of boyde groundes in Norwich 312.c
9 For reedifying of boyde groundes in Linne 267.c
10 A repeale for comming in of Wines after Candlemas 283.b
11 For punishment of Welshmen assaulting the inhabitants of other shires 496.b
12 For purgation of conuicts in Wales 62.a
13 Diuers offences made high Treason, and taking away all Sanctuaries for all high Treasons 399.b.456.a
14 For nomination of Suffraganes within the Realme 37.c
15 For taking away exaction in Richmond by spirituall men 381.a
16 For making Worsteds in Norwich, Linne and Yarmouth 552.b
17 That no Farmers of Spirituall persons shall pay first Fruites of the Tenth graunted to the King 176.b
18 A generall Pardon 335.b

¶ The 27. yeere of Henry the 8.

1 FOr repairing of Gloucester, Nottingham, Northhampton and others 452.b
2 That the counterfaicting of the signe, signet and priuy Seale, be high Treason 456.b
3 For exactions taken by the Maior of Hull 224.a
4 For punishment of Pirates on the sea 466.c
5 For making Justices of Peace in Chester and Wales 58.a
6 For increase of good horses 219.c
7 Against exactions taken in the forrests of wales 497.a
8 That spirituall subiects shall pay no Tenth the same yeere they pay first fruits 176.b
9 That all Butchers may sell flesh by retaile for a certaine time 38.b
10 An order for Ales and Wils 489.c
11 For Clerkes of the Signet and priuie Seale 64.a
12 For true making of woollen clothes 127.c
13 That certaine Clothes may bee carried ouer the Sea 127.b
14 For the custome of Leather 68.a
15 That the King may nominate xxvii. persons for to make Ecclesiasticall lawes 434.a
16 For inrolment of deeds 237.c
17 For them which rob their masters
18 For the preseruation of Thames 210.c
19 An order for Sanctuaries and Sanctuarie persons 400.b
20 An order for Tithes 447.c
21 For Tithes within London 447.c
22 For decay of houses 226.a
23 For preseruation of Hauens in Deuonshire and Cornewall 210.c
24 For recontinuing of certaine Liberties taken from the Crowne 195.c
25 For punishment of vagabonds 472.c
26 For Iustice to bee ministred in Wales, &c. 501.b
27 For establishing the Court of Augmentations 288.b

¶ The 28. yeere of Henry the 8.

1 AN Act that felons abiuring for petie treason, murder or felonie, shall not haue their Clergie 3.b.61.b.62.a
2 For such as goe away with their Masters goods
3 Giuing the King authoritie to alter the townships of Wales within three yeeres 502.a
4 For bringing in of Dowlasse and Lockeram 267.b

5 For exactions taken vpon Apprentices in Cities, &c.
6 For continuance of certaine Statutes, and conueying of Horses out of the Realme: against welshmen for making of affraies in Hereford &c. and against Buggerie 496.b
7 For the succession of the Crowne 90.b 277.c.316.b.400.b
8 For continuance of the Statute against the carriage of Brasse, &c. out of the Realme, and making of Cables, &c. for winding of woolles, and against killing of wetulings 40.a.47.a
9 For continuance of the Statute of Periurie, making of Gaoles, Pictures, and sowing of Flaxe 338.a
10 For extinguishing the authoritie of the Bishop of Rome 395.c
11 For restitution of first fruites to the next Incumbent 261.c.448.b
12 For the limits of the pallace at Westm. 316.b
13 For spirituall persons to keepe residence vpon their Benefices 378.b.b
14 For the prices of Wines 529.c.536.c
15 For the punishment of Pirates on the Sea 550.b
16 For release of such as haue obtained licences from the sea of Rome 11.b.117.b
17 For giuing authoritie to the successours of the crowne after the age of 24. yeeres, to make voyde such Actes as were made before in their time 373.c
18 For Treason in certaine cases 456.b

¶ The 31. yeere of Henry the 8.

1 AN Acte for ioynt Tenants and Tenants in common 319.b
2 That fishing in a pond to the intent to steale fish, is felony 180.b
3 For chaunging of the custome of Gauelkinde 107.c
4 For amending the River and Port of Exceter 210.c
5 Hampton Court made an honour 217.b
6 That religious persons may purchase, sue and be sued 1.c
7 For punishment of vagabonds, and continuance of other Statutes 37.c
8 That Proclamations be obeyed and kept, as though they were made by Parliament 351.b
9 That the King may make Bishops by his letters patents 37.c
10 For placing of Lords in the Parliament chamber, &c. 272.b
11 For authorising the King to allot certaine townes in Wales 502.a
12 For taking of Hawkes egges, and birdes out of the nest, taking vp the Kings Hawkes, hunting in forrests, and killing of Conies 171.c
13 All mannors, &c. belonging to any Monasteries dissolued, assured to the King, and how Leases made of them shall take effect 293.a
14 For abolishing diuersitie of opinions, concerning Christian Religion 65.a

¶ The 32. yeere of Henry the 8.

1 AN Act how by the Kings graunt, lands, &c. may be by will, &c. disposed, and of Wards and primer seisons 532.b
2 For limitation of prescription 267.b
3 For continuance of certaine Statutes 3.c
4 For trials of Treasons, &c. in Wales 466.b
5 For contentation of debtes vpon executions 159.b
6 For triall of felonies vpon conueying of horses into Scotland
7 For true payment of Tithes & offrings 449.b
8 For sellers and buyers of Feasants and Partriges
9 Against maintenance, &c. and vnlawfull buying of Titles 275.a
10 For moderation of punishment of incontinencie of Priestes and women offending with them 235.a
11 For stealing of Hawkes egges, Conies, and Deere 171.c
12 For Sanctuaries, priuiledges of Churches, and Churchyards 401.c
13 For breed of horses of higher stature. 220.c
14 For maintenance of the Nauie, and for certaine rates of freights 418.b
15 For Archbishops and others to be in commission, for abolishing of erronious opinions 65.a
16 For strangers 12.b
17 For pauing of certaine streetes 332.a
18 For reedifying of decayed houses in certaine places 452.c
19 For reedifying of decayed houses in the West parts 451.c
20 For priuiledges and liberties 197.c
21 For the abreuiation of Trinitie Terme 109.c
22 For the accompts of Bishops, for the Tenth graunted to the King 176.b
23 The subsidy of the clergy of Canterbury 442.a
24 For the lands and goods of S. Johns of Jerusalem, to be in the Kings disposition 399.a
25 For the dissolution of the Kings marriage with Lady Anne Cleue 277.b
26 For true opinions of Christes religion 38.a
27 A resumption of extraordinary graunts, &c. of ablence and reuersions in Callice, and the Marches thereof, and in Berwicke, of Shirikwikes for life in Wales 502.a
28 That lessees shall enioy their farmes against their tenants in taile or in the right of their wiues or Churches, &c 262.b
29 For customable lands in Oswellstone 107.c
30 For mispleading, leofails, atturneis 374.c
31 For the auoyding of recoueries by collusion by Tenants for terme of life 371.b
32 For ioyntenants for terme of life or yeres 319.a
33 That wrongfull disseisin is no discent in Lawe 146.a
34 Concerning graunts or reuersions, to take aduantage of the conditions to be performed by the lessees 65.b
35 That Iustices of forrests may make deputies 188.c
36 For the exposition of the statute of fines 175.a
37 For recouery of arrerages of rents by execution of tenants in fee simple 373.b
38 For precontracts of marriages, and degrees of consanguinitie 277.c
39 The iurisdiction of the great Maister of the Kings houshold 439.b
40 For the priuiledges of Phisitions 340.b
41 For baking of horsebread 217.b
42 For Barbours and Chirurgions to be of one Company 341.c
43 For shire dayes in Chester 58.b
44 Royston reduced to one Parish 389.a
45 For the erection of the court of first fruits and Tenthes
46 The establishment of the Court of the Kings Wards 518.b
47 The Bishop of Norwich charged with the collection of the tenth in his Dioces 176.b
48 Concerning the Castle of Douer 118.a
49 For a generall pardon 335.b

¶ The 33. yeere of Henry the 8.

1 AN Acte concerning counterfaite letters or tokens to receiue money in other mens hands 79.a
2 For buying of fish vpon the Sea 180.b
3 For folding of clothes in Northwales 127.a
4 For Pewterers 338.a.b
5 For keeping of great horses 221.a
6 For crossebowes and handgunnes 88.a
7 For conueying of brasse, &c. ouer the sea 40.b. 338.a
8 Against coniuration, witchcrafts, &c.
9 For maintenance of Artillery and debarring of vnlawfull games 344.b
10 For the execution of certaine statutes 161.a
11 For butchers to sell by weight or otherwise 38.b
12 For murther and bloodshed within the Court 171.c. 468.a
13 For Lordshippes translated from Denbigh to Flint 58.c. 502.b
14 For false prophesies vpon declaration of names or badges 171.c
15 The Sanctuarie translated from Manchester to Westchester 402.a
16 For Wayfleet parue in Norfolke 312.a

17 For

17 For confirmation and continuation of certeine acts. 47.a.183.a.77.b
18 For true making of karsies. 128.b
19 For expounding a statute for shipping of clothes 128.b
20 For due processe in high treason, in cases of lunacie and madnesse. 457.b
21 For the attainder of Queene Katherine and her complices 6.a.26.b
22 For the order of wards and liueries 520.b
23 For to proceed by a commission of oier and determ. against such as shall confesse treason, without remanding them to the Shire where the offence was committed 56.b.469.a
24 That no man shall be Iustice of assise in his owne countrey 246.c
25 For making free children borne beyond the sea 1.b
26 To make void certeine conueyances deuised by sir John Shelton 414.b
27 For leases of hospitalles &c. to be good with the consent of the more part
28 For the Chancellor of Lancaster, and other noble men to retaine chapleines 378.b
29 For religious persons to sue and to be sued 1.b
30 For the Deane & Chapter of Lichfield to make leases &c.
31 For the disseuering of the Bishopricke of Chester and the Isle of Man from Canterbury to Yorke 37.c.58.b
32 For Whitegate to be a parish of it selfe and no part of Duer 530.c
33 For priuileges of Kingston vpon Hull 224.b
34 For reuocation of two fayres of Lin 267.c
35 For the conduits of Glocester 205.b
36 For the repairing of Canterburie &c. 454.c
37 For the honor of Ampthill 217.b
38 For the honor of Grafton 217.b
39 For the erection of the court of Surueiors 30.b

¶ The 34. & 35. yeeres of H. the 8.

1 AN act for the aduancement of true religion 38.b
2 For collectors and receiuers 365.c
3 For assise of coale and wood 201.a
4 Against bankrupts 33.b
5 For explanation of the statute of wils 534.b
6 For the true making of pinnes 342.b
7 That certeine of the Councell shall set prices vpon wines to be solde by retaile 536.c
8 That persons beeing no common Surgeons may minister outward medecines 341.b
9 For the preseruation of Seuerne 210.b
10 For making of couerlets in Yorke 552.b
11 For making of Friles and Cottons in Wales 128.b
12 For pauing of certeine streets in London 332.a
13 For Knights and Burgesses to haue places in the Parliament for Chester 58.b
14 For certificate of conuicts to be made into the Kings bench 56.a
15 Touching the Deane and Chapter of Welles to be one sole Chapter
16 For Shirifes to be discharged vpon their accounts, and to haue reasonable allowance in the Exchequer 333.b.431.a
17 For new Bishops to pay their tenths into the courts of the First fruits 176.b
18 For the priuileges of Canterburie 49.a
19 For the payment of pensions graunted out of Abbeys
20 For barring fained recoueries, where the king is in reuersion 371.c
21 For confirmation of Letters patents notwithstanding any misnaming 326.c
22 For fines (in townes corporate) to be made as they before haue bene 237.b
23 For true execution of proclamation 351.c
24 For assurance of lands to John Hinde &c. paying x.li. a yeere &c. 49.a
25 That the inhabitants of Poole may erect a Windmill &c. 344.c
26 For lawes in Wales 510.c

¶ The 35. yeere of H. the 8.

1 AN act for the kings succession in the crowne 90.b

2 For triall of Treasons committed out of the kings dominion 469.b
3 For ratification of the kings stile 439.b.457.b
4 For repairing of decayed houses in England and Wales 454.c
5 For qualification of the statute of the fiue articles 213.b
6 For apparance of Iurors in the Nisi prius 242.c
7 A statute repealed for the bringing in of sea fish and stockfish
8 For Coopers
9 For the partition of Wapping marsh 513.a
10 For amending Conduits in London 271.b
11 For payment of Knights and Burgesses wages of the Parliament in Wales 319.b
12 For remission of the lone 272.b
13 That the lands of the late priorie of Malkingham may be let by copie of court roll 513.a
14 For reseruation of rentes vpon houses, with landes thereunto belonging vnder xl.s. by the yeere 444.b
15 For pauing of Cambridge 49.a
16 For examination of Canon lawes by certeine persons &c. 434.a
17 For preseruation of woods 540.b
18 A generall pardon 335.b

¶ The 37. yeere of H. the 8.

1 AN Act for officers of Custos rotulorum, and clerks of the peace 108.a
2 For partition of Dunslow heath 224.a
3 For amending of Huntington lane, besides Chester 213.b
4 That all Chapels &c. shalbe in the Kings disposition 293.a
5 What inhabitants in London may passe in attaints 29.b
6 Concerning burning of frames 46.c.171.b
7 For abrogation of fiue weeks sessions 162.a
8 That any inditement lacking Vi & armis, shall be good in law, and against stealing of an horse 62.a 236.a
9 An act against vsurie. 490.b
10 Against slanderous billes 171.b
11 For the marshes beside Greenwich 207.b
12 For tithes in London 449.c
13 For repealing the act made for pinnes 342.b
14 For maintenance of the piere at Scarborough 402.a
15 For regrating of woolles 523.c
16 For annexing lands to the duchy of Lancaster, and for exchange of lands betweene the King and others, and the B. of London 37.c.261.b
17 That Doctours of the ciuill law being married, may exercise ecclesiasticall iurisdiction 142.b 434.b
18 For the erection of honors 217.b
19 For fines taken in Lancaster to be of like force as fines knowledged before the Iustices of the Common place 175.b
20 For tenures of lands of xl.s. or vnder 444.b
21 For vnion of Churches not exceeding vi.li. by the yeere 484.c
22 To fill Iuries De circumstantibus 242.c
23 For the continuation of certeine statutes 29.b 312.b.374.c.431.a
24. 25 For confirmation of a Subsidie by the Clergie 442.a

¶ Statutes made in the time of king Ed. the 6. The beginning of his reigne. Anno. 1546. Ianu. 28.

¶ The first yeere.

1 AN act against such as speake against the Sacrament of the altar, and for the receit thereof in both kindes 406.a
2 For election of Bishops, and what seales, and stile spirituall persons shall vse exercising ecclesiasticall iurisdiction 37.c
3 For punishment of vagabonds, and relefe of the poore 469.b
4 For tenures in Capite 445.b
5 That no horses bee conueyed out of England without licence 222.c

6 For making Worsted yarne in Norfolke 312.b
523.b
7 For continuance of actions after any Kings death 116.c
8 For confirmation of letters patents 327.b
9 For vniting certaine Churches within Norke 484.c
10 For exigents & proclamations in Wales and Chester 164.b
11 For repeale of a statute, revoking actes of Parliament 374.a
12 For repeale of a statute cõcerning treasons &c. 6.b. 38.b. 56.c. 62.c. 120.b. 171.b.c.d. 213.b. 351.c. 456.a.b. 457.a
13 For a subsidie of tonnage and poundage of merchandize, with confirmation of the priuiledges of merchants of the Staliard to endure for a certaine time 442.a
14 That all Chauntreries &c. be giuen to the King
15 For a generall Pardon 298.a 335.b

¶ The 2. & 3. yeere of Edward the 6.

1 An acte for vniformitie of seruice, and administration of the Sacrament 406.a
2 For true seruice in captaines and souldiers 50.b
3 For Pursuiors 363.b
4 For allowances of sheriffes vpon their accompt 431.b
5 For remitting of fee fermes for three yeeres 166.b
6 Against exaction of money by any officer for licence to trafique into Ireland 180.c
7 Against craftie buying of pensions 334.a
8 For finding offices before Escheators 154.b
9 For true carrying of leather
10 For true making of mault 275.b
11 For true tanning of leather 68.a
12 For assurance of leases made of the Duke of Somersets demeine lands 433.b
13 For true paiment of tithes 452.b
14 Against shooting of balle shotte 89.b
15 For victuallers and handicrafts men 23.c
16 For remouing such as haue the custody of castles and fortresses vpon the borders and beyond the seas 52.c
17 For the attainder of Sir William Sharington Knight 26.b
18 For the attainder of Sir Thomas Seimour Knight 26.b
19 For abstinency from flesh 217.a
20 For qualifying the stat. of Recusants
21 For taking away politique lawes against mariage of priests 277.c
22 For colouring customes in other mens names 107.a
23 For repeale of a stat. for precontracts
24 For triall of murders in seuerall Counties
25 For keeping of the County dayes 469.b
26 Against carying of white ashes out of the Realme 79.c
27 Against forging of false gads of steele 530.c
28 For fines with Proclamation in the County Palantine of Chester 430.c
29 Against Sodomy 175.b
30 For the townes of Rie and Winchelsey, and for casting of ballast into the chanel 380.b
31 For Chester, touching the taking of recognisances 58.b
32 For continuance of certaine stat. 242.c
33 That no man shal enioy his clergy which stealeth horses 62.c
34 For the Sherife of Northumberland to be accomptable for his office as other be 431.b
35 For confirmation of the Subsidie of the clergie
36 For a relife graunted to the King 442.b
37 For carying bell metall out of the realme 40.b
38 For pauing of Calice 332.a
39 A generall Pardon 335.b

¶ The 3. & 4. yeere of Ed. the 6.

1 That the Lord Chancellor, or Lord Keeper for the time being shall name the Custos rotulorum through all shires in England 108.b
2 For true making of woollen clothes 126.b
3 For inclosement of Commons and waste grounds 18.b
4 For graunts made by parentes out of parents 207.c
5 For punishment of vnlawfull assemblies 383.a
6 For repealing a branch of an acte for buying of tanned leather 68.c
7 For repealing of a stat. for taking wilde fowle at certaine times of the yeere 530.b
8 For continuance of the statute of Sewers 413.c
9 For buying of rawe hides, and calues skinnes
10 For puting away diuers bookes and images 38.b
11 That the King may appointe certaine persons to peruse and make ecclesiasticall lawes 434.b
12 For ouering of ecclesiasticall ministers 37.b
13 For restitution in blood of Sir William Sharington 26.b
14 For restitution of Mary Seimor, daughter to Sir Thomas Seimor Knight 26.b
15 Against phantasticall prophesies 352.b
16 For punishment of vagabonds 7.b.472.b
17 For vnlawfull hunting in any Parke &c.
18 Concerning fee farmes mentioned in the last session 23.c
19 For buying of rother beastes and cattell 48.c
20 For repeale of a branch for victuallers and handicrafte men 47.a
21 For buying and selling of Butter and Cheese
22 For retaining of Journeymen by diuers persons 254.b
23 The release of branches in the last acte of resiete for paiments of sheepe and clothes, and a subsidie payed in one yeere 442.b
24 A generall Pardon 335.a

¶ The 5. & 6. yeere of Ed. the 6.

1 An acte for vniformitie of prayer, and administration of Sacraments 406.b
2 For prouision and release of the poore 472.b
3 For keeping of Holy dayes and fasting dayes 217.a
4 Against fighting and quarrelling in Churches 173.a
5 For maintenance of tillage, and increase of corne 227.a
6 For true making of woollen cloth 132.b
7 For limitting times to buy and sell wooll 312.b 548.b
8 What persons shall weame or make hoyade woollen cloth 132.b
9 That no person robbing any house &c. shall enioy his clergie 62.b
10 That such as rob in one Shire, and flie into another, shall not haue their clergie 62.b
11 For punishment of diuers treasons 459.b
12 A declaration of a statute for mariage of priests 277.c
13 A declaration of a Statute touching religious persons 2.a. 285.c
14 Against regrators, forestallers and ingrossers 192.b
15 Against regrators of tanned leather 69.a
16 Against buying and selling of offices 315.b
17 For continuing of certaine statutes 536.b
18 A statute repealed for bringing in wines, &c. in strange bottomes 419.a
19 For exchanges of gold and siluer 148.b
20 Against vsury 491.a
21 For Tinkers and Pewlers 332.c
22 For putting downe gigge milles 205.b
23 For true stuffing of featherbeds &c. 487.b
24 For making of Hattes &c. at Norwich and in Norfolke 313.b
25 That Alehouse keepers be bounde by recognisance 8.b
26 For writs vpon Proclamations and Exigents to be currant in Lancaster 165.c

¶ The 7. yeere of Ed. the 6.

1 An acte for true answering of the Kings reuenues 367.b
2 For the diffolishing or vniting of certaine courtes erected by the late King

3 For confirmation of the kings letters patents of bargaine and sale &c. 328.b
4 That all patentees of Collectorships of tenths shalbe bound for their collectors 176.b
5 To auoide great prices of wines 538.a
6 A statute reuiued for carrying golde and siluer out of the Realme 302.c
7 For the assise of fuell 201.c
8 For fulling and thicking of cappes 207.b
9 For making of white plaine kreits and pinned white kreits in Deuon and Cornewall 132.b
10 For annexing of Gateshed to Newcastell vpon Tine 139.a
11 For cõtinuance of certaine statutes 68.a.275.b 352.b.383.a
12 For a subsidie and two fifteenes and tenths by the temporalties 442.b
13 For a subsidie graunted by the clergie 442.b
14 A generall pardon 335.a

¶ Statutes made in the time of Q. Ma. The beginning of her reigne, Anno. 1553. Iulij. 6.

¶ The first yeere, first Session.

1 AN acte repealing certaine treasons, felonies, and Premunire 6.a.459.b.460.a

¶ The first yeere, second Session.

1 The Queene borne in lawfull matrimony, and repealing all sentences of diuorce to the contrary 277.c
2 For repeale of certaine statutes made in Edw. the 6. time 139.b
3 Against offenders of Preachers, and other ministers in the Church 407.b
4 For writings made from the 6. of July, and before the first of August 110.b
5 For limitation of prescription in certaine cases 267.b
6 Against counterfaiting of strange coines 460.a
7 For proclamations vpon fines 176.a
8 That sheriffes shall not be Iustices of peace during their offices 431.b
9 For the incorporation of Philitions of London 342.a
10 For vniting, dissolning, and newe erecting of courts 86.b
11 For sale of hattes and cappes made beyond the sea 208.b
12 Against vnlawfull assemblies 385.b
13 For cõtinuance of certain statutes 68.a.275.b 472.b
14 For reparation of Gaoles
15 For reedifying of S. Elins in Yorke 484.b
16 For the attaindour of the Duke of Northumberland and others 26.b
17 For releasse of a subsidie of the temporalty 442.b
18 For a subsidie of tonnage and poundage 442.b

¶ Another statute the same I. yeere. Parl. 2.

1 AN Acte that the Regall power is in the Queenes Maiesty as fully as it hath beene in any her progenitors 364.b
2 For articles of the Queenes mariage 364.b
3 For repeale of 2. actes touching the dissolution of the Bishoprickes of Durham 141.c
4 For establishing the Lord Stewards office, of her Maiesties household 439.b
5 For repairing of Shirbirne causey 426.a
6 For repairing a causey betwixt Billowe and Gloucester 213.b
7 For cloth making in corporate townes 132.b
8 For buying and carrying of leather 69.a
9 For ordinances in churches and schooles 316.a
10 For repeale of a statute for hasting two Parish Churches in Essex 464
11 For the sea sands in Glamorgan 413.c
12 For continuance of certaine statutes 385.a

¶ The I. and 2. yeere of king Philip and Queene Mary.

1 AN act touching letters Patents, and other writings to be assigned by the Q. 364.b
2 For reformation of excesse in apparell 16.a
3 Against seditious wordes and rumors 308.b
4 For punishment of Egyptians 143.c
5 For restraint of come &c. ouer the sea 484.b
6 For punishment of heretikes 213.c
7 That countrey persons shall not sell diuers wares in cities &c. by retaile 455.a
8 For repealing all statutes against the sea of Rome 13.a.374.b.316.b.399.b
9 For punishment of traytorous wordes against the Queene 460.a
10 Certaine offences made treason, and for the gouernement of the King and Queenes issue 460.b
11 For punishment for bringing in counterfaite coine 460.b
12 For impounding distresses 118.c
13 An order for Iustices, for bailement for prisoners 274.a
14 For making of Russels, Sattens &c. in Norwich 313.b
15 For the liberties of the Lorde Marchers in Wales 510.b
16 For cõtinuance of certaine statutes 29.b.385.b
17 For leases to bee made by spirituall persons 262.c

¶ The 2. and 3. yeeres of king Philip and Queene Mary.

1 AN acte for reedifying of Castels &c. for inclosing grounds vpon the borders towards Scotland 55.b
2 For reedifying of decayed houses, & for increase of tillage 230.b
3 For keeping of milch kine, & rearing of calues 49.a
4 For extinguishment of first fruites, and order of spirituall promotions &c. 176.b
5 For relefe for the poore 472.b
6 Against excessiue taking of Purueyors 364.a
7 For buying of stone horses 169.a
8 For amending high wayes 214.c
9 For auoyding licences of houses, wherein vnlawfull games be vsed 344.b
10 For examination of prisoners suspected of manslaughter or felony 346.b
11 For weauers 133.b
12 For buying & selling of clothes called Bridgewaters 133.c
13 For the inhabitants of Halyfax, for buying of woolles 548.b
14 For reedifying of foure milles neere Yerforth 213.b
15 That purueyors shall not take victailes within fiue miles of Cambridge and Oxford 485.a
16 For watermen vpon Thames 324.b
17 For taking away the Clergy for Benet Smith for murdering Raiford 63.a
18 For commissions of peace and gaole deliuery in Townes corporat not being Counties 248.c
19 For Powdike in Marshland 169.b
20 For the enlarging of the Duchy of Lancaster 261.b
21 For continuation of certaine stat. 29.b.385.b
22 For a Subsidie graunted by the Clergie 442.b
23 For a Subsidie graunted by the Temporaltie 442.b

¶ The 4. and 5. yeeres of King Philip and Queene Mary.

1 AN acte for confirmation of letters Patents 330.b
2 For hauing horse, armour, and weapon 22.b
3 For taking of musters 307.a
4 That accessaries in murder, and diuers felonies shall not haue their Clergie 63.a
5 For making of woollen clothes 135.c
6 For the behauiour of Frenchmen being denizens 111.a
7 For making a full Iurie De circumstantibus, where the King or Queene is partie 242.b
8 For punishment of such as take away maidens &c. within xxi. yeeres of age &c. 549.c
9 For continuance of certaine stat. 29.b
10 For a Subsidie of the Clergie 442.b
11 For a Subsidie and a fifteene graunted by the Temporaltie 442.b

¶ Statutes made in the time of Q. Elizabeth. The beginning of her reigne. Anno 1558. Nouemb. 17.

¶ The first yeare.

1 AN act for restoring to the crowne the ancient iurisdiction &c. 94.b.390.a.391.b
2 For vniformitie of prayer, and administration of the Sacraments 409.b
3 For recognising the Queene to the crowne 94.a
4 For restitution of First fruits and Tenthes &c. to the crowne. 13.b.178.b
5 Certeine offences make Treason 460.b
6 For explanation of the Statute for seditious words &c. 309.a.461.b
7 For conueying horses into Scotland 171. b. 222.b
8 For Shoomakers and Curriers 69.a
9 For Tanners and tanned leather 69.a
10 That carrying of leather, &c. out of the realme shalbe Felonie 69.a
11 Times for landing of marchandize, and for cuitomes of sweet wines 285.a
12 Against deceitfull vsing of linnen cloth 268.a
13 For shipping in English bottomes 419.c
14 For making of woollen cloth in diuers townes in Essex 135.c
15 That no timber shalbe felled to make coales for burning of Iron 541.a
16 Against rebellious assemblies 385.b
17 For preseruation of spawne, and frie of Fishe 181.b
18 For continuance of certeine Statutes 29.b 472.b
19 For a Subsidie of tonnage and poundage 443.a
20 For a Subsidie and two fifteenes and tenthes graunted by the Temporaltie 442.b

¶ The 5. yeere of Queene Elizabeth.

1 AN acte for the assurance of the Queenes power ouer all estates, &c. 96.a
2 For maintenance and increase of tillage 233.b
3 For releefe of the poore 472.b
4 Diuers for artificers and labourers &c. 260.a
5 Constitutions for maintenance of the Nauie 423.a
6 Against such as shall sell wares for apparell 16.a
7 For auoyding of forreine wares 520.b
8 For shoomakers &c. vsing cutting of leather 73.c
9 For punishment of Periury 336.c
10 For seruants imbesilling their masters goods
11 For clipping &c. of coines 461.b
12 For badgers of corne and vtterers of victuall to be licenced 75.b
13 For amending of high wayes 215.c
14 Against forging of euidences &c. 191.b
15 Against fond and fantasticall prophecies 352.b
16 Against coniurations &c. 66.c
17 For punishment of Buggerie 171.c
18 That the authoritie of the Lord Keeper, and Lord Chancellor shall be one 248.c
19 For repeale of a statute for conueying horses out of the Realme 223.a
20 For punishing of vagabonds, fayning themselues Egyptians 144.a
21 For punishment of vnlawfull taking of fish &c. 182.c
22 Against carrying of sheepe skinnes and pelts ouer the sea 285.c
23 For due execution of the writ of Excommunicato capiendo 158.b
24 For repairing of Quoiles 347.b
25 For tilling of Iuries (De circumstantibus) in Cities 243.c
26 For inrolling Indentures of Record at Lancaster, &c.
27 For keeping Fines in the County Palantine of Durham
28 For translating the Bible and diuine seruice into the Welsh tongue
29 For a Subsidy graunted by the Clergy 443.b
30 For a Subsidie, two Fifteenes and Tenthes graunted by the Temporaltie 443.b
31 For a generall Pardon 335.b

¶ The 8. yeere of Queene Elizabeth.

1 AN acte for making of Archbishops and Bishops to be lawfull 38.a
2 That the defendant shall recouer his costes 350.c
3 Against carrying of sheepe ouer the sea alive 424.b
4 For taking away the Clergie from certaine felonious offenders 63.b
5 For abridgement of appeales in suites of ciuill and marine causes 7.b
6 For clothworkers, and cloth to be shipped ouer Sea 135.b
7 For Drapers in Shrewsbury 136.b
8 For repeale of a branch of a stat. for the stature of horses in the Isle of Ely &c. 223.b
9 For repeale of a branch of a statute for the pitches of barrels and kilderkins 81.a
10 For bowyers and the price of bowes 39.b
11 For true making of hats and cappes 209.a
12 For the vnlegeous fees in Lancashire, and for the measure of cottons &c. 137.a
13 For Sea markes and Mariners 276.c
14 For transporting of tanned leather 285.b
15 For preseruation of graine 90.b
16 That in diuers Counties there shall be but one Sheriffe 432.c
17 For a Subsidie graunted by the Clergy 443.b
18 For a fifteene and tenth graunted by the temporaltie 443.b
19 For a generall Pardon 335.b

¶ The 13. yeere of Queene Elizabeth.

1 AN acte whereby certaine offences be made treason 463.a
2 For bringing in, and putting in execution bulles from Rome 97.c
3 For fugitiues ouer the Sea 203.c
4 To make the lands &c. of Receiuors lyable for their debts 113.c
5 Against fraudulent deedes, gifts, alienations, &c. 198.a
6 That exemplifications of letters Patents, shall be as good as letters Patents 207.b
7 For owners for bankrupts 35.c
8 Against vsury 491.c
9 For commission of Sewers 414.b
10 Against fraudes, defeating remedies for vsurpations 115.b
11 For maintenance of Nauigation 424.a
12 To reforme disorders touching Ministers of the Church 434.a
13 For increase of tillage 76.c
14 For bringing Bowestaues into the Realme 40.a
15 That no Dog shall crosse the Sea 425.a
16 For the attainder of the Earle of Westmerland and the Earle of Northumberland 26.b
17 For the Earle of Leicester to found an Hospitall 223.c
18 For bringing of the River of Lee, to the North side of London 265.a
19 For making of Cappes 209.c
20 For leases of benefices, and other ecclesiasticall liuings 262.b.263.a
21 That Purueiors may take corne and victuals within fiue miles of Cambridge and Oxford, in certaine cases 484.c
22 For continuance of the Statute for diuision of Sheriffes 432.c
23 For paueing a streete without Algate 332.a
24 For paueing of Ipswich 238.b
25 For continuance of certaine Statutes 29.b.48.b 336.c.347.b.520.c
26 For a Subsidy graunted by the Clergy 443.b
27 For a Subsidy, two Fifteenes and Tenthes graunted by the Temporalty 443.b
28 For a generall Pardon 335.b

¶ The 14. yeere of Queene Elizabeth.

1 AN act for punishment of such as rebelliously detaine any of the Queenes castels &c. 463.c
2 Against

2 Against such as practise the enlargement of any prisoner comitted for high Treason 172.a.463.c
3 Against counterfeiting any forreine coine not currant within this Realme 302.b
4 For inhibiting the carrying of leather, tallow, &c. out of the Realme 69.a
5 For punishment of vagabonds, and relieke of the poore 472.c.478.b
6 For explanation of a statute against fugitives ouer the Seas 204.b
7 Against deceit of vnder collectors of Tenths and Subsidies 113.b
8 For auoiding recouries suffered by collusion by tenants for terme of life &c. 372.a
9 That the tenant or defendant may haue a Tales de Circumstantibus, aswell as the demandant or plaintife 243.b
10 To reforme the excessiue length of Iestes 137.b
11 For continuance, explanation, &c. of diuers statutes 48.b.115.b.263.c.336.c
12 For repeale of a statute for Shrewsburie
13 For annexing Heram, and Heramshire to Northumberland 213.c

¶ The 18. yeere of Queene Elizabeth.

1 AN act against diminishing of the Queenes coine, and other coines currant within the Realme 463.b
2 A confirmation aswell of graunts made to the Queene, as of Letters Patents made by her to others 331.c
3 For setting poore people on worke 480.c
4 For auoiding fraudes in certeine conueyances made by the rebels in the North 198.b
5 To reuerse disorders in common Informers vpon penall lawes 237.a
6 For maintenance of the colledges in both Vniuersities, and in Winchester and Eaton 263.b 485.b
7 For taking away Clergie from the offenders in Rape and Burglarie, and an order for deliuering Clerks conuict without purgation 63.c
8 For appointing and authorizing Iustices of assises in Wales 511.b
9 Against transporting of leather &c. 74.a
10 For mending of high wayes 216.b
11 Against defeating dilapidations, and leases of spirituall promotions in some respects 264.c
12 For triall of Nisi prius in Middlesex 312.b
13 For offices found within the Counties Palantines
14 For reformation of Ieofailes 234.b
15 For abuses in Goldsmiths 207.a
16 For toleration of certeine Clothiers to dwell out of townes corporate 137.b
17 For perpetuall maintenance of Rochester bridge 44.a
18 For repairing of Cheystow bridge 44.c
19 For paiing of Chichester 332.b
20 For repairing bridges and high wayes neere Oxford 45.a
21 For relieke and reedifying of newe Woodstocke 455.b
22 For a Subsidie granted by the Clergie 443.b
23 For two Fifteenes and Tenths, and one Subsidie graunted by the Temporaltie 443.b
24 For a generall Pardon 335.b

¶ The 23. yeere of Queene Elizabeth.

1 FOr reteining the Queenes subiects in their due obedience 98.c
2 For seditious wordes vttered against the Queene 310.c
3 Touching Errours in Fines and Recouries 147.c
4 For fortifying the borders neere Scotland 404.c
5 Concerning Iron milles neere London 541.b
6 For repairing of Douer hauen 119.a
7 For the increase of Mariners, and maintenance of the Navie 425.b
8 For the true making of wax 523.a
9 For the abolishing of blacke woad and other deceitfull stuffe in the dying of cloth 138.b
10 For preseruation of Fealants and Partridges 172.b
11 For the reedifying of Cardiffe bridge 45.b
12 For pauing the streets without Algate 332.a
13 For inning of Earith and Plumsted Marsh 344.c
14 & 15 Acts for Subsidies graunted 443.b
16 An act for a generall pardon 335.b

¶ The 27. yeere of Queene Elizabeth.

1 AN act for the suretie of the Queenes Maiesties most royall person 99.c
2 Against Iesuits, Seminarie Priests, and such other like disobedient persons 465.b
3 For the explanation of a statute made 13. Eliz. intituled, An act to make the lands &c. of fellers and receiuers liable to the payment of their debts 114.b
4 Against coueinous and fraudulent conueyances 200.a
5 For expedition of iustice in cases of demurrers 115.a
6 For returning of sufficient Iurors 244.b
7 For leuying of issues lost by Iurors 432.b
8 For reuerse of erronious iudgements in the Kings bench 147.b
9 For reformation of Errors in fines and recouries in the twelue shires of Wales, towne and counties of Hauerford West, with the counties palantine 513.a
10 For continuance of a former statute, intituled, An act to reuerse disorders in common Informers vpon penall statutes made in the 18. yeere of her Maiesties reigne 237.a
11 For the reuiuing, continuation, explanation, and perfecting of diuers statutes 48.b.c.233.b.263.b 336.c.423.c.520.c
12 For the swearing of Vndershrifes and other officers &c. 433.b
13 For following of huy and crie 388.b
14 For the reuiuing of a former statute for the true making of Walt 275.b
15 For the bringing in of staple fish and herrings into this realme 426.a
16 Touching Artificers vsing cutting of Leather 74.b
17 Touching the breath of white woollen clothes in Somerset, Wiltshire, Glocester and Oxford 139.a
18 Concerning plaine white Streights and pinned white Streights in Deuonshire and Cornewall 139.c
19 For preseruation of timber in the wealdes of Sussex, Surrey, and Kent, and for the amendement of high wayes decayed by carriage too and fro the Iron milles there 542.c
20 For preseruation of the hauen at Plimmouth 211.b
21 For preseruation of Oxford hauen 211.c
22 For bringing the hauen of Chichester by a new cut channell, to the Suburbs of the same citie 213.a
23 For clothmaking in Boxsted and Langham in Essex 139.b
24 For keeping of the sea banks and sea workes in the countie of Norfolke 32.c
25 For the explanatiō of the statute for the maintenance of Rochester bridge 46.b
26 For the explanation of a statute for the amending of high wayes betweene Middleton and the kings ferrie in Kent 217.a
27 For the inning of Earith and Plumsted marsh 344.c
28 For one Subsidie, & two Fifteenes & Tenths graunted by the Temporaltie 443.b
29 For the Queenes Maiesties generall and free pardon 335.b

¶ The 28. yeere of Queene Elizabeth.

1 AN act for the attainder of Thomas late Lord Paget and others 26.b
2 Concerning Errors in records of attainders of high Treason 465.b
3 To auoid fraudulent assurances made in certeine cases by Traitors 200.b
4 To preuent extortion in Shirifs, Vndershirifs, and Bailifs of Franchises in cases of execution 433.c

5 For

☞5 For the continuance and perfecting of diuers statutes 48.b.c.237.a.336.c.432.d.520.c
6 For the speedie execution of certeine branches of the statute made 23. Eliz. intituled, An Act to retreine the Queenes Maiesties subiects in their due obedience 100.c
7 For one Subsidie granted by the Clergy 443.b
8 For one entire Subsidie, and two Fiftreenes and Tenths granted by the Temporaltie 443.b
9 For the Queenes Maiesties pardon 335.b

The 31. yeere of Queene Elizabeth.

1 AGainst discontinuances of writs of Errour in the Court of Eschequer, and Kings Bench 148.b
2 For abridging of Proclamations vpon fines to be levied at the Common law 176.a
3 For the auoiding of priuy and secret outlawries of her Maiesties subiects 165.b
4 Against imbezelling of armour, habilliments of warre, and victuall 22.c
5 Concerning Informers 4.b
6 Against abuses in election of Scholars, and presentation to benefices 145.b
☞7 Against erecting and maintening of cottages 78.c
8 For the true gauging of vessels brought from beyond the Seas, conuerted by Brewers for the vttering and sale of Ale and Beere 205.a
9 For writs vpon Proclamations and Exigents to be current within the countie Palantine of Durham 142.c
10 For continuance and perfecting of diuers statutes 48.b.237.b.263.a
11 An act of explanation or declaration of the statute of 8. Regis Hen. 6. concerning forcible entries, the indictments thereupon found 184.b
☞12 To auoid Forestalling 169.a
13 For reuiuing and inlarging of a statute made in the 23. yeere of her Maiesties reigne, for repairing of Douer hauen 119.b
14 For confirmation of the Subsidies of the Clergie 443.c
15 For the granting of foure Fiftreenes & Tenths, and two entire Subsidies to our most gracious Soueraigne Lady the Queenes most excellent Maiestie 443.c
16 For the Queenes Maiesties most gracious generall and free pardon 335.b

¶ The 35. of Queene Elizabeth.

1 AN Act to retreine the Queenes Maiesties subiects in their obedience 103.a
☞2 For the restreining of popish recusants to some certeine places of abode 102.c
3 For explanation of a statute made in the 34. yeere of king Henrie 8. aswell touching grants made to his Maiestie, as for confirmation of Letters Patents made by his Highnesse to others 332.a
☞4 For the necessarie reliefe of Souldiers and Mariners 52.a
5 For explanation and confirmation of the Qu. Maiesties title to the lands and tenements late Sir Francis Englefields Knight, attainted of high treason 26.b
☞6 Against conuerting of great houses into seuerall tenements, and for restreint of Inmates and Incloſures, in and neere about the citie of London and Westminster 272.a
7 For the reuiuing, continuance, explanation and perfecting of diuers statutes 119.b.275.b.424.a 432.d.434.b.480.a
8 For the auoiding of deceit vsed in making and selling of riuelayd cordage, and for the better preserning of the name of this Realme 47.b
9 Touching the breedth of Blunkets, Aqures and Blewes, and other coloured clothes, made within the countie of Somerset and elsewhere of like making 104.b
10 For reformation of sundrie abuses in clothes, called Deuonshire Kersies or Dozens, according to a Proclamation of the xxviii. yeere of the Queenes Maiesties reigne 141.b
11 For the bringing in of clayboord frō the parts of beyond the Seas, and the restreining of the transporting of wine caske, for the sparing and preserning of timber within this Realme 52.b
12 For the confirmation of the Subsidies of the Clergie 443.c
13 For the graunt of three entire Subsidies & fiue Fiftreenes and Tenths graunted by the Temporaltie 443.c
14 For the Queenes Maiesties most gracious generall and free pardon.

FINIS.

Elenchus Parliamentorum, in quibus quæ apud nos typis impressa Statuta prostant, à tempore Henrici tertij vsque in præsentem diem ædita sunt iuxta temporis seriem digest. cum titulis quibus vetera statuta vulgò citantur.

Tempore Henrici tertij. Initium regni sui. Anno 1216. Octobris 19.

Ann.

9 MAgna Charta 10. Februarij.
Charta de Foresta eodē die.
14 Hibernia de coheredibus.
20 Merton
21 De Anno bissextili
38 Sententia lata super chartas
51 Assisa panis & cerusiæ
Dies communes in Banco
Dies communes in dote
Districtiones Scaccarij
Lestatut. de Scaccario
Iudicium colliftrigij
Dictum de Kenelworth
De compos. Mensurarum
De Ponderibus & Mensuris
52 Marlebridge

Tempore E. 1. Initium regni sui. Ann. 1272. Nouembris 16.

3 Westmonasterium primum
4 Extent. Manerij
Offic' Coronatorum
De Bigamis
6 Gloucestr.
Explan. Glocestr.
7 Le statute de def. portand. arma
De Religiosis
9 Articuli stat. Glocestr. pur vouchers, mes ceo semble 9. E. 2.
11 Acton Burnell
Lestatute de Champertie
12 Statuta Walliæ
13 Westm. second'
Le statute Marchant
Winchester
Circumspectè agatis
14 Lestatute de Exton. oue les articles de consultation
17 Gaueston 2. statutes
Ordinan' pro statu Hiberniæ
18 Quia emptores terrarum
Quo warranto
Quo warranto nouum
Modus leuandi fines
20 Vocat. ad Warrantum
Moneta paruum
De defens. iuris
De Vasto
De inquisition. de terr. ad manū mort.
21 Non ponend' in Assisis
Malefactoribus in parcis
24 De consultatione Angliæ
25 Confirmation des charters, & sententia ent pronounce.
27 Le statute de liber. perquir.
De Finibus leuatis
28 Le statute Articuli super chartas
Le statute de Wardis & Releuijs
De appellatis
29 De Escaetoribus
30 Quo warranto
33 De protectionibus
Lestatute diffinitiue de conspirat.
Ordinat. de Inquis.
De conspirat. & champertie per le Liuer Angleyes.
Lestatute Ordinatio de Foresta
De admensuratione terræ
34 De coniunctim feoffatis
Ordinatio Forestæ
35 De asport. Religios.

Ceux statutes auxi come semble fueront faits en temps E. 1. mais la certaintie des ans ieo ne trouue vncore.

Modus visus super Statutum Winton.
De homagio capiendo
De Iudaismo
De terris & tenement. non amortis.
De Tallagio non concedendo

Tempore Regis E. 2. Initium Regni sui. Anno 1307. July. 7.

1 De Militibus
De frangent. Prison.
Articuli stat. Gloc' corr.
Articuli Cleri
Stat. Lincoln. des Viconts
10 De Gaulet
Literæ paten. super prisis bonis cleri
12 Statutum de Euerwicke
De Essonijs calumniand'
15 Carlioli de Finibus
Prærogatiua Regis
Modus fac' homag'

De

De terr. Templar.
De Vis. francipleg.
De prisis.

¶ *Hæc etiam Statuta extant inter vetera statuta impressa per R. Tottill, & alios in utroque volumine, quæ quo tempore fuerunt edita non satis constat. Videntur autem tempor. E.2. and postea.*

Consuetudines Kanc'
Capitula Itineris
Contra Vic' & Cleric'
Capitula Escaetrię
Iuramentum Regis
Iuramentum Episcoporum
Iuramentum Consiliar. Regis
Iuramentum Escaetorum
Iuramentum Vicec'
Iuramentum Maiorum & Balliuor.
De deuis. denariorum
De vendic' farinæ
Abiuratione latronum
Ne rector. prosternant arbores
Ragman de Iustic'
Consuet. & ass. de Foresta
Compos. de ponderibus
Statuta Armorum
Westm. 4. de Vic' & aliis de visu terræ
Vis. terr. & Esson. de seruic' Reg.
De Moneta magna
Articuli de Moneta
Statutum panis & seruis.
Iustic' assign.
Compos. vinarum
Extracta Scaccarij
Exilium H. de Spencer
Ass. Seruis.
De carallis felonum
Prohibitio super articulos Cleri
De ten. per legem Angliæ
Articuli & sacramenta in Itinere.
Anglicè, There is a statute against the prohibition.

¶ *Tempore Regis E.3. Initium Regni sui, Anno 1320. Ianuarij. 25.*

1 Statutum primum crastin. purif.
Statutum aliud post pur.
2 In tribus sept. Pasc' apud Northāpt.
4 Lunæ post Katherine
5 Crō Michis.
9 Crō ascens. apud Eborum statutū de moneta.
10 Lunæ post quadrag. de chartis &c.
Lunæ post medium quadragesime.
11 Lunæ post Mathiæ
14 Mercurij post mediū quadragesime
Eodem die aliud statutum
Statutum de clero eodem die
De corona Angliæ
15 Quindena Paschæ 1. Octobris
Reple de statut. procheine auantdit
¶ *Aliud statutum.*
18 Lunæ post oct' Trin.
Statutum pro clero eodem die
Iuramentum Iustic'
Iuramentum clericorum cancell'
20 7. Maij
23 The Statute of Laborers
25 The Statute of Laborers
De natis in partibus transmarinis.
Oct. purific.
Pro clero in festo Hillarij
A statute for clothes in festo Hill'
For Purueiors
For Prouisors. Oct. Pur.
Of the xv. leuying in festo Hill'
27 Lunæ post Mathie
Statutum stapule eodē die cum feod' Maior. & consuetud' &c.
28 Lunæ post Marci
31 Lune post septim. Paschæ
¶ Two other stat. for herring and fish
34 Die dominico ante conuers. Pauli
35 Of herrings
36 Quindena Michaelis
A Pardon 13. Octo.
37 Veneris in octauis Mich.
38 In octau. Hillarij
De Prouisionibus
42 1. Maij
43 Octauis Trin.
45 Lunæ prima septimana quadrag.
47 Assise of cloth of Ray, and Scottish coigne
50 Quindena Hillarij

¶ *Tempore R.2. Initium Regni sui. Anno 1377, Iunij 21.*

1 Quindena Hillarij
2 Mercurij post Lucæ apud Glouceſt.
In Quindena Paschæ apud Westm.
3 Lunæ post Hillarij

4 4.Nouembris apud Northampton
5 Craſtino animarum
Martis poſt Iohan. ad Portam latinam
6 In octabis Michaelis.
Aliud Statutum.
7 Luneante omnium Sanctorum
8 Craſtino Martini
9 Lune poſt Luce
10 1.Octobris
11 Craſtino Purific'
12 Craſtino poſt natiuitatis Mariæ
apud Canter.
13 Lune poſt Hillarij
Aliud statutum eodem die
14 Craſtino Martini
15 Craſtino animarum
16 Octabis Hillarij apud Winton.
17 Quindena Hillarij
20 In feſto Vincent.
21 Lune poſt exaltationem Crucis apud Weſtmonaſterium, & inde adiorn. vſque Salop. 25. Hillar.

Tempore H.4. Initium Regni ſui. Anno 1399. *Septembris* 29.

1 In feſto fidis
2 Octabis Hillarij
4 Craſtino Michaelis
5 Craſtino Hillarij
6 6.Octobris apud Couentrie
7 1.Martij
9 20.Octobris apud Glouceſter
11 Quindena Hillarij
13 Martis, craſtino animarum

Tempore H.5. Initium Regni ſui. Anno 1412. *Martij* 20.

1 Tres ſept. Paſchæ
2 30.Aprilis apud Leiceſter
Aliud Lune poſt Octab. Martini
4 14.Octobris
5 16.Ianuarij
7 10.Ianuarij
9 2.Maij
Aliud 1.Decembris

Tempore H.6. Initium Regni ſui. Anno 1422. *Auguſti* 23.

1 Lune ante Martini
2 20.Octobris
30.Aprilis
4 18.Februarij apud Leiceſter
6 Quindena Michaelis
8 Craſtino Mathiæ
9 Veneris ante Hillarij
10 12.Maij
11 8.Iulij
14 10.Octobris
15 21.Ianuarij
18 Craſtino Martini
20 In Conuerſ. Pauli
23 25.Februarij
25 In feſto Scholaſticæ 10. Feb. apud Burie S. Edmundi
27 12.Februarij
28 6.Nouembris
29 In feſto Leonardi
31 6.Martij apud Reding
33 9.Iulij
39 7.Octobris

Tempore E.4. Initium Regni ſui. Anno 1460. *Martij* 4.

1 4.Nouembris
3 29.Apr. per diuerſ. prorog. adiorn. vſq;
4 21.Ianuarij ſecund' Seſſion. inde
7 3.Iunij per diuerſ. prorog. adiorn. vſq;
8 12.Maij ſecundam Seſſ. inde
12 6.Octobris & prerogat. vſque
14 23.Februarij ſecundam Seſſ. inde
17 26.Ianuarij
22 20.Ianuarij

Tempore R.3. Initium Regni ſui. Anno 1483. *Iunij* 22.

1 23.Ianuarij

Tempore H.7. Initium Regni ſui. Anno 1485. *Auguſt.* 12.

1 7.Nouembris
3 9.Nouembris
4 13.Ianuarij
11 14.Octobris
12 16.Ianuarij
19 25.Ianuarij

Tempore H.8. Initium Regni ſui. Anno 1509. *Aprilis* 22.

1 22.Ianuarij
3 4.Februarij
4 4.Nouembris
5 23.Ianuarij
6 5.Februarij
7 12.Nouembris
14. & 15. 5.Aprilis apud London & inde adiorn. vſque 31. Iulij, An. 15. & tunc tent. apud Weſtm.
21 3.Nouēb. apud Lond. & inde adiorn. vſq; palatiū Weſt. & ibi cōtinuat. per 40. dies, viz. vſque ad 17. diē Decemb.

& ab eiſdem die & loco prorog' vſque 26. April', & inde vt infra.

22 Secunda Seſſio Parliamenti præd' 16. Ianuar. apud Weſtm. tent. præd' parliament prorog'a ſupradict. 26. Apr. vſque 22. Iunij, & ab illo die vſque 1. diem Octob. & inde vſque 22. eiuſdem menſis, & inde vſque præd' 16. Ia. & ibidem cont. per 75. dies, viz. vlt. Martij, & inde vlterius prog. vſque 13. Octob. &c.

23 15. Ianu. tertia Seſſio parliament' præd' ſuper diuerſ. prorog. apud Weſt. tent.

24. 4. Febr. quarta Seſſio parliament. præd' ſuper prorogationem apud Weſt. tent. & cont. vſque 7. April. tunc prox. &c.

25 25. Ianu. quinta Seſſio parliam. præd' ſuper prorog. apud Weſt. tent. & continuat. vſque 30. Martij tunc prox. &c.

26 Nouembr. ſexta Seſſio parliam. præd' ſuper prorog. apud Weſt. tent. & continuat. vſque 18. Decemb. tunc prox. &c.

27 4. Febr. ſeptima Seſſio parliam. præd' ſuper prorog. apud Weſt. tent & continuat. vſque 14. Aprilis tunc prox. &c.

28 8. Iunij incep. & tent. apud Weſtm. vſque diſſolutionem inde, viz. 8. Iulij.

31 28. Aprilis incep. & tent. apud Weſtm. vſque 28. Iunij prox. &c.

32 12. April. An. 31. ſuprad' ſecund. Seſſ. parliam. præd' per diuerſ. prorog. apud Weſt. contin. & tent. vſq; 11. Maij An. 32. & inde continuat. per prorog vſque 25. Maij prox. & abinde tent. vſque diſſoluc' 24. Iulij An. 32. ſupradict.

33 16. Ianu. incep. & tent. apud Weſt. vſque 1. Aprilis tunc prox. &c.

34 22. Ian. ſecunda Seſſio parliam. præd' ſuper prorog. apud Weſt. tent. & continuat. vſque 12. Maij tunc prox. &c.

35 14. Ianu. tertia Seſſio parliam. præd' ſuper prorog. apud Weſt. tent. & cont. vſque 29. Martij prox. &c.

37 The day or continuance of this Parliament I yet finde not.

¶ *Tempore Ed. 6. Initium Regni ſui. Anno* 1546. *Ianuarij* 28.

1 4. Nouembris apud Weſtm. inchoat. & tent. vſque 24. Decemb. prox. &c.

2 4. Nouemb. ſecunda Seſsio parliamenti præd' ibid' tent. vſq; 14. Marc' prox. &c.

3 3. Nouem. tertia Seſsio parliam. præd' ibid' tent. vſque 1. Febr. prox. &c.

5 23. Ianuar. quarta Seſsio parliament. ibid' tent. vſque 15. April' prox. &c.

7 1. Martij inchoat. & tent. vſque diſſolutionem inde, vltimo eiuſd' menſis.

¶ *Tempore Mariæ Reginæ. Initium Regni ſui. Anno* 1553. *Julij* 6.

1. M. primum Parliamentum.

1 5. Octo. prima Seſsio vſque 21. eiuſdem menſis apud Weſtm. 24. Octo. ſecunda Seſsio parliament. præd' ibid' cont. vſque diſſolutionem inde 6. Decem. prox. &c. 2. April. ibidem contin. vſque diſſolutionem inde 5. Maij prox. &c.

Parliament. ſecundum.

1. & 2. 11. Nouemb. ibidem contin. vſque P. & M. diſſolutionem inde 16. Ianuar.

2. & 3. 21. Octobris ibidem cont. vſque 6. Decembris.

4. & 5. 20. Iunij ibid' continuat. vſque 7. Martij.

¶ *Tempore Elizabeth. Reginæ. Initium Regni ſui. Anno* 1558. *Nouemb.* 17.

1 23. Ianuar. inchoat. apud Weſtm & prorogat. vſque 25. eiuſdem menſis, & tunc ibidem tent. & continuat. vſque diſſolutionem inde 8. Maij.

5 12. Ianuar. apud Weſtm.

8 30. Septemb. ſecunda Seſsio parliamenti præd' ſuper prorogationem ibid' tent. vſque diſſolutionem eiuſdem.

13 2. Aprilis ibi inchoatum & tent. vſque diſſolutionem inde 29. Maij.

14 8. Maij ibi inchoatum & tent. & continuat. vſque vltimo Iunij.

18 8. Februar. ſecunda Seſsio Parliamenti prædict. per prorogationem ibid' tent. & cont. vſque 15. Martij prox. ſequent.

23 16. Ianuarij tertia Seſsio parliamenti prædict' per prorogationem ibidem tent. & continuat. vſque diſſolutionem inde, viz. 18. Martij prox. ſequent.

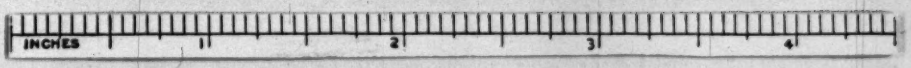
27 23. Nou. inchoat. & tent. apud Weſtm. & ibid' contin. vſque 29. Mar. ſequent.

28 29. Octob. ſecunda Seſsio Parliameti tent. apud Weſt. & ibi continuat. vſq; diſſolutionem inde 23. Mart. prox. ſequent.

31 4. Febr. tent. apud Weſtm. & ibi continuat. vſque diſſolutionem inde 29. Martij prox. ſequent.

35 19. Febr. tent. apud Weſtm. & ibi continuat. vſque diſſolutionem inde 10. Aprilis proxime ſequent.

FINIS.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